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AFRO COLOMBIAN COMMUNITIES, CONFLICT, AND COLLECTIVE LAND

TITLING

By

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ABSTRACT OF THE DISSERTATION

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In this dissertation, I analyze the processes of implementation and application of Collective Titling as a policy that characterized rural Afro Colombian communities' spaces and modified their property regimes, while being equally shaped by the political and economic contexts where they received collective land titles. This analysis examines the interactions between the actors involved in the implementation and application of collective land titling as a public policy.

I conducted fieldwork and archival research in official and communal archives. I used an ethnographic approach to reconstruct the history of Collective Land Titling as a policy, and each community's titling process. I also conducted participant observation and interviewed people associated with the implementation and application of the Collective Land Titling

in the places where those processes happened and in the communities that I present in this dissertation as case studies: Medio Atrato and La Boquilla.

This dissertation attempts to contribute to the study of the formalization of property regimes as the most concrete expression of the ethnic recognition to Afro Colombian rural communities. The formalization of lands owned within customary regimes is immersed in a long-term marginalization of Afro Colombian rural communities and their spaces. The marginalization reflects a long history of maintaining racist ownership regimes that started in the colonial times, were reinforced later in history, and are reproduced in processes of Collective Land Titling. Studying the historical continuity of such regimes contributes to the understanding of our prevailing colonial mindset.

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I. Introduction

Inequity in land property distribution has been a historic struggle for Colombians, and it is often described as one of the leading causes of our long-lasting armed conflict. Collective Land Titling (CLT) for Afro-Colombian communities is now seen as a key strategy by which the Colombian state sought to amend this situation. At the same time, the government used CLT as a form of re-organizing ethnic communities for a prospective, yet still elusive, post-conflict future. The origins of the CLT and its effects on the Afro Colombian population reflect the complexity of the 1980s and 1990s and the convergence of different struggles at national and regional scales. Moreover, the original tensions, discussions, and obstacles that produced Law 70 of 1993, known as the Afro Colombian communities' Law, impacted its implementation and, in so doing, the processes of the granting of collective land titles for Afro Colombian communities.

In the nineties, after three decades of frustrated state-led efforts to redistribute lands to peasants through agrarian reforms, an alternative, largely effective effort to endow rural people with land rights began in Colombia. Afro-Colombian rural communities, located on the Pacific coast of Colombia worked with officials from the national government and international organizations, to achieve cultural recognition as ethnic minorities and obtained collective titles to their lands (Asher, 2009; Jacobs, 2013; Anthias & Radcliffe, 2015). Similar sequences of events unfolded in a wide range of nations during this period. Between 1988 and 2008, collective titles to more than 250 million hectares of land were

transferred from states to indigenous groups and ethnic minorities throughout the Global South (Barry and Meinzen-Dick, 2014).

The stark contrast between the success of the CLT efforts and the failure of earlier land reforms seems all the more surprising because CLT spread during a period of persistent armed conflict. How then does one explain the success of these ethnic community initiatives in this unpromising and changing context? My dissertation seeks to answer this question. Most discussions of CLT processes have focused on the outcomes of ethnic recognition, viewing it from one of two perspectives: One that considers only the empowering effects of the social movement, and another that focuses on the impact of different ethnic identities on the movement's success. These approaches give little consideration to the role of other participants in the process like landowners, private investors, politicians, armed actors, state officials, and representatives of international organizations.

Following the work of Li and Hart, I problematize processes instead of events or outcomes (Li, 2014; Hart, 2006, 2018). I refer in my research to various related processes that have taken place in different temporal scales. First, the marginalization of indigenous and Afro Colombian communities and the subsequent marginalization of their geographies are long term processes that can be traced from colonial times to the present in the form of narratives and ways to manage people and spaces. Second, the ethnicization of black communities is a medium-term scale process through which rural black communities enriched their identities through different experiences to self-identify as ethnic communities. Finally, I refer to the granting of Collective Land Titles as an ongoing process that started when communities first claimed their territories in 1996 and continues to the

present. Additionally, each community that has claimed a Collective Title has experienced a titling process with different challenges and strategies to resist the obstacles encountered.

All these processes started at different moments. Most of them continue to this day, but all of them are related. For example, ethnic recognition triggered collective property claims. It also started processes of transformation in the relationships of property between social actors in pursuit of national and community development in rural areas. This research investigates the characteristics of the CLT processes and the role of the actors involved in them. Also, it analyses how CLT is inscribed in long-lasting processes that have also shaped it.

Understanding the strategies pursued by the actors involved in CLT processes would seem to be an essential task in developing an explanation for the success of these titling efforts. The documents associated with each case in the INCODER (the now disbanded rural development agency) archives provide a historical record of the patterns in political negotiations that enabled the acquisition of collective titles to land by the Afro-Colombian communities. These patterns shifted between 1996 and 2006 when the geographical locus of the armed conflict shifted towards the Choco region, and government officials became more reluctant to make large grants of land to community groups. Successful, non-violent efforts to endow poor rural peoples with property have occurred infrequently in the historical record. Initiatives like CLT achieved by the Afro Colombian movement offer potential lessons for how rural people, activists, state officials, and international activists can come together and, sometimes under the watchful eyes of private investors and armed groups, reach an agreement about transferring land property to rural communities. By outlining these multiple historical conjunctures, this research should offer

some political and economic lessons for distributing assets to impoverished communities in rural areas.

Chapter outline

Chapter two will detail the main arguments of my research and the two processes that frame those arguments: ethnicization and marginalization. The process of ethnicization will be explained through a literature review that helps to understand the context in which CLT occurred. The marginalization process has delineated the management of indigenous, Afro Colombian communities, and peasants, as well as in the administration of rural spaces in Colombia. Consequently, there is a need to understand how it has formed our understanding of people and spaces. Lastly, in this chapter, I describe the methodology used in my analysis of CLT processes.

In Chapter three, I explain the process of implementing the law and decrees through which CLT came into existence. I describe the role of international organizations, and how the convergence of topics like protection of the environment and protection of ethnic minorities opened a window of opportunity to achieve CLT for Afro Colombian communities. After that, I focus on its application showing the changes in the granting of Collective Titles between 1996 and 2015. This chapter is divided into three moments: The first Collective Titles granted in 1996 and 1997; then, the Collective Titles granted between 1998 and 2006 when the circumstances of the armed conflict changed drastically in the Pacific region. Finally, I will describe the decrease in the Collective Titles that took place between 2007 and 2015.

After explaining the national context of implementation and application of CLT, in chapters four and five, I will examine two CLT cases: Medio Atrato and La Boquilla. The case of Medio Atrato shows the continuity of colonial narratives of an uncontrollable and uncivilized landscape applied to the people that occupied those spaces. Those narratives legitimized the negligence of the state towards people living in Chocó, which contributed to the lack of regulation over resource extraction. In Chocó, often described as a forgotten place, Afro Colombian peasants organized to claim collective rights when biodiversity and resource sustainability acquired international importance. I explain how that convergence opened the possibilities of success for their requests. The Collective Title of the Major Community Council of the Integral Association of Medio Atrato (COCOMACIA, In Spanish), granted in 1997, became the second title granted to an Afro Colombian community and the largest given in the country. I end this chapter by explaining the twofold impact of the titling process in Medio Atrato. While it made the communities and the Afro Colombian movement more visible to the state, it also made them targets of violence that the paramilitaries and their allies used to dispossess those communities and consolidate agribusinesses.

Chapter five is centered on the history of the Collective Title of La Boquilla, a small area adjacent to the city of Cartagena. I analyze first what happened with Chambacú, an Afro Colombian neighborhood close to the historic center, but was removed in the second half of the twentieth century. Despite being an urban neighborhood, and existing in a moment when Afro Colombian communities had not been recognized as ethnic minorities, the events in Chambacú serve as evidence of a process of marginalization of Afro Colombian communities in Cartagena. I use the concept of despatialization to analyze how

those communities were displaced to the city's margins and ultimately rendered ungeographical (McKittrick, 2006).

As a peri-urban community, La Boquilla is currently suffering the impact of the gentrification that has taken place in the Caribbean city, which means that the community is trying to resist being marginalized and despatialized. The next section of Chapter 5 is focused on the history of the CLT process of La Boquilla. In this section, I describe the divisions created amongst the communities and the opposition to the claims for a Collective Land Title. The final section is focused on the challenges faced by the communities that receive the title, and by those that, despite being part of La Boquilla, did not obtain a Collective Title. This part will show how communities have been impacted by a massive tourist project called *Serena del Mar*. The management, marketing materials of *Serena*, and the coalitions they have established with local and national elites are repeating the strategies of marginalization of people and spaces that made it possible for local and national investors to displace and dispossess lands traditionally inhabited by Afro Colombian communities.

In the concluding chapter, I highlight the patterns found in CLT processes and the identified instances where CLT has shaped the relationship between Afro Colombian communities and the Colombian state.

II. Theoretical approaches

In this research, I analyze the processes of implementation and application of Collective Titling as a policy that characterized black communities¹, spaces and modified their property regimes, while being equally shaped by the political and economic contexts where they received collective land titles. This analysis entailed focusing on the role of the state in the processes of implementation and application of the policy, recognizing the participation and significance of other actors in them by also examining the interactions between the actors involved.

Obtaining ethnic and territorial recognition became an achievement for the Afro Colombian social movement after years of social mobilization. That political accomplishment generated scholarly interest in understanding these previously unexplored identities, their historical and territorial components, and the struggle of the communities to make ethnic recognition concrete through recognition of ownership over their territories. However, there is less knowledge about the reconfiguration of their spaces brought by territorial recognition. Specifically, there is less analysis about how transformations in the international, national, and regional contexts impacted state institutions and officers in those scales generating representations and interventions over Afro Colombian spaces. Similarly, there is not enough exploration about how state institutions' and officers' characterization and management of Afro Colombian spaces changed as more communities demanded to be recognized as formal owners of their lands and received collective titles.

To delve into those identified gaps, I focus on two processes: the implementation and application of Collective Land Titling for Afro Colombian communities. By implementation, I mean the process that generated efforts by different parties to design a policy to grant collective land titles of the areas informally owned by Afro Colombian communities before Law 70. That process ultimately produced the Colombian Congress sanctioned decree 1745 of 1995 that laid out the procedures that Afro Colombian rural communities had to follow to claim collective titles, and the institutional course of action to grant them. I am interested in the trajectory of the interactions between state officers of different institutions and communities that resulted in the sanction of only one of the seven chapters of Law 70 of 1993, the one related to collective titling. The Law, also known as the Law of black communities, contemplates various mechanisms to materialize ethnic recognition for Afro Colombian communities. Yet, the recognition of land ownership was the only mechanism that became a rule and came into existence².

I understand the application of Collective Land Titling as a process that started after the ruling in 1995. My interest in the application follows three aspects of it: First, what was happening in the local, regional, and national contexts and what happened when communities started claiming collective titles. Second, what were the main reasons that communities argued to begin their titling processes and the institutional responses to those reasons? This aspect helps me to analyze why there are not consistent patterns to explain the increasing and decreasing of collective titling claims. The data showed that while some communities requested their collective titles due to a spillover effect in the peak of ethno territorial recognition, other communities decided to start their claims in entirely different regional contexts or in moments of palpable adversity for them. I am interested in

investigating the trajectory of application of the policy from one context to the other. Finally, I analyzed how the state officers interacted with claiming communities and how they described and intervened in their spaces.

In this chapter, I explain the arguments of the dissertation, and then the two processes that frame my focus: The process of ethnicization of Afro Colombian communities, and the process of marginalization of rural spaces in Colombia. Anthropologists and other social scientists have widely studied the former, and it is crucial to understand it since it contextualizes the implementation and application of Collective Land Titling. The latter has been less explored, but it constitutes a long-term frame to analyze the application of public policies regarding the management of people and places in regions that have been considered historically marginal. I will explain the intellectual debates that inform my analysis of processes of marginalization, and how CLT is inscribed in those processes.

1. The arguments of the dissertation

Despite relying on archival work, my research cannot be described as historical geography. I am studying a contemporary geographic issue by questioning how political and economic processes of granting black communities with collective titles have configured black spaces. However, I resorted to historical information as a way to understand that the configuration of black spaces has not occurred only in the years before and after obtaining the titles. I continuously refer to the process of marginalization of black spaces as a process that has its origins in colonial times. Furthermore, I state that the

historical characterization of black spaces as marginal, crosscut from the colonial period to contemporary times. As a consequence, the marginalization of Afro Colombian spaces as a long-term process has also shaped the implementation and application of collective land titling policy. Based on the acknowledgement of the colonial notion of Afro Colombian spatialities³, my dissertation will be guided by the following central arguments:

First argument: Spaces traditionally occupied by black communities have been marginalized and deemed apt for them only until those spaces become useful for development projects such as tourism or agribusinesses. In a context of long-term marginalization of black spaces, Collective Land Titling has had multiple meanings. It certainly has been a significant achievement for Afro Colombian communities. For them, CLT was a way to assure resource access and management and rapidly became a way to confront direct threats of displacement, dispossession, and death. Moreover, for the Afro Colombian movement, CLT was a strategy to consolidate their role at a national level as an interlocutor to state officers and institutions.

For rural communities, it was a way to gain visibility in official documents, where they were previously obliterated, declaring the lands they inhabited as empty lands, or *baldíos*.⁴ For that reason, there were and still are communities that claim their titles even while being forcefully displaced or having suffered direct violence because, if the title deed exists, the members of the community that survive violence will be able to reclaim their territories, considered vital for their existence. Communities have struggled also to assure that they will remain visible for the state by preserving the documents that confirm their ownership as a proof of their existence as a group.

The meaning that CLT has had for black communities coincides, at least partially, with the most liberal and optimistic theories of property, for whom land ownership, granted through land titling, offers both political and economic advantages. In those theories, having formal property makes citizens more visible, establishing a more transparent relationship with the state that acts as the guarantor of property rights and the arbitrator within complex property conflicts. In an economic sense, private ownership makes people visible for the market, allowing them, for example, to obtain credit from banks. Yet, these supposed benefits, can pose problems for communities with histories of survival grounded in marginalization, bureaucratic inscrutability, and categorical deviance.

For some communities granted collective titles, going through the titling process made them visible to the state and non-state actors interested in their lands. In that sense, visibility could also increase the threats over them. On the other hand, despite acquiring visibility, communities that have collective titles cannot participate in credit markets because they are forbidden by law to sell the lands or to use them as a guarantee in any financial transaction. Consequently, despite considering CLT an achievement, for Afro Colombian communities receiving collective titles and being included in formal property regimes has never been a guarantee of economic development.

Dispossessing mechanisms have been pervasive and have taken place through different strategies, often with direct participation or acquiescence from state officers or institutions through growth coalitions. In Colombia, political and economic elites maintained growth coalitions to continue exploiting and dispossessing resources and lands even after communities received their collective title. Those lands, granted to black communities when elites considered them marginal rural areas, were later transformed into

areas for investment in development projects that Afro Colombian rural communities did not have the capital to carry out. The marginalization of rural spaces became then a narrative through which elites have neglected certain areas and its inhabitants, or intervene when it becomes convenient to mobilize their social and economic capital to those areas.

Second argument: As a policy, Collective Land Titling (CLT) produced more than five million hectares granted to Afro Colombian communities, and some scholars have interpreted this policy as an equivalent to a land reform policy due to the absence of an effective redistributive reform conducted by the government. I argue that even though CLT serves to redistribute land ownership by transforming informal property regimes into formal ones, it was not implemented or applied as part of a model of land reform or even of land restitution policy. CLT was designed as a policy of reparation and recognition of informal property regimes, where communities received titles over lands they traditionally occupied.

Two fundamental aspects differentiate this policy from a land reform: the recognition of previous occupation and the recognition of those lands as ethnic territories. Lands granted to black communities did not come from buyouts or confiscations to private owners, nor were they assigned by the state to expand agricultural frontiers, as it happened with most land reform policies attempted before. Even though one of the requisites to obtain collective titles is that the lands requested have to be *baldíos* or empty lands owned by the nation, that only means that private individuals cannot own the areas claimed by black rural communities. However, a second requisite to obtain collective titles is that communities prove their historic occupation of those lands.

Those two requisites are not mutually exclusive; moreover, they show precisely the two aspects that differentiate CLT from redistributive land reform. Most of the *baldíos* requested by black communities were declared empty lands despite being inhabited by rural communities under informal property regimes that obtained recognition with CLT. Hence, they do not request land and expect to be relocated wherever there are productive lands available. The recognition of those lands is place-based, and the cultural meaning of the areas is a fundamental part of it, which is why communities have modified their claims to encompass the ecosystems they inhabit and the cultural attributes of their spaces. The struggle of Afro Colombian communities started by trying to control their areas of influence, but when the formal claims for land titles started, they were about territories and not merely related to lands. Consequently, the decrease of collective titles granted to black communities that went from 113 titles between 1996 and 2002 to just 81 titles given the next thirteen years, cannot be explained by a scarcity of lands because those lands were already occupied by black communities.

Unlike it happened in Bolivia to the land claims of indigenous communities, Afro Colombian land claims did not compete with private claimants. Nevertheless, in cases where communities have made territorial claims over lands that conflict with private properties, the supposed owner has to present documents that prove the limits of their property. Those conflicts have taken place mostly because, in rural spaces in Colombia, there are numerous deficiencies or total absence of cadastral information. A few of those conflicts have involved small groups of peasants and Afro Colombian communities claiming ownership of lands with overlapping limits. However, the majority of disputes are between Afro Colombian communities and landholders that exploit the lack of information

to grab larger extensions of land that are *baldíos* or communal lands under informal property regimes. These strategies have impacted heavily rural communities causing delays or denials to titles requested by black communities.

Third argument: Nature and nature management have had different roles in processes of collective land titling, the changes in those roles depend on the interest of political and economic elites over the spaces. When spaces were deemed marginal and only useful for resource extraction, the congress regarded large areas in the Pacific as *baldíos*, obliterating settlements of Afro Colombian communities and disregarding the informal property regimes previously registered in the area. At that moment and for almost three decades, formal ownership was not an issue for people living there or for the state. In 1959, state officers decided to preserve nature by declaring all human activities forbidden in the Pacific area in the Law 2nd of 1959 that specified the limits of certain areas distributed in various regions in Colombia, declaring them reserved forestry zones. Nevertheless, state officers also gradually extracted portions of land to grant it to a few private owners or state institutions.

In the late seventies and eighties, politicians proposed to transform the area into a hub for development, building roads and other public works. However, the international concern for sustainability changed that approach to the Pacific region in a few years. In the late eighties and nineties, preservation of natural resources and protection of minorities took priority, and black communities started to be involved in conservation projects. Nature then became an asset that black communities were supposed to serve as stewards in order to be recognized as formal owners of those lands. By the time that collective titling started,

biodiversity was not as valued as before, and landholders brought agribusinesses to the Pacific, preceded by paramilitaries that colluded with the army to displace and massacre people to hold their lands. On the Caribbean coast, on the other hand, communities were not perceived as stewards of nature but as vulnerable and unfitted to manage it or to adapt to changing circumstances in the imminence of climate emergencies expected to impact the coast. With those arguments, economic and political elites have opposed collective titles in that area, and most claims have been denied, revealing again the growth coalitions that had taken place to favor development projects over Afro Colombian communities' interests.

2. The medium-term process of ethnicization and the long-term process of marginalization

Through the development of these arguments, my dissertation seeks to understand how black spatialities were reconfigured when CLT was implemented and applied to different communities in a permanent dialogue between community members, the Afro Colombian movement, regional, and local elites, and the state. For black communities, the process of marginalization of their spaces did not necessarily stop or change with CLT. Despite having recognition from the government as owners, some of the titled territories remained marginalized. In contrast, some other areas collectively titled maintained permanent negotiations with local authorities and economic elites involved in processes of slow dispossession.

I am interested in analyzing how, despite making decisions that ultimately favored black communities by granting collective titles, state officers and institutions did not

counteract the process of marginalization of black spaces and its consequences. This idea is helpful to understand the multiple meanings of collective titles. While having land property might be a good thing and even an accomplishment, it did not help communities to face challenges posed by local and regional elites. I use the process of ethnicization to describe the experience of black communities and their organizations. Anthropologists and other social scientists have widely studied the ethnicization process, and it is crucial to understand it since it contextualizes the implementation and application of Collective Land Titling. I am particularly interested in describing this process because, in addition to transforming the identities of rural communities, the claim for territorial recognition that came with it contributed to forming an idea of Afro Colombian spaces and property regimes, cutting across the institutional responses to their mobilization.

The process of ethnicization of Afro Colombian communities meant a reconfiguration of black spatialities that has not been sufficiently studied even though it produced new narratives of nature and land ownership. To understand the transformations in the ways that the state managed rural spaces, I will focus on how policies and strategies around those areas and people living there have changed according to the modification of their interests in those areas. One of them is the demands made by international organizations for environmental protection and the safety of ethnic minorities. Another aspect that testifies to the changing strategies to manage rural zones is the potentiality of those areas to become productive lands for agriculture (e.g., colonization area, agricultural frontiers), to contain valuable commodities, or render valuable environmental services (e.g., jungles, wild nature, biodiversity, tourism spots). I focus more on the process of marginalization because it helps me to examine the changing notions of people, nature, and

land ownership in different rural areas through history and how those changes are made manifest in the CLT processes.

When CLT was implemented, those lands did not appeal to elites because they were not located in the agricultural heartland of the country, nor were they seen as potential zones to expand the agricultural frontier of the country. The first areas granted to Afro-Colombian communities were seen as wild spaces only used before to extract resources. Some government officers also stated that those areas could potentially be biodiversity spots of interest for sustainable development. But there was no interest from the landholding class in owning those spaces, and communities' demands did not constitute a threat in class terms, which favored their opportunity to negotiate the implementation of CLT.

However, as CLT claims increased, the potential of those lands transformed, and black communities started to claim lands in regions different from the Pacific, historically seen as a marginal region. The narratives around requested lands changed with a newly identified potential of some of those areas for agribusinesses and the filing of claims in areas of more interest to landholders. Those changes show that the different approaches to rural areas have produced and reproduced narratives and marginalization or demarginalization that have been decisive in distributing landed property in Colombia, even when the attempts at redistribution are part of formalizing existing property regimes. The marginalization of black rural communities has been less explored, but it constitutes a long-term frame to analyze the application of public policies regarding the management of people and places in regions that have been considered historically marginal. In the following sections, I will explain the intellectual debates that inform my analysis of

processes of ethnicization and marginalization, and how CLT is inscribed in those processes.

2.1. *The process of ethnicization of the Afro Colombian movement. Its relationship with nature and its territorial component*

Collective Land Titling was the product of years of social mobilization of the Afro Colombian movement. That movement was influenced by the previous struggle of the national peasant movement. At the beginning of what communities call the organizational process referring to their initial mobilization towards ethno territorial recognition, some rural Afro Colombian leaders that before belonged to the National Peasant Association (ANUC, in Spanish) or its subsidiaries became part of the Afro Colombian movement. The National Peasant association started as a government initiative during the 1960s to implement agrarian reform in Colombia. The movement grew and reached a national scale as a response to the ineffectiveness of the government to redistribute land ownership equally (Zamosc, 1986; Rivera Cusicanqui, 1987; Múnera, 1998).

That influence explains why some communities have named their local associations using the word *campesinos*⁵. When Afro Colombian communities started their struggle over property rights, they demanded to have control over areas where they could exploit resources. After the they were recognized as ethnic minorities, they added territorial claims to their demands. Different from *campesinos*, for Afro Colombians, territorial recognition included not only ownership but also autonomy inside of the requested areas (Offen, 2003; Hernández Ospina, 2010). In her book *Landscapes of Freedom*, Leal states that in the

Pacific, productive lands were scarce, and people extracted resources from the forest without claiming property rights.

Leal studies how free black people maintained their autonomy in areas of the Pacific region from 1851, after the abolition of slavery in the newly declared independent Republic of Nueva Granada, that later would receive the name of Colombia. She states that “For black people, the legal condition of freedom acquired concrete meaning through the increase in their possibilities to determine what to do with their bodies and time, and where.” (Leal, 2018: 224). Moreover, she argues that black people in rural areas of the Pacific can be referred to as peasants, even though they constitute a particular type of peasantry that she denominates *rainforest peasantry* because of their freedom to determine their individual choices:

“Thus, unlike the plantation workers examined frequently in the literature [about black people], these peasants did not have to obey a boss or overseer or compete with a plantation for land on which to build their houses or cultivate a plantain grove. It is in this sense -of rural people who relied on family labor and had access to the means of production- that I have referred to black lowlanders as peasants. This concept allows us to understand who they were in relationship to other such rural people, black or not, in Latin America and elsewhere. In this manner, their singularity can be spelled out without considering them an isolated oddity.

This singularity centered on what in the lowlands counted as a means of production, which goes well beyond land, the natural resource most commonly singled out in agrarian studies and in plantation economies. These *rainforest peasants* used the various niches of the lowland environment to produce most of the resources they consumed, in addition to those they turned into commodities by selling them to white merchants who lived in town. [...] Black labor and ingenuity went a long way not just to guarantee survival but also to make a home in the lowlands by getting to know and appropriate all of its niches.” (Leal, 2018: 225).

As Leal explained, black people maintained their autonomy in rural areas of the Pacific. At the same time, a white elite started to form in the late nineteenth and early twentieth centuries in small cities like Quibdó, in Chocó or Barbacoas, in Nariño. That elite

was mainly composed of traders of gold and merchants in general that acquired raw materials from black people to sell in national markets.

In 1973 former president Misael Pastrana Borrero launched a counter-reform known as the Chicoral Pact, an agreement signed by government officers, members of the two traditional political parties, landholders, and cattle ranchers to cancel Law 135 of 1961 that ruled programs for distribution of land ownership to benefit peasants (Zamosc, 1986; Villamil Chaux, 2015). Villamil Chaux refers to the Chicoral Pact as the coalition of politicians-landholders that stopped any attempt to modify land ownership structures to favor peasants. Molotch defined growth coalitions as the strategies used by elites to maintain the imperative of growth that “provides the key operative motivation toward consensus for members of politically mobilized local elites [...] this growth imperative is the most important constraint upon available options for local initiative in social and economic reform.” (Molotch, 1976: 310). In Colombia, under the imperative of growth, political and economic elites have formed coalitions to manage urban and rural areas and maintain the status quo that favors them. However, not all rural areas in Colombia have the same characteristics, and the coalitions changed in each region.

Both Law 135 of 1961 and the Chicoral pact referred to the agricultural areas of the country, and also to agriculture frontiers that could potentially be productive, none of those initiatives was launched considering the conditions of the Pacific. Moreover, while peasant initiatives constituted class vindications, Afro Colombian claims were not perceived in terms of class because they presented themselves as an unprotected ethnic minority and because their lands were not in demand for agricultural production. In that context, *rainforest peasants* could preserve their autonomy throughout history. However, when the

permits given by the national government to logging industries became a menace to Afro Colombian's resource extraction practices, Afro Colombian leaders found the need to start demanding to control the access to those resources, one of the first motivations to form the Afro Colombian rural mobilization.

The movement also received influence and help from the indigenous movements, that had more experience in claiming territorial rights⁶, and from other actors, like Catholic nuns and priests that lived or worked in the rural areas where the movement grew strong (Villa, 2001; Hernández Ospina, 2010; Restrepo, 2013). Even though the indigenous struggles for equality and social justice started at the beginning of the twentieth century, indigenous communities have only become more visible in international policy arenas since the 1970s⁷. Similarly, Afro-Colombian communities were not always recognized for their cultural differences. Their tradition as a social movement fighting racial discrimination gained visibility in the seventies. However, despite falling into the same category as ethnic communities, indigenous and black communities in Colombia have had a different history of legal recognition. While some indigenous communities have had a set of laws that aimed to protect them since the colonial times, and included *resguardos* and legal strategies to guaranty their autonomy as ethnic communities, black populations were not recognized as an ethnic group and had no protection of any sort until 1993.

The process of ethnicization is the reconfiguration of peasant identities into peasant ethnic identities. That process includes *rainforest peasantry* and other types of peasantries with similar autonomy, based on their practices of resource extraction, production, and comprehension of their ecosystems. That process happened with the consolidation of the social movement, as Restrepo has explained. For him, ethnicization was the product of the

convergence of several processes. Racial urban struggles, activism by black rural leaders, and feedback effects from indigenous mobilization converged during the late eighties and early nineties. Academic publications and expert interventions that described the cultural practices of black rural communities also aided Afro-Colombian communities in obtaining cultural recognition. These elements came together in the context of international pressure to embrace and protect cultural diversity. They made it possible for rural populations to enrich their identity narratives from being peasants into being peasants and ethnic communities and achieve constitutional recognition for their cultural uniqueness (Restrepo, 2013).

At the same time that the process of ethnicization started, neo-liberal reformers decentralized the state. These reforms reached marginal regions seeking to improve democratic strategies, but they also reduced financial resources for state offices and programs (Dagnino, Olvera, & Panfichi, 2006; Velasco Jaramillo, 2014). Facing diminished resources, officials of the Colombian state made alliances with private enterprises to give them licenses to exploit resources. They also threatened Afro-Colombian communities living in those areas with expulsion (Leal & Restrepo, 2003). The reforms and presence of outside investors also opened the opportunity for the Afro-Colombian movement to become an active interlocutor for the state, not only through recognizing rural black communities as ethnic groups, but also granting them territorial rights (Escobar, 1995, 2008).

The ethnicization process originated as a consequence of black communities' struggle for recognition, the growing international campaign for indigenous rights, the increasing threat posed by the resource extraction companies, and the desire of neo-liberal

states to relinquish responsibility for the delivery of services to rural peoples. When those elements converged, rural black communities found a window of opportunity to be recognized as cultural minorities in the new Political Constitution of 1991. Transitory article number 55 was included in the new Constitution according to which Colombian congress had two years to legislate concrete rules to grant the recognition. With the passage of law 70 in 1993 Afro-Colombian rural communities became recognized ethnic minorities who could be granted collective titles over the land that they have traditionally occupied (Asher, 2009; Restrepo, 2013).

The international command of protecting ethnic minorities caused that, as Meyer explained, the Colombian state adopted multiculturalism in its political Constitution, a fundamental element in the ethnicization process. The Colombian government adopted the Convention 169 of the International Labor Organization (ILO) in 1989, two years before the constitutional assembly that modified our constitution. The Convention required countries to take legal measures to protect indigenous and tribal communities after their self-identification as such. It replaced Convention 107 of 1957, the first convention pertaining to state actions towards indigenous and tribal peoples. Officials in the United Nations (UN) system requested that the ILO adopt Convention 169 because Convention 107 described Indigenous and Tribal peoples on the way to assimilation into a modernized and developed society. In order to correct that assumption, Convention 169 reformulated the definition of Tribal and Indigenous peoples. From the moment the convention was adopted, those groups were defined only by self-identification as such, and the convention highlighted their vulnerability and need of protection by the states. The new convention

was ratified by 21 states, including at least ten in Latin America (Hodgson, 2002; Clemmer, 2014).

With the adoption of the new convention, indigenous and black communities became, from state officials' point of view, ethnic minorities who added to the cultural diversity of their nations. During this period, indigenous and black communities reorganized their social movement organizations, reconstructed their notions of identity, and stressed its relationship with territorial autonomy (Yashar, 2005; Asher, 2009; Clemmer, 2014). The 1992 United Nations conference in Rio de Janeiro consolidated the connection between economic development and environmental conservation, and international development organizations incorporated social justice into their mission statements about conservation. These organizations described ethnic communities as having traditional cultural practices that preserved complex and delicate ecosystems.

While mining, logging or oil extraction companies were working at the national and international level to obtain permissions to disturb these ecosystems to extract raw materials, ethnic communities in Colombia, allied with environmentalists, reinforced their image as protectors of nature and key actors for sustainable development (Nuijten & Lorenzo, 2009; Larson A., 2010; Cárdenas, 2012; Sawyer & Terence Gomez, 2012; Erazo, 2013). Consequently, territorial autonomy for ethnic communities also became a means for protecting nature (Escobar, 1995; Escobar & Pedroza, 1996). More recently, some scholars have researched local communities' practices to understand how those practices could protect nature from things like deforestation (Vélez et al., 2020).

Other scholars, like Cárdenas, have questioned the construction of an ethnic subject in the context of multicultural recognition "charging them with the responsibilities of

‘sustainable’ resource exploitation, forest preservation, ‘green’ energy alternatives and whichever other environmental concern is high on the global agenda” (Cárdenas, 2012: 329). For Afro Colombian communities, having to prove their commitment to protecting the environment also meant “proscribing the terms under which resource control must be taken,” as Cárdenas affirms (Cárdenas, 2012: 329). The proscription of those practices as a mandate to obtain collective titles is inscribed in the propriety of collective property.

According to Cárdenas, in the context of the ethnicization process, ethnic recognition and environmental capitalism have articulated in what she denominates ‘green multiculturalism,’ “a landscaping project that seeks to simultaneously define [black] subjects and nature.” (Cárdenas, 2012: 313). Cárdenas made a crucial contribution in understanding that the implementation of multiculturalism in Colombia meant the configuration of ethnic communities as a subject, and also of a non-human subject in these new narratives of nature in the Pacific region.

However, it is important to highlight that since the responsibility given to black communities transformed completely as the claimed lands changed from the Pacific to the Caribbean, those narratives of nature shifted as well. After the ethnicization process was consolidated in the ethno territorial recognition in the Pacific, and Afro Colombian communities in other regions started to claim collective titles, they stopped being deemed responsible for preserving nature. Instead, authorities and elites in those regions referred to black communities as incapable of such task, as it became evident in the case of La Boquilla and its adjacent communities where collective titles were denied.

The relationship between Afro Colombian communities recognized as ethnic groups and nature was inscribed in the environmental rule, as explained by McElwee:

“Environmental rule occurs when states, organizations, or individuals use environmental or ecological reasons as justification for what is really a concern with social planning, and thereby intervene in such disparate areas as land ownership, population settlement, labor availability, or markets. [...] What is unique about environmental rule is that while the justification for intervention is to improve or protect the environment itself, in reality, underlying improvements to people or society are envisioned.” (McElwee, 2016: 5).

The environmental rule has been used repeatedly to manage Afro Colombian communities and their lands. First, in 1959 to ignore the existence of black communities in the Pacific rainforests. Then, in the 1990s, it was used to praise Afro Colombian's presence in those same rainforests. Thanks to the environmental rule that sought to maintain nature as a sustainable resource for the nation, black communities were deemed nature and biodiversity stewards.

Finally, in the Caribbean, government officials and people involved in the tourist industry tried to remove Afro Colombian communities from spaces with tourism potential using the environmental rule to accuse them of destroying nature. The environmental rule functioned in different contexts because of the way nature and people were managed and perceived. In the following section, I will explain how the spaces occupied by Afro Colombian communities were marginalized since the colonial times and how the marginalization process has impacted rural areas in Colombia throughout history. I will describe how the marginalization process contributed to the idea of state absence that has affected communities and their geographies. The final section of the chapter will present the methodology used to conduct the analysis in the dissertation.

3. The process of marginalization of rural areas in Colombia as a way to manage indigenous and black people and their spaces

Anthias' paper about indigenous land claims in Bolivia makes a good starting point to understand the characteristics of the marginalization processes that took place there and in other parts of Latin America, like Colombia. Unlike what happened in Colombia, Anthias has explained that in the case of indigenous land claims in Bolivia, collective titles were granted as part of a land reform. The problem for indigenous communities was that settlers' private claims received more attention than those made by them. Consequently, she affirms that the disputes between private and collective property claims formed a geography of absence, where only a few spaces were granted in places where there were no private claims.

The protection of private settlers' rights over communal rights responded, according to Anthias, to the prevalence of a racial ownership regime that "mobilized colonial discourses of race, property and citizenship," presenting indigenous communities as "lazy, unproductive, untrustworthy, manipulated by outside interests, and a threat to regional development" and settlers as pioneers in territorialization (Anthias, 2019: 7). Additionally, the lands granted to indigenous communities were distant from each other, in opposition to the communities' notions of encompassed indigenous territories (Anthias, 2019). In Bolivia, the lack of articulation between territories and property resulted in indigenous communities, compelled to inscribe their claims in the national property regimes, receiving lands that did not meet their territorial expectations. It also contributed

to the construction of a racial ownership regime because it placed communities in the areas that no one else claimed before (Anthias, 2019).

The case for Afro Colombian communities in Colombia was different because, despite some differences between the lands requested and the lands granted, communities mostly received the territories that they owned informally. But there were similarities in the way people and the areas that they ended up receiving were managed and described. In Colombia the “colonial racial ownership regime” referred by Anthias remained in contemporary times transformed in a colonial racist ownership regime, where ethnic minorities were disqualified and granted lands undesirable for elites to occupy or removed from those lands when they became desirable.

While ethnicization was a medium-term process, the narratives associated with nature, the environment, and land ownership, that come together in the policy of Collective Land Titling, are part of a long term process of marginalization of rural spaces that has marked the decisions regarding those spaces and the people that live in those areas. Those narratives started during the colonial times when the racial ownership regime was formed. Yet, they did not finish with the independence from Spain, on the contrary, they were reproduced in later historical moments, as I describe in this section of the chapter.

3.1. The colonial process of marginalization: untamed spaces are occupied by untamed peoples

Numerous scholars have traced pieces of evidence of the marginalization of rural spaces from colonial times. It worked differently in different regions of the country. They have shown how, as a colonial narrative, it allowed administering people and spaces with a hierarchical racial logic. If certain areas qualified as wild, steep, untamed, they were

considered to be inhabited by people of similar characteristics: uncivilized and barbarian, and they were intervened with violence. Postcolonial scholars have studied colonial narratives of people and nature in which asymmetrical instances of power are deployed between colonizers and colonized ⁸.

In Colombia, scholars have studied how those narratives translated into strategies to manage people and spaces. For example, in a study about the circulation of science during the French enlightenment period, Santiago Castro-Gómez affirms that

“In a late attempt to maintain their geopolitical hegemony over France, Holland, and England, the Spanish Crown wanted to take advantage of the discourses of modern science to control the [colonized] people and territories rationally. The Spanish authority sought to take a series of illustrated diagnoses about vital processes of the colonial people (the state of their health, labor practices, diets, climate influence, fertility) and transform them into government policies (‘governmentality’).” (Castro-Gómez, 2005⁹:16).

His research is focused on the period between 1750 and 1816. It shows the intricate knowledge that the Spanish authorities collected during that time about the indigenous and enslaved population¹⁰ of African origin in the southwestern part of Nueva Granada, as the current territory of Colombia was called at the time. The authorities gathered information by sending missions of people to stay with communities for long periods to register and describe people that occupied those areas to build taxonomies that provided knowledge to the colonial administrators (Castro-Gómez, 2005). precisely to control the people that served as the labor force in *haciendas*¹¹ or other types of colonial systems of production.

While Castro-Gómez focused on the discourses of science to justify and make strategies to control more efficient, Marta Herrera has a different approach to the issue of

how the authorities exercise control over people and spaces. Herrera compared two regions: the central Andes and the Caribbean plains during the eighteenth century, using historical documents produced by authorities in both *provincias*¹² showing how small rural settlements were not only known but also organized and managed with the primary purpose of controlling the population to be obedient and more productive for the Crown. In her work, Herrera argues that “space is not only constituted as the essential setting for human action, but also the way it is organized involves a social order and a cosmology” (Herrera, 2002: 305¹³).

Herrera affirms, for example, that *montaña* and *monte* were the names given to areas covered by thick vegetation, usually uncontrolled by authorities and where disobedient indigenous and enslaved population would go to escape and hide. *Montaña* and *monte* would describe nature as barbaric and uncivilized, hence correspondent to the people hiding there: the barbarian and uncivilized that escaped from the colonial authorities (Herrera, 2002). Studying a different region, Jiménez approached Chocó in colonial times and found documents in which the area was explicitly described as the devil’s paradise. His findings confirmed what Herrera found for the Caribbean region: numerous descriptions of uncivilized people and wild spaces that could not be controlled. He also recounted how the Spanish used the devil’s paradise as a figure¹⁴ that, coming from catholic colonizers, symbolized the uncontrolled and untamed spaces and people (Jiménez, 2004).

It is possible to see that during the colonial times, the capacity of control or the lack of it generated that the authorities established continuity between the colonized people and the spaces they inhabited. In the nineteenth century, the political process of independence and the later abolition of slavery did not change that continuity. Both independence and

slavery abolition responded to political and economic needs for separating from the Spanish crown, ending an immoral regime of production that commodified people and became too expensive to maintain. They did not challenge the more profound hierarchical racial conception of society where the indigenous and black population were seen as minors and uncivilized (Konig, 1994; García, 2009; García, Ortiz Mesa & González Gómez, 2015). On the contrary, the need to find a national identity was fulfilled by maintaining the racial hierarchy in the construction of an ideal *mestizo* as the national identity that condensed an indigenous past with a European present in a more civilized future for the newly independent republic in the early nineteenth century.

3.2. Marginalization in the XIX and early XX centuries: establishing differences to manage uncivilized people and places in an independent nation

The question about the Colombian nationhood motivated scholars like Múnera Cavadía and Arias to conduct historic research about the intersection of regional identities, race and the consolidation of a political elite in the XIX century. Múnera Cadavía, a historian of the Caribbean, challenged the idea of an imagined community by describing the differences between regional elites to command the republican project and the participation of indigenous, blacks and other groups in the struggle for independence. According to this author, in the XIX century republican elites structured a racialized geography that divided the national space in two great regions: the Andes and the lowlands, that included seacoasts, savannah, and rainforests. While the former was associated with civilization and whiteness, the latter with barbaric societies like indigenous and blacks. This division affected the idea of a nation and impacted the administration of the new republic (Múnera Cadavía, 1998).

Arias studied the construction of difference as a national project that throughout the XIX century, in searching for the ideal national identity, privileged some characteristics that have taken place in specific spatial configurations instead of others. He explained that, as a political project, the political and economic leaders formed an idea of elite vs. people in which having a formation in liberal arts derived in having charisma govern. He referred to that elite as the *letrados*, or the educated:

“The educated circle was reinforced additionally, as it during the colonial times, in their urban character because of their placing and their prominent urban forms in contraposition to the values, attitudes, and landscapes adjudicated to rural areas and the *campesino*, and because the rigorous and organized social and public behavior. The educated insisted on the urban character to impose cities like Bogota, as a center of dominance, civilization, knowledge, and cultural production, in a context where cities were small, partially isolated, poor and surrounded by large fields, forests, jungles, and conflictive parishes. Knowledge, culture, civility, and sociability tried to supply the lack of dominance of the cities and their elites, who populated [them] throughout writings about barbaric, deserts, solitude, violence, and lack of education in other territories and populations.” (Arias, 2005: 33, 34¹⁵).

The anthropologist analyzed how the elites that govern the country after independence could manage the population by building the difference between some with an innate vocation to rule and others that were called to be governed. Despite not centering his work in the similar characterization of spaces, Arias highlights the attributions made to morphologic differences in the personalities of both groups and how those characteristics were distinctive by region in Colombia. Arias criticized the geographical determinism of giving attributions to the personality based in morphologic differences because it was based on those attributes that regional elites build a hierarchy between urban spaces and rural spaces, which he affirms contributed to marginalize specific people and spaces.

To conduct his research, Arias used an extensive corpus of documents written by politicians, literate, travelers, and others that registered taxonomies in each region. He also included the documentation of the Chorographic Commission¹⁶ within his primary sources. However, he stated in his book that there were more sources to encounter and analyze the taxonomic purposes of the newly formed republican elite towards the construction of the people as the other (Arias, 2005).

Nevertheless, the Chorographic Commission is still widely used to understand topics of nature and people classification in the XIX century in Colombia. In XIX century, the new republican authorities decided to have an inventory of the national territory, and hired experts in a commission to conduct such labor by traveling through the country and registering information about peoples and places. They called it The Chorographic Commission and launched it in 1850, one year before the abolition of slavery (Appelbaum, 2016). The mission sought to map the territory to promote liberal economic growth, strengthen state governance in the regions, and attract foreign investment and immigration.

For Appelbaum, the Chorographic Commission constituted, to Colombian intellectuals, “a foundational moment in the formation of their nation as a country of regions” (Appelbaum, 2016: 2). For Appelbaum the Chorographic Commission was a failed cartographic expedition directed by the Italian cartographer Agustin Codazzi and formed by “writers, illustrators, and a botanist.” She points out that even though “the commission’s work was never quite concluded and it is little known outside of Colombia, it had a lasting impact in that country and beyond” (Appelbaum, 2016: 1).

The continuous use of colonial categories and new forms of classifying people and places in the XIX century serve to understand how those people and places were

historically marginalized. As a long-term process, the marginalization of Afro Colombian rural communities and their spaces reflects a long history of maintaining racist ownership regimes that started in the colonial times, were reinforced later in history, and are reproduced in processes of Collective Land Titling. Studying the historical continuity of such regimes contributes to the understanding of our prevailing colonial mind set. To exemplify the work of the Commission in characterizing regions and the people who inhabited those regions, there is a quote of one of its reports used by Taussig in his book *My cocaine museum*. In the report Codazzi described Chocó in the following terms:

“In order that the province may progress at the same rate as other industrialized countries, it is mandatory that the working class be obliged to work by means of a well-organized police force. Without this the country will slip back day by day for lack of labor, or at best simply stagnate, with enormously grievous effects on the development of the nation’s wealth. The land is useless for agriculture on account of the climate. Plantains, a little maize and a few plantings of cacao and sugarcane do nothing more than satisfy daily consumption, while fish and wild pigs abound. His necessities are almost nil. The man lives naked and the woman wears but a loin-cloth. From nearby palms they build a miserable hut. From the bark of damagua trees they make a bed. A blanket of grass keeps them warm at night. If they want clothes they go to the gold-rich rivers or streams and dive down with their bateas to bring up gravel or get it from the banks and wash it until they’ve got the gold they think necessary for their purchases. They then go home to enjoy sweetmeats, smoke, talk, and sleep. Sometimes for pure pleasure a man goes into the forest hunting zainos and tatabros while the women get into a canoe to visit their comadres. A race of people which almost in its entirety spends its time in such indolence is not the race called upon for national progress. Out of ignorance, laziness, and misunderstood pride at being free, these people are slaves to their lack of need and hence live like Indians and barbarians.” (Agustin Codazzi, *Jeografía física*, p. 323-324. The meanings of the words in Spanish can be found in the glossary. Quoted in Taussig, 2004: 204.)

This description reflects what Appelbaum calls the liberal racism of those years. In the nineteenth century, experts and politicians would resort to physical characteristics such as climate and topography or the legacy of slavery to explain the lack of interest from Afro Colombians towards economic development and the need of experts and politicians from

other regions to explore and urbanize the area (Appelbaum, 2016). Mestizo elites were familiar with the area, as Leal explained, some *mestizo* and white elites remained in the region after the independence and after the abolition of slavery. Their knowledge of the region and their connections with Andean elites allowed them to circulate the narratives of Afro Colombian people having no interests in economic development and hence the need for *mestizo* elites to establish urban centers in places like Chocó (Leal, 2018). The academic production around the Chorographic Commission and other iconic evidence to trace the origins of nationhood in Colombia have included the topic of the regions, geographies, and nature. The works mentioned here are just examples of the continuity in the characterization of spaces and people and the corresponding ways to manage them.

Like the previous quote of Codazzi shows, the descriptions of the Commission reinforced that continuity on Chocó as García, Ortiz Mesa and González Gómez reviewed in their study of Chocó in the XIX century. For them, Codazzi described the area as an ambiguous space that the modern discourse could not grasp because of the presence of indigenous communities considered barbaric, and black enslaved people wholly adapted to the rainforests but with no vocation for progress. This description consolidated the ideologies of the time regarding the lowlands and its inherent disadvantage for modernization and development. The “chorographers,” as Codazzi called the members of the Commission that registered the region’s information after their extensive journeys, coincide with a common argument of the moment that “highlands were the only lands ‘naturally’ apt for progress provided that white people inhabited them, and if that premise were to be accomplished in Chocó they could have the progress they longed for.” (García, Ortiz Mesa & González Gómez, 2015: 58, 59)¹⁷.

García, Ortiz Mesa and González Gómez also recount that Codazzi described the Darién as a desert where white people would bring progress by building a canal, which would happen a couple of decades after his observations (García, Ortiz Mesa & González Gómez, 2015: 59). However, the area was distant from being the desert described by Codazzi, and there was enough evidence about the existence of a complex society in the area. However, to advertise the canal as the epitome of a development project that defeated wild nature, the developers took the description made in the XIX about the Darien gap as a desert. The developers of the canal did not realize that the travelers who wrote those descriptions considered the place empty of white and mestizos capable of progress. Therefore, the chorographers and other travelers commissioned to visit the region characterized it as wild and desolate. Historian Marixa Lasso questioned precisely the idea of a forsaken rainforest where the construction of the canal brought progress and civilization:

“when the United States began canal construction in 1904, the area around the canal was densely populated, immersed in republican politics, and deeply marked by railroad tracks, railroad towns, river towns, agricultural plots, and French canal machinery.

The story of the lost towns of the Panama Canal is the history of a forgotten and failed experiment to create perfect towns and municipalities in the middle of the ‘Central American Jungle.’ The United States would show the world that it had conquered the most ‘difficult’ of natures: tropical nature.” (Lasso, 2019: 8).

According to Lasso, the idea of a desert jungle came from Codazzi and other writers of the XIX century. Such an approach resulted useful in presenting a development project that would conquer the most challenging natural ecosystem in America. She affirms that people needed to be presented as uncivilized to justify the depopulation of the area. The state and the developers were plenty aware of the existence of people in the area. As Lasso

affirms, those people were involved in republican politics and economic activities, which attest to the state's presence as an institution that regulated the lives of its citizens. Yet, the narratives of primitive black and indigenous people that inhabited jungles in disperse settlements had a long-term effect that favored the project objectives (Lasso, 2019: 91).

Lasso's arguments present one of the most radical examples of how conceptions of people and nature implied decisions towards the management of the spaces they inhabited, particularly in the Pacific area. For her, the "tropics" constitutes a crucial narrative about nature because of its success in eliminating the history and, I would add, the geography of these spaces. The tropic is opposed to the civilized spaces, is the place for the primitive that lacks history, is empty and unplanned. Lasso has compared this episode to what happened in the case of Chambacú, in Cartagena, where black people were expelled after authorities deemed the neighborhood inappropriate to be next to the historic walls of the city. She said that despite the well-known history of Chambacú, authorities decided to favor tourism and the image of the town that they had planned. Lasso affirms that the history of the Panama Canal illuminates a similar process¹⁸ (Lasso, 2019; Sánchez López, 2020).

Working about the social organization of the population in the South-Western Pacific region in Colombia, García questioned the prevailing narratives of these as empty spaces. The historian presents official data of the censuses of 1843 and 1870. According to García, the government counted between fifteen and sixteen percent of the total of Colombian population to that moment. He states two elements worth of attention: that both censuses reflected the liberal ideologies of the XIX century referred by Lasso and counted people as citizens that contributed with taxes or labor force, and people seen as obstacles for modernity. The last case applied for some indigenous and black communities,

characterized, once again, as incapable of progress, which allowed him to affirm that both groups were included in the censuses. The second element was that in the late nineteenth century most of the Spanish people had left the Nueva Granada after the independence, and their descendants were gradually leaving the South-Western region because of the decrease in gold extraction and commerce. García then concludes that most of the counted population were indigenous and black (García, 2009). The censuses conducted before and after the abolition of slavery, and the conclusions raised by García are evidence of the practices of registering the existence of people but the unwillingness to treat them as proper citizens.

In the book mentioned above, Leal reconstructs the Pacific area's history between 1851, when slavery was abolished, and 1930. She argues that formerly enslaved people and their descendants achieved significant levels of autonomy in the spaces they inhabited during these years, which for her makes them *rainforest peasants*. Leal delivers detailed descriptions about these peasants' extractive activities and independence of movement between the rainforest and the urban areas. The depiction of vibrant life in the Pacific region reaffirms that the region was not an empty jungle. There was also a fluid relationship between those peasants and the minority of white and *mestizo* elites who inhabited cities like Tumaco in Nariño and Quibdó in Chocó.

Those places were not abandoned after the abolition of slavery; on the contrary, Tumaco and Quibdó constituted lively urban centers after abolishing slavery. Since the Pacific region was not a plantation economy, black people could maintain diverse economic practices like mining, forestry, and resource extraction that, even though functioned in smaller dimensions than during the times of slavery, were enough for them

to exchange goods with the urban elites. Those elites formed the state authorities of the time and maintained vivid commercial relationships with black communities while being plenty aware of their settlements and their ways of living (Leal, 2018). Leal used the concept of *racialized landscapes* to highlight the moments and elements that led to the transformation of the area and

“the ways in which race—a lens that determined literate men’s understanding of social differences— negatively affected the perception of this place and of blacks’ accomplishments.[...] The notion of racialized landscapes can have a wide use beyond the Pacific lowlands, for it draws attention to the connections between humanized environments and radicalized social groups past and present. Although more important in the nineteenth century and first half of the twentieth, before the horrors of Nazism discredited it, race and racial categories (which vary across time and space) continue to mark social hierarchies and to guide understandings of places and their very concrete materialities. The primacy of racial thinking in the decades that followed emancipation in Colombia prompted prejudiced readings of the landscapes that were being shaped in the Pacific lowlands. Migration from the mining areas to the lower parts of the river basins and the coasts made this the the predominantly black region we know today. Along rivers and shores, black people’s houses and crops created the landscape that came to characterize the place in decades to come. Blacks also constituted the majority of the population in the small ports that served as trading centers of natural commodities. However, contemporary literate men, who overlooked black’s role in their liberation, considered that blacks fit awkwardly in urban landscapes and failed to regard their shaping of a forested landscape and their lives in freedom as achievements of any sort.” (Leal, 2018: 228, 229).

As Leal affirms, those representations have had consequences in terms of denying the achievements of the black population after they emancipated themselves saving gold from the mines and buying their liberty or escaping and hiding in the rainforests or they were freed in 1851 because of the abolition of slavery. The free Afro Colombians built their autonomy in the rural areas of the Pacific while white and mestizo elites lived in the urban areas and maintained commercial relationships with black people (Leal, 2018). The effects of marginalization of people and spaces become more evident in cases like the Panama Canal at the beginning of the XX century. Lasso showed how entire towns known for

having a vibrant political and economic life that were depopulated and people were relocated to assure the image of a massive project put in place by the US to civilize nature as was described before the twentieth century (Lasso, 2019).

The civilization of nature was based in narratives that affirmed that entire regions were unknown or abandoned after the colonial times. However, the studies of Castro-Gómez, Herrera, and Appelbaum documented the extensive knowledge about places and people and the intention to control them through that knowledge. Those authors described how places and people were studied in the XVIII and XIX centuries using the scientific model of those times to construct regional taxonomies that served to reaffirm the colonial mindset of a racial hierarchy. The continuity of those taxonomies served, as Arias recounted, to build an idea of a nation based on racial differences that allowed white and mestizo elites to manage people and places still described as uncivilized. All of them were described based on evidence gathered in traveling and interacting with people and spaces in those areas, proving that they were not unknown by the elites but adapted to an idea of the nation managed by those elites that put indigenous and black communities at the bottom of the social hierarchy.

With the study of the censuses conducted in the XIX century, García confirmed that the state had registered people living in those places. Even if the people who organized the registration perceived indigenous and Afro Colombian people as not interested in progress, registering them shows that the state was aware of the existence of those citizens and towns and that state officers worked to conduct those registrations. Moreover, as Leal affirmed, in the Pacific, not everyone that was part of the elite left after 1851, when slavery was abolished. They built relationships with the Afro Colombians that occupied rural towns,

and knew about those occupations. Those relations prospered along the XX century in the form of an autonomous life for black rural people and resource exchange for white and mestizo elites. Yet, the narrative of marginalized places that had been abandoned for being wild and uncivilized maintained the idea of stateless and uncontrolled regions, as it also happened in other parts of Colombia.

The significance of the works of Herrera, Lasso, and Leal for my research resides in two aspects. Firsts, unlike the work of Appelbaum, Castro-Gomez, and Arias, the former scholars studied the concrete consequences of the marginalization of spaces allowing us to see also the temporal dimension of the process. For Herrera, the colonial ideology of the Spanish authorities gave meaning to building landscapes and distributing spaces as a way to dominate indigenous people. Lasso traces how the narratives of people and spaces complemented each other and justified the intervention over them in the Darién Gap area during the early XX century. For Leal, the racist ideologies that prevailed after the emancipation in 1851 reinforced the prejudice over black people and their settlements in the Pacific. White and Mestizo elites lived in urban areas like Tumaco and Quibdó and ignored the rural parts of the region despite maintaining political and commercial relationships with them (Leal, 2018).

Second, while Herrera is studying the spatiality built during colonial times as an expression of power, the works of Lasso, and Leal analyzed processes of marginalization in the Pacific that started to take place before the independence and have consequences that go beyond the establishment of the republic in the XX century. Subsequently, the work of those scholars opened the question of how the consequences of the marginalization of

people and places have impacted the role of both people and spaces within the nation and the state.

3.3. The marginalization of rural areas in Colombia during the XX century

It is important to notice that the marginalization processes have happened in different regions of Colombia, not only in the Pacific. More rural areas in Colombia have been deemed as stateless and uncivilized to control or intervene them in specific ways. Simón Uribe's work makes an excellent example of those strategies because it shows a similar process and its consequences in the area of Putumayo, located in the Amazon region. Uribe traces the history of the representation of this region since colonial times. He studied the materialization of those representations in state interventions in the area in the late XIX century and the discussion about its uses in the second half of the XX century. Uribe analyzes the contemporary construction of a road and the consolidation of Putumayo as one of the internal frontiers of the nation. In Uribe's words:

“The image of the Amazon as a frontier space is inextricably bounded to those dichotomous constructions [center and periphery, civilization and savagery, progress and backwardness]. As noted, this image was constructed and has largely been governed by two dominant tropes. The first sees this region as a vast territory abounding in unexploited resources and **vacant lands**. This trope is as strong in Codazzi's mid-nineteenth century promising depictions of the Territorio del Caquetá, as in present-day allusions to this same territory as ‘the last frontier’, used both in reference to its untapped resources (biodiversity, oil, mining, tourism) and the dangers (environmental, social, ethnic) involved in present and future plans to exploit them. The other trope, equally enduring, describes this same region as a ‘**marginal territory**’ and is conveyed through its various associated meanings: chaos, illegality, isolation, neglect, barbarism, savagery. This trope, furthermore, is habitually expressed in terms of exclusion from the state, or the idea of the frontier as those territories where the state has not arrived or is yet to arrive because it has historically been too weak or unwilling to do so. The main effect of this ‘state absence’ is that the association of the frontier with lawlessness and barbarity is reinforced or rendered natural. The frontier, then, appears as a ‘natural’ theatre of conflict where the ‘vacuum’ of the state is filled with and disputed between guerrillas, drug dealers, and all sorts of

outlaw characters. These two tropes are fundamental to understanding past and contemporary state practices and policies in the numerous ‘peripheries’, ‘margins’ and ‘frontiers’ of the nation. They manifest themselves in the many projects, real and utopian, aimed at ‘civilizing’ or ‘developing’ these territories, as well as in the quotidian images of a development that appears elusive, the same images through which frontier peoples condemn the absence of the state or convey their memories and feelings of marginality, abandonment or exclusion from it.” (My highlighting, Uribe, 2017: 242).

For Uribe, the consequences of making Putumayo a frontier became visible in terms of the violence used to intervene in the area with an infrastructure project to connect it with other parts of the state. The region of Putumayo was, like Chocó, deemed as marginal because it is located far from the center, which made it is isolated, chaotic, or barbaric. Uribe analyzed how the continuity of those narratives until the 1980s and 1990s, contributed to legitimize the state’s violent interventions in the region. Similar narratives were used continuously in Chocó; however, they serve to maintain certain practices unregulated.

The marginalization process in the Pacific region, and specifically Chocó during the XX century, illustrates how the uncontrolled context where the extraction of vegetable ivory, gold, platinum, and logging thrived. The lack of services provided by the state was the price paid by black communities in exchange for having autonomous communities in rural areas, which was crucial to those communities formed by descendants of enslaved people that freed themselves or were emancipated after the abolition of slavery in 1851 (Leal, 2018). Resources extraction worked with the participation and awareness of local and national governments, black rural people that worked extracting those resources, and white and mestizo urban elites that bought them to commercialize them nationally (Leal, 2008, 2009, 2018).

The marginalization of spaces in Colombia has helped to consolidate a narrative where territories like the Pacific or the Amazon are deemed marginal as if that was their natural condition, and not a characterization configured historically. Consequently, that narrative has nourished the tautologic argument of the absence of the state. As an argument, the absences of the state, affirms that the state cannot reach areas historically deemed difficult, chaotic, and anarchic, and those areas maintained its difficulties, chaos, and anarchy because the state does not reach them. That argument has been widely used after shedding its historical dimension and affirming the isolation of rural areas as a given characteristic.

Margarita Serje has studied the formation of the notion of an absent state in Colombia, the conceptualization of some areas as marginalized generates forms of social order in which specific actions are allowed and legitimized to attend these regions, “configuring a situation of legibility and liminality.” (Serje, 2013: 100). In areas described as stateless state violence and state failure to provide services are seen as the normal situation. The difficulties of some regions generate that the army makes the only form of the state’s presence. Similarly, if there is no cadastral information or land planning is because there are no resources to conduct those tasks in such difficult regions. However, these examples leave out the historical construction of those difficulties, and how that construction is associated with the colonial racialized hierarchical mindset that can explain a significant part of it. Once one involves a temporal dimension in the analysis, it is possible to see that the state has been present in different forms according to the traditional way to manage people and spaces in specific regions, like the Pacific.

The idea of the absent state has been commonly used to describe places where most of the collective titles have been granted, only to reinforce the supposedly natural characterization of these areas as marginal. Ballvé has questioned that idea in his study of the region of Urabá, a shared space between Antioquia and Chocó, where the Atrato reaches the Caribbean Sea. He takes the arguments developed by Serje about the construction of marginalized regions to study what he calls the “frontier effect¹⁹” in Urabá. He reconstructed the history of the area from the beginning of the XX century showing the numerous failures of Medellín elites to intervene in the region by building ways of communication and even towns. Those failures led to the transformation of the region into an enclave economy that benefited elites impacting other actors and legitimizing the use of violence by the state’s army and other armed actors.

At the beginning of the XX century, Antioquia’s elites’ interest in “opening up” Urabá was caused by their moral responsibility to counteract the believed moral and intellectual inferiority of people that occupied the area, mostly black and indigenous (Ballvé, 2020). In 1905 they hired Henry Granger, a U.S. immigrant from Philadelphia “who had become a gold baron with several dozen mines in neighboring Chocó” to build a railroad that will culminate in a city (Ballvé, 2020: 23). According to Leal, Granger:

“Settled in Colombia in 1894 when he was in his early twenties and acquired a farm called Yankolombia in the lower Atrato. He soon realized the promises of mining and between 1897 and 1899 obtained titles to no fewer than seventy-six mines located throughout Chocó’s gold-bearing basins. For the next eight years he acted as American consular agent in Quibdó, although apparently did little work in such capacity, and instead promoted mining in Colombia.” (Leal, 2018: 126)

Leal points out that obtaining mining titles is not the same as acquiring formal land property because a mining title is a permit to exploit the subsoil, and it does not entail

owning the land where the mine is located. She reconstructed the history of cities like Quibdó, Tumaco, and Barbacoas, and the formation of white and mestizo elites. Granger became part of those elites that established commercial relationships with black communities that lived in the rural areas of the Pacific (Leal, 2018). Part of the contract to build a railroad and the city was to “foment European and American immigration to the region” (Ballvé, 2020: 23). The city was planned to be named *Ciudad Reyes* in honor of president Rafael Reyes, but due to lack of funding, the entire project was canceled in 1907.

However, elites kept trying unsuccessfully to “open up” Urabá, building a highway to the seacoast in 1926, with money lent by the U.S. Government. As expected, that project was also defunded without completing the road after the Great Depression of 1929. Later in 1948, the project started again, but *La Violencia* (The Violence)²⁰, the last and severest violent confrontation between Liberals and Conservatives throughout the country, forced them to stop. During *La Violencia*, settlers and highway workers, mostly black, were seen as part of the liberal party or as part of the highway workers union, which, in times of the cold war, also generated suspicions among authorities that decided to send the military to control the area.

By then, the United Fruit Company executives showed interest in the area.²¹ After the workers strike that ended in the banana workers massacre in 1928²² in the department of Magdalena on the Northern Caribbean coast, the company was looking to recover its production in Colombia. Ballvé recounted that in 1959 the executives visited the area and proposed a business model to Antioquia’s authorities and potential business partners. The company will associate with elites from Medellín, who will own the land and receive generous financial incentives and technical assistance. In exchange, the company will build

the infrastructure and be the exclusive buyer of the bananas produced in the enclave. This model reinforced a racialized hierarchy in which Afro Colombian workers who came mostly from Chocó excavated canals and ditches, while *mestizo* campesinos from Córdoba worked clear-cutting the forests. The landowners were white Antioqueños who bought some of the lands and presented themselves as *campesinos* to receive *baldíos* distributed by INCORA, generating a massive land grab in the area between 1960 and 1966 (Ballvé, 2020).

The combination of the circumstances generated by La Violencia, the workers' exploitation, and the land grabbing in the 1960s, created a tense social context that motivated armed actors to install in Urabá. They competed to impose their state projects in the area between the 1970s and 1990s. According to Ballvé in Urabá the idea of the state took the following form.

“By means of the long, ghostly shadow cast by its absence, the state, as the dominant referent of modern politics, still structures relationships, discourses, practices, and institutional formations of rule in frontier zones. In Urabá, for instance, groups from across the political spectrum, armed and otherwise, all end up trying to give concrete coherence to the inherently unwieldy abstraction of the state in a space where it supposedly does not exist. The way this absence exerts a generative political influence is what I refer to as the frontier effect” (Ballvé, 2020: 9).

The author recounts the history of Urabá's process of marginalization, referring, like Leal, to the area as a racialized landscape by its relation with Antioquia's elites. By using the concept of racialized landscapes, Ballvé reaffirms the continuity between people's and spaces' management as a historical process with harsh material consequences in the 1980s and 1990s, where some people were kidnapped and killed by guerrillas, while others, suspected of having a leftist ideology were threatened or killed by paramilitaries. A

vast knowledge of its geography allowed those elites to recur to the state to request lands and design plans to build roads and towns to reach the Caribbean coast from Medellín. Those plans failed mainly due to the lack of funding. However, presenting the region's people and its topography as obstacles for their realization allowed elites to justify establishing an enclave economy that, combined with the social tension that existed in the area, brought severe consequences to its inhabitants.

As in the study conducted by Uribe in Putumayo, the characterization of Urabá as a marginal territory also produced the idea of state absence. Ballvé focuses on the impact that this idea had on the social order in there. When he interviewed former paramilitaries and guerrilla members, he encountered that both actors claimed to have replaced the state functions. For the author, the problem of Urabá was not the absence of the state, but the collision of more than one actor trying to impose their state project (Ballvé, 2020).

Ballvé and Uribe recognized that people often mentioned the absent state with a sentiment of abandonment. Similarly, in his research about the Caribbean area of the Dique Canal, Camargo recounts having heard similar statements given by people of that area. For them, that sentiment does not constitute a false statement, since there is a lack of services that the state typically provides in urban areas (Camargo, 2016; Uribe, 2017; Ballvé, 2020). However, that does not mean that the idea of a dominant state is not prevalent or that it is not present in other forms, even if it is through violence²³. In Colombia, state violence is not an abnormality, but a way to relate to places and people historically deemed marginal and uncivilized.

People living in regions deemed difficult have been perceived as uncivilized as their geographies, it is assumed that they have no interest in civilization or development.

Therefore investing in those areas is seen as pointless, which does not mean that the Colombian state does not know the resources and economic activities of those regions. It means that with that knowledge, the presence of the state does not happen as services provided to its citizens, but in strategies like promoting resource extraction and enclave economies, or preventing other actors from retrieving resources by reinforcing the military presence of the state or establishing alliances with armed actors to control those resources.

The state in Colombian has historically had a differential presence closely connected with the processes of marginalization of rural areas, as the works of Leal, Uribe and Ballvé showed. Having a differential presence of the state, as proposed by González, has reflected the trajectories of power in Colombia and the concrete actions taken by the state in certain regions (González, 2014). For example, Sanford showed how in the 1990s and 2000s, marginalized areas in the eastern part of the country that have suffered armed conflict and violence the state showed up by bringing the army. The militaries in those areas were not involved permanently in defensive strategies. Instead, they build close relationships with civilians to prevent them from associating with illegal armed actors (Sanford, 2004). Those places still lack services like education, but they experienced the state daily and closely. In her study about the coca croppers movement in Putumayo in the mid-1990s, Ramírez has shown how the state's response to the demands made by the *campesinos* came from a perception of a wild place inhabited by lawless actors. For national state officers, the region, deemed historically marginal and violent, could not produce citizens but illegal actors that deserved to be treated as such (Ramírez, 2011).

Studies conducted by González, Bolívar, and Vásquez have examined the actions and presence of the state in areas of armed conflict during the 1990s, and the responses of

armed groups and civil society to those circumstances, on which many of them conduct state-like strategies (Gonzalez, Bolívar & Vásquez, 2003). They focused on Putumayo and Urabá to study how the marginalization of rural areas has created a favorable context for alliances between political and economic elites and armed actors. Most importantly, it has favored coalitions between elites and armed actors to displace, dispossess, and even massacre people that they identify as obstacles for development and progress, reproducing the colonial perception of people and places. They describe a type of violence similar to the experienced in Chocó in the 1990s and 2000s when the military, paramilitaries, and allied elites contended for lands that had already been titled or where the communities had filed a collective title request. However, while some state officers worked in granting collective titles, there was a significant segment of the national state present in the region but uninterested in titling lands or formalizing property regimes. It was there to promote development through agribusinesses even in detriment of black communities.

The lack of title deeds in the Pacific during the second half of the XX century attests precisely to those strategies. The Colombian state was less interested in formalizing the property relationships in places where the most profitable activity was resource extraction, not agricultural production. The lack of interest in building cadastral information in the Pacific did not respond to a lack of resources due to citizens' failure to pay taxes. Historically, it was more expensive to build a robust regulation system of resource extraction that including formalizing land property, taxing people, and bringing regular services to those problematic areas. Those places were historically constructed as chaotic, allowing the state to maintain the productive activities there unregulated and intervene in those spaces with violence when it was considered necessary.

After slavery was abolished, Afro Colombian communities gained autonomy and held it during most of the XX century. Their autonomy entailed having informal systems to regulate ownership, maintaining their traditional practices of production and extraction. Their independence from state institutions also implied building commercial relationships with white and mestizo elites in unregulated conditions. As Leal affirms, those conditions show the capacity of black communities to consolidate their societies after the emancipation, even though they had to endure the prejudice of the growing racist ideologies of the time. That independence was impacted in the 1970s and 1980s when the national government started to reinforce coalitions with mining companies and logging industries that threatened communities' small-scale practices of resource extraction and their entire ecosystems in the Atrato area.

Communities reacted to those threats by demanding the national government's attention and struggling to assure formal control over their territories. They also mobilized allies and the government to be recognized as owners, as I will show in the next chapter. Like in the research of Uribe, Camargo, and Ballvé, between black communities in Chocó and the rural areas of Cartagena there is a sentiment of abandonment from the state. But that sentiment does not imply that they ignore that the state has been present to register and count people and resources in those areas, to give permits to industries to extract and commercialize those resources, to organize and reorganize *baldíos*, to support tourist projects, to send the police and the army to protect agribusinesses. Communities are plenty aware of the state's differential presence that has historically excluded them from receiving its services, deeming them and their spaces as marginal but has intervened in their landscapes, their ecosystems, and their resources, even recurring to violence.

The process of marginalization of people and spaces maintained the colonial racial ownership regime that cut across history, adapting to the changes in our political system. Anthias built the notion of racial regimes along with the concept of geography of absence according to which “the insertion of these territorial claims into racial regime of ownership produced a process of hierarchization, and fragmentation that has undermined the very notion of indigenous collective territories.” (Anthías, 2019: 8).

The geography of absence is the result of processes of marginalization, hierarchization, and fragmentation that ignore, obliterate, or deny the regimes of ownership and the spatiality of black and indigenous communities. It coincides with McKittrick’s notion of rendering black communities ungeographic, which I use along with the concept of despatialization, to refer to the instances when Afro Colombian’s geographies are unseen or deemed unworthy, a reminiscence of the colonial way to manage black and indigenous people (McKittrick, 2006).²⁴ Those concepts help understanding how, while the marginalization process functions to make people and spaces legible and managed in specific ways, their possibilities to construct their own spaces are denied, and their geographies are ignored. The methodological reflections and strategies explained in the next section helped me to analyze processes and concepts presented above.

4. An ethnographic approach to study processes and spatialities in the field and the archives

Anthropologist Rosana Guber defined ethnography as a methodological approach, a set of methods, and a textual style. She stated that, as an approach, ethnography seeks to comprehend social phenomena from the actors’ perspective. Simultaneously, ethnography

can be defined as the set of tools utilized while doing fieldwork, which includes conducting participant observation, surveys, and unstructured interviews (Guber, 2001). Following Guber's definition, I used an ethnographic approach to do fieldwork. I conducted participant observation and interviewed people associated with the implementation and application of the Collective Land Titling in the places where those processes happened, and in the communities that I present in this dissertation as case studies: Medio Atrato and La Boquilla. To reconstruct the history of Collective Land Titling and each community's titling process, I also did archival research.

I spent fourteen months carrying out ethnographic, archival, and legal research amidst the communities granted territorial ownership through collective titles. Through this process, I collected the records for the 194 Afro Colombian communities granted collective land titles between 1996 and 2015 from the archives of the Colombian Institute of Rural Development (INCODER, In Spanish²⁵), the agency in charge of issuing titles and maintaining their written records.

The files contain all the documents that each community had to present to INCODER to request a collective title. These documents also include descriptions of the community's history and the conditions under which they were recognized by the multicultural Constitution of 1991 as a rural ethnic minority that should be protected by law. I interviewed community leaders, government officers who contributed to the designing and implementation of Law 70 of 1993, and people involved in CLT processes. They lent me documents produced at the time regarding the first initiatives to grant territories, recollections of the discussions around Law 70, and assessments of the final strategy of collective titling for communities in the Pacific. To better assess CLT processes,

I selected two communities as case studies of efforts to obtain collective land titles. The first case study will focus on an index case, one of the first communities to secure a Collective Land Title. The second case study will focus on a later community effort to secure a Collective Land Title that took place in a peri-urban context amidst a somewhat different dynamic of violence.

Doing fieldwork in the two communities and also consulting their communal archives, INCODER archives, and other documents produced at the moment, posed at least two challenges: How to seek spatial information using an ethnographic perspective, and how to conduct an ethnography of spatialities in files and documents. For the first challenge, I based my ethnographic approach on Hart's technique to study dispossession as a spatialized event. She proposed to conduct critical ethnographies as the best way to denaturalize dispossession and study it as "an ongoing process" instead of seeing it as something like a "natural precursor of industrial development, urbanization and capital accumulation" (Hart, 2006: 989). The denaturalization of those processes could be studied through a critical conception of spatiality, that, according to Hart, is:

"central to what I call relational comparison—a strategy that differs fundamentally from one that deploys ideal types, or that posits different "cases" as local variants of a more general phenomenon. Instead of comparing pre-existing objects, events, places, or identities, the focus is on how they are constituted in relation to one another through power-laden practices in the multiple, interconnected arenas of everyday life. Clarifying these connections and mutual processes of constitution—as well as slippages, openings, and contradictions—helps to generate new understandings of the possibilities for social change." (Hart, 2006: 996; 2018: 374)

In the interviews, observations, and archival work that I conducted, I devoted close attention to those elements when they referred to Afro Colombian spaces, and I found information about black spatialities that goes beyond the physical spaces and territorial

limits. I identified the crevices in the testimonies related to Collective Titling processes and in the files that allowed me to read between the lines and interrogate the narratives around Afro Colombian territorial claims. The oral and written descriptions of their territories, the recount of conflicts around those sites where communities and other actors characterized them, the representation of their limits, the roles of nature and natural resources in them, the propriety²⁶ of collective properties; all of those elements have also contributed to my analysis.

The second challenge, how to conduct an ethnography of spatialities in files and documents, has had significant scholarship advancement in historical research and other disciplines. In her work about the Netherlands Indies, Ann Stoler subscribed to the arguments exposed by Trouillot that proposed, in a study of the Haitian Revolution, that archives shall be considered spaces where people produce knowledge, not just sites to extract information. Stoler described archives as products of state machines and, at the same time, technologies that reproduced those states. In the words of the author: “Colonial statecraft was an administrative apparatus to gather, draw together, and connect—and disconnect—events, to make them, as needed, legible, insignificant, or unintelligible as information.” (Stoler, 2009: 29). Her understanding of archives proposes a different approach to archival work that allows to conduct ethnographies of archives, and not only of the documental information contained in them (Stoler, 2009: 45).

The methodological shift that goes from extracting information out of the archives to conducting ethnographies of them is what Stoler identifies as the path to cut through dominant historiographies and the elements used to differentiate fictions from authorized truths (Stoler, 2009: 47). When she mentions how to treat archival findings, she explains

that she does not approach them to find those rare events that can be read as “usurpations of power” or “reversals of a relationship forces.”²⁷ Instead, Stoler affirms that not seeing archives as “stable things” that provide us with information allows her to treat her findings as archival events: “I treat archival events more as moments that disrupt (if only provisionally) a field of force, that challenge (if only slightly) what can be said and done, that question (if only quietly) “epistemic warrant,” that realign the certainties of the probable more than they mark wholesale reversals of direction.” (Stoler, 2009: 51).

The question of how to do ethnographies of spatiality in archives and documents in the way proposed by Trouillot and Stoler allowed me to examine every file obtained as an archival event and conduct an ethnography of an archive that was scattered, fragmented and, in fact, not officially constructed. Furthermore, I could list every time someone turned me down when I asked about collective titling files, every office that I visited and made me wait for hours not to give me any information, the difficulties accessing the warehouse where they put the files, the obstacles to gather information when I finally could see some files, every file denied without reason, and every file lost, as archival events that contribute to understanding how Colombian officers and institutions manage Afro Colombian spaces and in that sense helped to characterize those spaces. All of those incidents disrupted collective land titling narratives as a coherent state policy intended to systematically grant ownership to black communities following what was in the law.

The methodological shift proposed by Stoler supported by the work of Trouillot²⁸, and also what Hart called a critical conception of spatiality allowed me to confront both challenges. Seeing archives as not stable sites and looking for how they were organized, finding the cracks in the narratives of those who manage the files, the voices, and silences

in the information. However, it was not only in the faulty archives that I found the cracks but also the construction of each collective land titling file that I examined. Those files contain hundreds of pages of all the letters, requisites, community census, private communications, communal and official cartographies, handwritten testimonies, and every bureaucratic trace related to the processes. The statements gathered in the field through interviews and the observations I made while there helped me challenge what I found in those documents to nurture a critical ethnographic approach.

III. Implementation and Application of Collective Land Titling in Colombia

There were driving forces that compelled the legislative push for a law regarding collective territories for Afro Colombian communities. Among those drivers were: The Afro Colombian social movement, the environmental concerns of the time, the participation of academics and experts, the influence of the indigenous movement and what it had achieved historically, the work of the church in the Pacific region, and the work of government officers. For most social scientists that have conducted research about Afro Colombian communities, the conjunction between ethnic identity consolidation and the struggle of the Afro Colombian movement generated a crucial moment of recognition obtained with the help of a group of priests and nuns, experts and government officers. The ethnic recognition led to the consolidation of multiculturalism as part of the National Constitution in 1991 and eventually to its expression in the collective titles of the territories that Afro Colombian communities owned collectively. The anthropological and sociological analysis of the formation and the work of the Afro Colombian social movement has explored its trajectories of organization and its relationship with their territories (Escobar, 1995, 2008; Villa, 2001; Pardo, 2001; Hoffmann, 2007; Asher, 2009; Oslender, 2008, 2016; Restrepo, 2013).

Scholars have also studied the pedagogic strategies used by the movement to make people familiar with the new ethnic policies and the procedures required by the Law to form organizations and request collective titles (Khittel, 2001; Restrepo, 2001). More

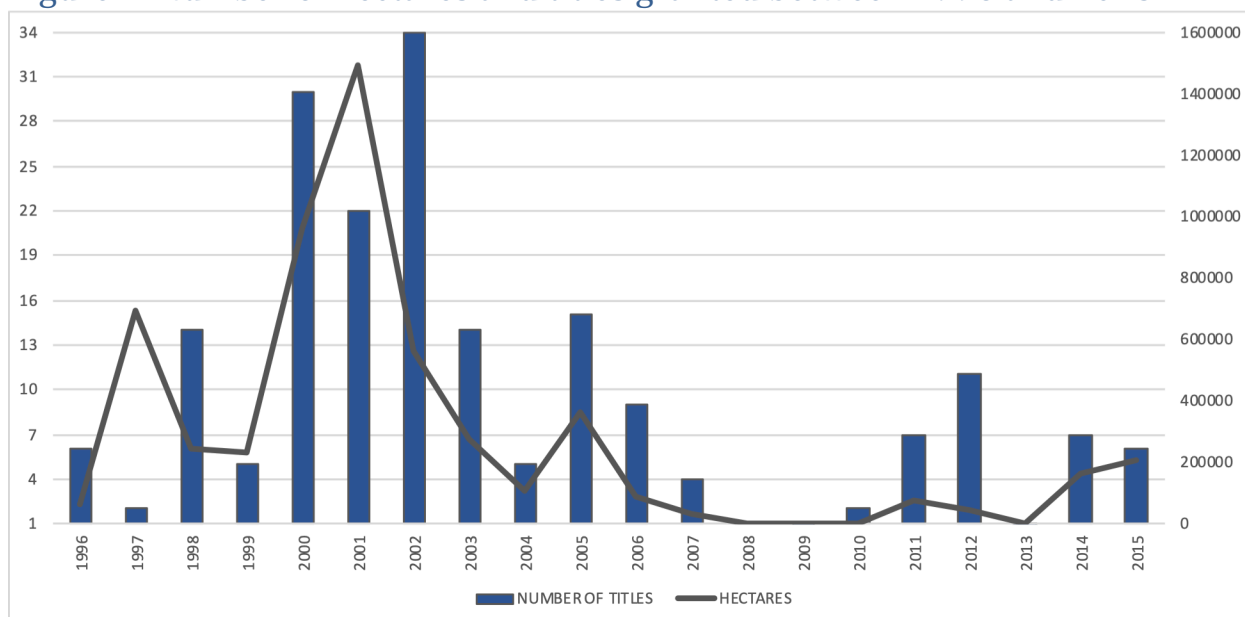
recent works have focused on the everyday functions and interactions with the state at the local level in regions where Afro Colombians are the majority of the population, like the Pacific coast of Colombia (Martínez Basallo, 2013; Velasco Jaramillo, 2014; Domínguez Mejía, 2017). Taking examples of communities that are in the middle of their titling process, or already hold their collective titles, these works explore how communities incorporated the new policies into their spatial practices and how local and national officers managed to commit the community members to processes of modification and formalization of their property regimes. Consequently, there is a gap in the study of the implementation of Law 70 of 1993 and the Decree 1745 of 1995 in different communities and as a part of a series of transformations and continuities in the national politics.

While some of the scholars mentioned above analyzed how the encounter between the Afro Colombian social movement struggle and the driving forces produced the ethnic and territorial recognition, others have studied how this recognition changed the relationship of the Afro Colombian communities with the state. For the former, CLT is one of the social mobilization achievements that marked an ending point of their struggle, and the start of a new stage for the Afro Colombian movement. For the latter, it is a starting point, the marker of a renewed relationship between the communities and the state, framed by the transformation of property regimes from informal to collective and legal. As an exception, Domínguez analyzes the CLT public policy as a social process that allowed her to observe the functioning of the state in different levels and contexts (Domínguez Mejía, 2017). Similarly, I seek to examine the implementation of Collective Land Titling after the launching of Law 70, and the titling processes that came after the law between 1996 and 2015. Like Domínguez, I aim to stop seeing land property only as a legal fact. Yet, unlike

her, I propose to analyze it as a changing relationship that sheds light on our forms of understanding the configuration of Afro Colombian spaces, the role of the state in it, and the transformation of the categories associated to that process, such as inequality, nature, development, and violence.

With that objective, this chapter studies the increase and decrease in the granting of both collective titles granted to Afro Colombian communities and in the extension of the territories covered by those titles between 1996 and 2015 (Figure 1). Here I'm trying to understand the application of the law to explain why, for example, some communities claimed smaller globes of land while others requested titles over extensive river basins; or why it took more time to grant some titles than others. Studying those contexts allows me to see how various forms of development adopted or imposed in these rural spaces impacted and were impacted by the processes of collective land titling.

Figure 1. Number of hectares and titles granted between 1996 and 2015



Source: INCODER

I encountered that, in some cases, collective titles helped to resist certain types of development, such as the extractive model of the logging industries, while in others, development projects tried to dispossess lands that were already titled collectively. In contrast, other extractive industries promoted the formation of communal organizations to have them extracting the resources that the company would commercialize. In at least one case, the owner of an extractive industry mobilized the organization of an Afro Colombian rural community to request their collective title. Once they received it, the company negotiated with the community do the extraction in their territories and sell the resource to them exclusively. In that way, the industry did not assume the costs of owning lands or paying taxes for them. They would also avoid hiring people to extract resources from the forest, and secure labor conditions for workers.

In contrast, there were cases in which people brought development projects in alliance with armed actors to impose agro-industrial initiatives that entailed slow processes of dispossession. Lastly, more recent collective titling processes were used by the national government to show the international community their interest in improving Afro Colombian's situation regarding land ownership in the context of the peace agreement, even though they showed no support for those communities before or after granting the collective titles. To explain the differential contexts that produced these processes of Collective Land Titling, I will organize the chapter as follows:

The first part focuses on the history of the implementation of CLT as a public policy. When the Constitutional recognition of rural Afro Colombian communities as ethnic minorities and the launching of Law 70 took place, there were different initiatives to start granting communities their titles. While the academics and Afro Colombian leaders

gathered to discuss the contents of the law, local leaders organized meetings to discuss how to proceed with their land claims. Both groups needed logistic support and government willingness to meet, clarify their procedures, and produce documents and informative materials about their conclusions. Looking for funding and resources, the actors involved in these discussions found a window of opportunity in the programs to counteract deforestation and in the growing interest in achieving sustainable development with the involvement of local communities. That interest did not necessarily translate into initiatives to favor communities; however, before Collective Titling started as a public policy, programs to fight deforestation presented a loophole for communities to insert their territorial claims. For international organizations like the World Bank, achieving sustainable development included fighting rural poverty, to which end they started to support and promote collective land ownership for ethnic minorities (Lynch, 1991).

This part of the chapter relies on documents that describe programs and government initiatives as well as interviews with the group of technicians that worked in the first stages of drawing and implementing the legal procedures required to obtain collective titles. Some of them preserved the documents they elaborated to explain such procedures and help local organizations to understand the details of ethnic and territorial recognition. After participating directly or indirectly in the discussions that produced Law 70 of 1993, they were involved in putting to work its procedures through the funds designated for participation of local communities in different programs. Authors like Cárdenas have demonstrated how Law 70 of 1993 created both green ethnic subjects and nature itself as a non-human actor in the Colombian Pacific, both defined partially through land property (Cárdenas, 2012). This chapter explains how the encounter between

sustainable development, ethnic recognition and land claims took place, and how these new subjects came into existence. It ends by explaining how this context produced the titles granted in 1996 and 1997 in which communities accessed the procedures and bureaucracies associated with CLT for the first time.

The second part of the chapter shows how, amid violence, almost five million hectares of land were titled to Afro Colombian communities in the Pacific region (Figure 1). This section will explore the most significant moments of increase and decrease in collective titling from 1998 to 2006. The first territorial claims from Afro Colombian communities occurred in the context of extractive economies when there were conflicts over resource access, and not over land ownership. However, after the new Constitution recognized ethnic minorities that should own the lands that they have occupied traditionally, economic elites that had development projects associated with agribusinesses became interested in the newly declared ethnic territories. Some of them associated with legal and illegal armed actors to remove people from those lands. Consequently, the incursion of the armed conflict in the region had a tremendous impact on Afro Colombian and indigenous communities, which constituted the majority of the population in the area.

Yet, the episodes of violence did not cause the diminishing of collective titling; on the contrary, while Afro Colombian rural communities started to experience the war directly and were forcefully displaced, more collective titling processes were opened, and more titles were granted. Between 1998 and 2006, there were clusters of collective property granted to communities that requested their titles after adjacent communities were granted with theirs. At the same time, more attacks from armed actors took place in the region. The concurrence between violence and territorial recognition was not a coincidence. The

chapter will explore how the modification of property regimes became another target for the insertion of violence in the Pacific; a region described previously as a peace haven (Arocha 1992; García Reyes, 2011). This wave of titling ends with a dramatic decrease of titles and hectares of land granted to Afro Colombian communities when armed actors, both legal and illegal, controlled the area. After the replacement of INCORA by INCODER in 2003, redistributive strategies like CLT received less attention, and officers initially involved in collective titling were laid off or transferred to other institutions. Besides the interviews and official and non-official documents, in this part, I used the files of the CLT processes in different communities where there are descriptions of the procedures, information about the actors involved, and documents that describe the obstacles that communities had to overcome to obtain or maintain the property over their lands.

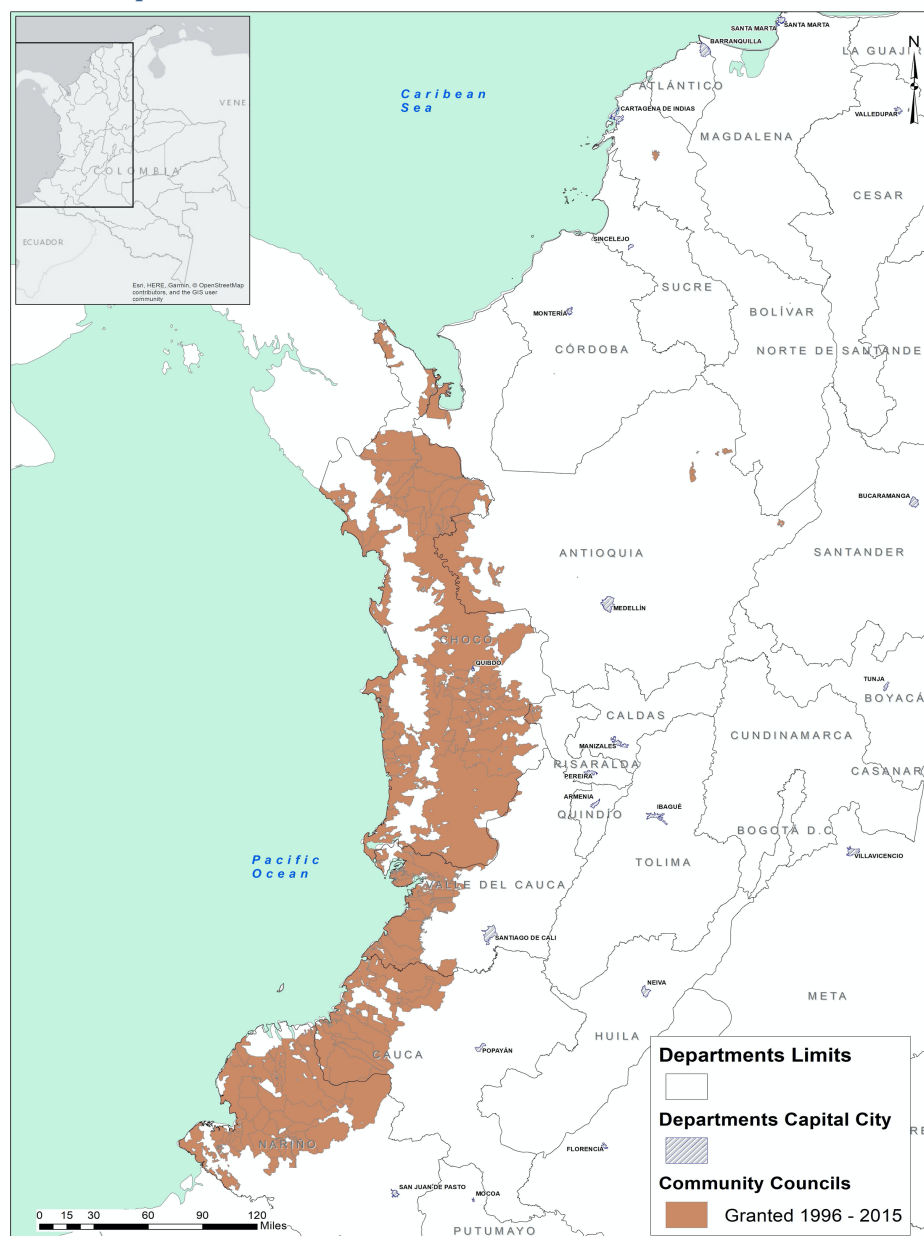
The third part of the chapter will analyze the collective titles and the extent of the hectares granted between 2007 and 2015 (Figure 1). When collective titling started in the late nineties, the projection made by government officers was to have all the available hectares in the Pacific region titled collectively to communities by 2006. Additionally, by the same year they expected to start titling collective territories to rural Afro Colombian communities in other parts of the country. That goal was partially achieved since the number of hectares covered by collective titles by 2006 was not far from the projection (Figure 1). However, massive forced displacement and dispossession in the Pacific, and the rest of the country, created a state of emergency that hampered titling efforts after 2006. At that moment, the national government disregarded the titling processes, and ethnic communities found opposition from the government to granting them collective territories.

Consequently, national authorities started to replace technicians and officers dedicated to these issues, and, at the same time, slowed the titling processes down or in some cases, canceled them. Communities found support in the Constitutional Court, and small public programs that could maintain some independence from the government. The Constitutional Court declared in the sentence T-025 of 2004 the unconstitutional state of things for all the forcibly displaced population, who were estimated to be more than three million people. Five years after the sentence, the Court launched a specific ruling, the Auto 005 of 2009, demanding differential attention for Afro Colombian communities forcibly displaced due to the state of emergency in the Pacific and some parts of the Caribbean coast. Additionally, small public programs, such as the program of protection of the assets of the displaced population and the ethnic route of protection, also helped Afro Colombian communities in those situations. In this part of the chapter, the aim is to analyze the decline in the extent of the new titles and how the transformation in the political economy of land ownership and development projects led to less titles granted to Afro Colombian rural communities.

Unfortunately, the armed conflict in Colombia is not over yet, but the strategies to confront paramilitary groups and the interest in starting a peace process with the FARC guerrilla changed CLT's dynamics after 2010. There was a rise in the titles given to Afro Colombian communities between 2011 and 2015, and some of them were granted in other parts of the country, such as the Caribbean coast. To a certain extent, this changing pattern was also the product of the struggle of the Afro Colombian movement, but it also responded to an interest of the regional and national governments to intervene in those lands in different ways. Most of the titles granted during this period were smaller than the ones

given before in the Pacific (Figure 1), but the inclusion in the collective titling policy of communities in regions other than the Pacific displays the consequences of processes of marginalization of people and spaces, that have reproduced a colonial racist ownership regime (Anthías, 2019).

Map 1. Collective Titles Granted from 1996 to 2015



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

1. The first collective titles granted in 1996: How communities opened a window of opportunity in sustainable development

The collective titling²⁹ policy started a few years after the Constitutional recognition of Afro Colombian rural communities as ethnic minorities in 1991. First, the Constitutional assembly agreed to write a transitory article in the new Constitution, Article 55, that urged Congress to launch a law in the next two years that will guarantee protection for this ethnic minority. In 1993, due to the Constitutional mandate, Congress launched Law 70, that addressed this obligation in its different aspects: protection of cultural identity, land ownership, transfer of national funds, and development, among others. However, the only part of Law 70 that has been ruled entirely by decree is the one related to collective land ownership.

Decree 1745 of 1995 established the procedures to recognize collective land ownership for Afro Colombian communities and to grant them with a collective title. After the decree 1745, communities started to claim titles in 1996, and the first group of collective titles was granted in December of 1996 to six communities in the northern part of Chocó³⁰, a department in the Pacific coast (Arocha, 1998; INCODER, 2015). Consequently, the recognition of collective ownership over rural lands occupied historically by Afro Colombian communities became the most tangible achievement of ethnic recognition. While the latter has been widely studied, the former has interested just a few scholars, but it is crucial to realize that Collective Titling has been as significant for

black communities as the transformation brought by to the multicultural turn was for our nationhood.

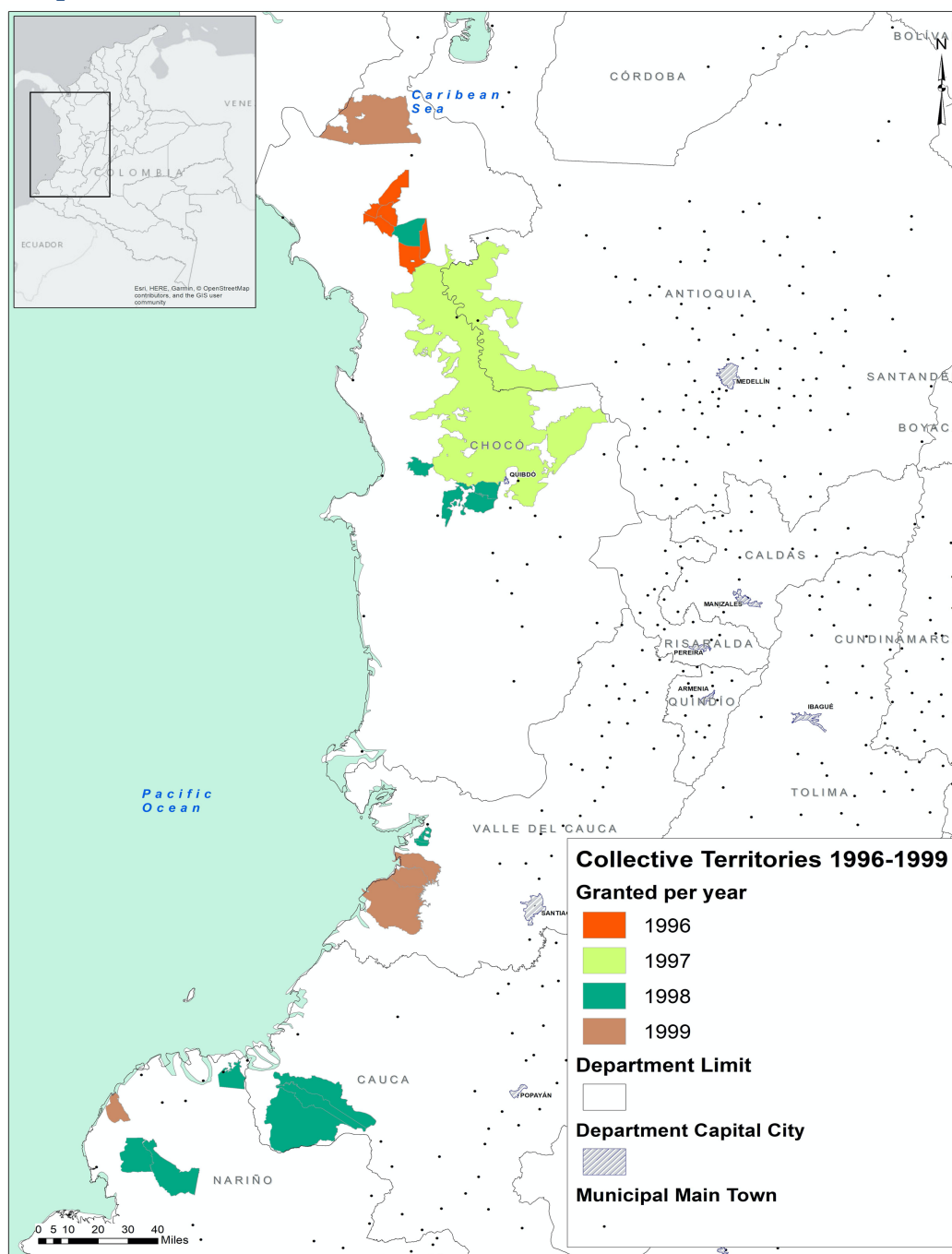
Arocha and Offen, among other scholars, have referred to this achievement as a renewed and successful agrarian reform (Arocha, 1998; Offen, 2003). They have focused on it as a goal of ethnic recognition, and an ending point of the struggle of the Afro-Colombian movement. However, there are multiple things to analyze about Collective Land Titling beyond ethnic recognition. For example: Why, contrary to other previous initiatives of land reform, could this one be seen, at least momentarily, as successful³¹? One of the reasons is that in the ten years between 1996 and 2006, leaders claimed territories located not in the agricultural heartland of the country, but in areas historically marginalized by the state, and they received collective title deeds for those lands. The ideological appeal for these lands was not couched in class terms, so, unlike previous agrarian reform and colonization activities intended to help landless *campesinos*, this did not threaten landholding elites, at least in the first Collective Land Titling processes.

In 1959, the government launched Law 2nd, intended to preserve areas in the Pacific, declaring the entire region formed by *baldíos*³². By this law, the Colombian Congress established a Preserved Forest Zone, including all the municipalities of the four departments in the Pacific and other areas in the departments of Risaralda and Antioquia. By declaring the land empty, Law 2nd of 1959 erased people living in the rural areas of the Pacific. Despite the historical evidence of people living in the Pacific, Law 2nd did not recognize their traditional occupants because they were not formal owners, and had no title deeds. It also excluded those areas from the markets and colonization initiatives.

Nevertheless, some of those lands were later granted to private landholders and national agencies, but most of them were declared empty areas dedicated to preserving nature.

Afro Colombian leaders saw these lands as autonomous ethnic territories rather than as productive agricultural lands (Offen,2003). As a result, their ethnic-based claims did not arouse elite opposition largely because, unlike the lands considered for the earlier agrarian reforms, most of the lands proposed to be titled collectively were classified as empty lands, belonging to the state to preserve biodiversity. Consequently, Law 70 stated that all claims made by Afro Colombian communities must be over empty lands, not over lands that are privately owned³³. As we will see further in the dissertation, the Pacific region was associated with resource extraction and conflicts regarding access rather than with agriculture, which explains the success of CLT and the lack of disputes related to land ownership even before Collective Land Titling took place (Leal, 2018).

Map 2. Collective Titles Granted Between 1996 and 1999



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

1.1. *Sustainable development transformed nature in a resource in the Pacific*

Before the ethnic recognition for Afro Colombian communities there were conflicts of access to resources that did not result in violence and had no relationship with the long-lasting Colombian war. The Pacific was an extractive economy where land ownership was not an aspiration because it entailed bureaucratic procedures and expenses, and the available lands were not considered suitable for agriculture (Leal, 2018). Recognition for Afro Colombian rural communities as ethnic minorities was the result of the struggle of the Afro Colombian social movement first in urban areas, and later in rural spaces in the Pacific region.

In that region, the prior relationships between Afro Colombian and indigenous communities were mostly harmonious. Indigenous groups already had their *resguardos*³⁴ assigned in the Pacific, Afro Colombian communities were not demanding land ownership, and there was not exclusion entailed in land property. The conflicts over resources were solved when one of the actors moved to a different area to exploit the disputed resource or a different one. There were no confrontations over land ownership which meant that the population was not a target of dispossession. The front 57 of the former FARC guerrilla had presence in some communities, and they would assemble community residents to explain their revolutionary principles, or they would punish people that committed criminal acts³⁵ (Wouters, 2001). For them Chocó was more a spot to rest and hide, and eventually of potential drug trade paths to manage or guard (Huezo, 2017). Consequently, there were no episodes of violent displacement or dispossession before ethnic and territorial

recognition because the lands available were not desirable at that moment, and collective titling was not designed as a response to violence or dispossession in the Pacific.

However, by the late twentieth century, the logging industry was one of the most salient businesses that received a permit from the Colombian state to exploit resources. By granting the exploitation permits, the government modified the scale of the extraction of resources and, as a consequence, the scale of conflicts. In their 2003 book, Leal and Restrepo documented the deforestation and the conflicts between loggers and communities in the Atrato lower river basin or Bajo Atrato (Leal & Restrepo, 2003). The advancement of loggers towards south of the Atrato generated a reaction from the social movement that had recently started organizing with the support of the church and the social scientists interested in the area (Restrepo, 2013).

During my visits to Medio Atrato, I interviewed leaders of the Great Community Council of the Integral Peasant Association of Medio Atrato³⁶ (COCOMACIA), they recounted that one of the reasons to organize was that they started to notice the presence of outsiders conducting inventories of trees and plants in the jungle, or the *montes*,³⁷ as they sometimes refer to the spaces surrounding their towns. Wouters also mentioned the inventories, but she related them to the interest of pharmaceutical companies in the biodiversity of the area (Wouters, 2001). Noticing a growing attention to the species found in their *montes* from outsiders involved with logging industries or pharmaceuticals, communities of the middle river basin or Medio Atrato gathered and raised their suspicions and concerns about the fast deforestation that had taken place in the lower Atrato river basin.

As I mentioned before, in the late eighties, environmental conservation was a global concern, and the Pacific went from being seen as a place to build massive public works to a place for conservation where resources should be preserved to secure continuity in obtaining profit from them (McAfee, 1999). Simultaneously, the logging industry gained importance, causing that deforestation became a local, national, and global concern, and multilateral organizations designed initiatives to counteract that problem without compromising the success of the industry. One of those programs was the *Tropical Forestry Action Plan* (TFAP) a top down mechanism through which development agencies like the World Bank (WB) and the Food and Agriculture Organization (FAO) intended to support governments to fight deforestation but ended up created a mechanism to support logging industries through tax exemption and commercial advantages. The program was described by the WB as follows:

“The TFAP, which was launched in 1985 with the support of the Bank, UNDP, FAO, and the World Resources Institute (WRI), is an important mechanism for mobilizing the resources needed for programs in the areas of land use management, ensuring the sustainability of forest based industries, improving the supply-demand balances of fuelwood, conservation of forest ecosystems, and strengthening institution in the forestry sector.” (World Bank, 1989).

In the north of Chocó, over the lower Atrato river basin, deforestation was mainly caused by the extractions made by legal and illegal logging companies. Leal and Restrepo documented in detail how the logging industry caused a large deforestation of the lower Atrato basin area, and it was a permanent reason mentioned by communities in the middle Atrato to start organize after the saw the impacts of deforestation for communities in the northern part of Chocó (Leal & Restrepo, 2003; COCOMACIA, 2002).³⁸

However, the program, described as having the best intentions for biodiversity conservation, functioned as a rhetorical frame to favor logging industries. It did not contain any concrete measures to favor rural communities, but their emphasis on land use management opened a small window through which some actual benefits for communities took place. Since the Colombian government shared the need to favor the logging industries, the TAFP inspired a national initiative with support from the government of Netherlands, the German Federal Republic, FAO, and from the Inter American Development Bank. The National Planning Department (DNP) launched the Forestry Action Plan for Colombia (FAPC), aligned with the TAFP. The Colombian version became a top down initiative without any concrete plan of activities for communities. At the end of it, the only tangible result was the collective titles granted to Afro Colombian rural communities between 1996 and 2006 (National Planning Department, Forestry Action Plan, 1992).

By 1989 more than sixty countries were participating in different stages of the plan, including Colombia. Even though different agencies funded it, the World Bank led the missions most often and in other cases participated in the round tables organized by the TFAP and different groups of countries. One of the documents consulted for this research, a technical note of the TFAP published in 1989, states that governments requested the participation of the World Bank “because of its technical expertise and experience with forestry programs in developing countries”, even though there were no results to show on the ground (World Bank, 1989: 4). Winterbottom pointed out that implementing national plans to the purposes of the TFAP required a component of local participation and the involvement of social scientists to face the challenges implied in promoting sustainable

development (Winterbottom, 1995). In Colombia, the DNP, created a FAPC that implemented a version of the program in which communities and technicians were involved. The international environmental concerns created a context for Collective Land Titling, but it was the demand for local participation which allowed black communities to participate in the program and insert their territorial claims into it.

1.2.Environmental bureaucracies in a decentralized state: the need for community participation in nature management

Some of the scholars that have worked in the processes of ethnicization of Afro Colombian communities have explained that the struggle for constitutional recognition generated a new collective subject (Asher, 2009; Restrepo, 2013). Similarly, authors like Cárdenas have described how that new ethnic subject was also expected to protect biodiversity through their traditional relationship with nature (Cárdenas, 2012). Moreover, Cárdenas stated that the characterization of Afro Colombian communities as nature stewards also contributed to the creation of nature as a non-human actor. As such, nature should be considered when we study the convergence between environmental and ethnicization agendas, that, some years later, will achieve collective titling (Cárdenas, 2012). The adoption of programs like the TAFP helped to consolidate the demands of the Afro Colombian movement, and at the same time, reinforced a new meaning of nature in which biodiversity was a resource that could provide economic benefit for local communities and the country (McAfee, 1999).

This new approach to nature and biodiversity translated into new environmental bureaucracies dedicated to guaranty sustainable development as a national objective. After being elected in 1989, Cesar Gaviria, president of Colombia from 1990 to 1994, launched

his National Development Plan³⁹. Gaviria's Plan was named *The Pacific Revolution*, and it was focused on opening the Colombian economy to international trade and on decentralizing the state. Those two elements cut across every strategy of his Development Plan, including one of the most innovative aspects: the creation of a ministry of environment that took place in 1993, for which the FAPC was a fundamental precedent. The FAPC was the bureaucratic precedent for the ministry, and it opened a window of opportunity for the Afro Colombian movement to channel its territorial demands. Furthermore, while FAPC supported sustainable development and communal participation, its agenda coincided with the programs of other international organizations like FAO and the World Bank that funded programs of communal participation through land ownership.

There are two reports of the Colombian National Planning Department published between 1989 and 1994 about the FAPC, both of them written by officers of the Gaviria's government (National Planning Department, Forestry Action Plan, 1992 and 1994). The first one, published in 1992, intended to report the efforts made since 1989 to be a part of the initiative, and to make it a frame of action for the Colombian government:

“In June 1989 the Tropical Forestry Action Plan for Colombia⁴⁰ was officially adopted as the national strategy for: (1) the management and conservation of forest ecosystems, (2) the recovery of forest areas currently in the process of deterioration, and (3) the economic and institutional development of the Colombian forestry sector.” (National Planning Department, Forestry Action Plan, 1992).

The FAPC was a package of projects that functioned in groups intended to cover the objectives of the program. Accordingly to its goal, each specific project was part of one of the following groups: 1- System of territorial planning, 2- Forest-based industrial development, 3- Forest-based social development, 4- Forestry ecosystems protection and

recovery, 5- Support for the environmental and forestry sector, and 6-Research and technology transfer. Chocó, and more precisely, the Atrato river basin was crucial for some of those plans for its potential for logging industries. There is a project included in the second group, forest-based industrial development, conducted in the lower river basin of the Atrato, and called “Management/Exploitation of the *cativales* ⁴¹of the low Atrato river basin,” with the participation of CODECHOCÓ, CORPO-URABÁ⁴², CONIF⁴³/National University of Colombia, and Pizano. Pizano was one of the leading logging companies during that period, and this example also shows the direct involvement of the logging industry in the projects to avoid deforestation, which was at least paradoxical (Leal & Restrepo, 2003).

For the Colombian government, the exploitation of natural resources was presented under the guise of conservation and development objectives for the nation. There is a small section that contains the history of each project, its progress, and the issues it has had with funding. There is no mention in that section of the specific role of Pizano in it. The document only says that sustainable management of *cativales* has been a priority for the participant institutions and the FAPC and that for this particular project, they had been trying to seek agreement and to redesign it due to the different interests of the institutions involved. They expected to have a new project in 1992.

In this example, the community did not participate in the project. As people of the middle river basin of the Atrato remembered, these programs of zonificación and forestry inventories happened with the industries and without communities. There is not enough evidence to affirm that the FAPC was only designed to promote timber companies. Nevertheless, the fact that logging industries had representatives in the meetings and were

involved directly in the projects is evidence of their capacity to protect their industry from any intentions of the government of regulating them to prevent deforestation. However, the absence of local participation of lower Atrato basin had consequences in the region.

Unlike the project in the lower Atrato, there is another example of a project included in the third group of the FAPC, forest-based social development, called “Communal participation in sustainable use and conservation of renewable natural resources in the Atrato middle river basin-Chocó”, executed by the regional environmental corporation named CODECHOCÓ, and the local Peasant Association, ACIA⁴⁴. In the chapter about the collective titling process in the middle river basin of the Atrato, I will show how, by 1990, the peasant association had managed to secure access to resources for themselves in their area of influence. This particular initiative show their active participation in FAPC projects at the moment and their interactions with government officers at different levels.

The exclusion of northern Atrato communities generated a reaction within the communities of the middle river basin area who demanded to be involved in any projects that were going to take place in their territories. Their demands for participation reinforced the role of the Integral Peasant Association of Medio Atrato (ACIA) as an interlocutor of the state and the international organizations that participated in these projects. The positioning of ACIA as a strong organization would contribute to the further negotiation of their collective land title, which happened a few years after they participated in counter deforestation programs.

The descriptions of the progress of the project establish that the studies and agroforestry experiences conducted before resulted in a management plan for renewable natural resources. However, the community was not involved in the previous studies, even

though they had already stated the need to be involved in every project. They requested a new project in which they could participate. The document stated that the project lacked community involvement and that it needed to strengthen the relationship between the community and the regional environmental corporation, CODECHOCÓ (National Planning Department, Forestry Action Plan, 1992). The ethnic recognition recently obtained by the ACIA made them a visible political actor that conflicted with industry and government interests. Despite the fact that the projects conducted under the FAPC, favored industries over the communities, as a newly recognized social actor, communities put pressure to be involved in forest and resource management. Subsequently, they reinforced their role to further territorial demands.

In the second document, officers from the National Planning Department stated that the FAPC projects would eventually be part of the new ministry of environment and the Regional Environmental Corporations, created in 1961 but transformed to be part of the national environmental system in 1993, during Gaviria's government. One of the main objects of the FAPC was to preserve the forest as an instrument for development that will benefit the national economy and the communities that can work with its resources (National Planning Department, Forestry Action Plan, 1994).

The purpose was to manage nature as a profitable resource. With the purpose of amplifying the idea that international institutions like the WB sought an institutional reinforcement to secure nature as provider of sustainable development, Dempsey explains how according to this development frame, the only way for conservation was marketization (Dempsey, 2016). Hence, the intention of implementing the program was to improve economic development more than to preserve forests' biodiversity. With those intentions,

the government sought to guarantee the continuity of the program by specifying in advance its funding, even after Gaviria's presidency ended. By 1994 there were 200.3 million US dollars in credits from multilateral organizations, and 24 million more came from regional initiatives secured for the implementation of the program between 1994 and 1998 (National Planning Department, Forestry Action Plan, 1994):

“In the new scheme of joint financing and decentralization the [National Planning] Department have stimulated the agreement between regions for the definition of projects. It also has promoted the combination of public investment resources of the national, departmental and local levels. Between 1990 to 1994, 30% of the resources destined for the execution of programs of the FAPC has come from regional sources, professional associations, or communities.

To guarantee funding for environmental policies, particularly to strengthen the Ministry of Environment, the consolidation of the National Environmental System, and the continuity of the FAPC programs, the DNP has culminated a long and successful process of formulation and negotiation of external credits and international cooperation” (National Planning Department, Forestry Action Plan, 1994).

Having communities involved in the projects, institutionalizing the perception of nature as a source of development by creating the Ministry of Environment, and transforming the environmental corporations, would together create the institutional context for communities to make their territorial demands visible while presenting themselves as capable of taking care of their ecosystems to preserve biodiversity. Additionally, the willingness to secure funding from multilateral organizations and to include the future of the program within the decentralization initiatives reveals a significant element of Gaviria's and the subsequent governments. After the nineties, only certain portions of the national budget were transferred to local and departmental governments, because smaller scale governments were expected to obtain resources from multilateral organizations in credits or cooperation or, in departments with extractive economies, most

funds were transferred only via royalties. Despite being an extractive economy, the departments in the Pacific did not receive a significant share of royalties because the transactions made there were not entirely formal.

The governmental transformations favored the territorial demands of Afro Colombian organizations. The Colombian government pursued sustainable development through environmental protection but also wanted to decentralize, which meant that the efforts made on environmental regulation had to come from the regional environmental corporations, and the departmental and municipal governments. The national government also pursued economic growth without investing a significant portion of the national budget in regions that could provide resources for development. According to the previous quote, Gaviria's government promoted that the regional institutions and even from communities. Communities would then be committed to protect biodiversity and seek funding for such endeavor, while the government would not have any significant commitments after recognizing communities' ethnicity and territorial claims.

That situation was different in each department, but in Chocó resource extraction and trade, especially in logging and mining, were mainly informal and unregulated practices (Leal & Restrepo, 2003). For the departmental government and part of the population, it was easier to preserve the informality in resource extraction than to regulate the economic practices in the region (Li, 2014). While the national government supported the logging industries without regulating their activities, it also promoted communities' autonomy in exchange for a commitment to preserve nature's biodiversity. In this context, in Chocó the local and departmental governments protected or sometimes participated in the informal markets. Gaviria's plan of giving more autonomy to local governments and

ethnic communities favored the consolidation of unregulated and informal extractive economies (Serje, 2013).

The will of local, departmental and national officers in helping Afro Colombian communities formalize their property regimes did not exclude other officers' efforts to maintain the extractive practices unregulated. The interest over those lands was not to accumulate capital or power through ownership but to extract resources from them without formalizing private property rights at risk of bringing government regulations to the extractive economies of the area. Having Afro Colombian rural communities as collective owners with autonomy over their territories did not constitute a mayor threat to those economies, because those communities did not have the power to sanction those practices, as it became evident after granting the collective titles, when the logging and mining industries grew with harmful consequences for Afro Colombian territories as authors like Castillo Ardila have described (Castillo Ardila, 2013). The interests of maintaining extractive practices unregulated coincided with the community's aim of retaining autonomy, which favored community's claims for ownership. The problems for communities started when the interest in those lands changed.

1.3. Inventorying natural resources needed formal property regimes: when the government, international organizations and communities aligned their interests

One of the government officers that participated in the origins of collective titling processes in the Pacific recounted how she and other officers that were asked to conduct inventories of species realized that they needed help from the community for their task. At the moment, rural communities had direct knowledge of the landscapes and the species,

and for the first time government officers decided to use it to make their work more effective. She said that, before she started working in Chocó, she worked in the Amazon region, where the government had already started to conduct biodiversity zonings and inventories with indigenous communities with good results.

She is a forest engineer and she had realized the importance of having the community working along with them in the field (Interview with one of the government officers involved in collective titling processes, conducted in August 2016). She mentioned a meeting in Yanaconas as one of the strategies for local participation, but she did not clarify anything else about the meeting. A couple of months after our conversation, I found that the second FAPC document, published in 1994, had a small section for the Yanaconas meeting, which starts pointing out the importance of community participation as a guarantee for the continuity of every forestry project, once the government funding ended.

The name Yanaconas refers to a tourist complex located in Cali, the biggest city in the Pacific region, where the meeting took place on October of 1992. It was the final encounter of indigenous and Afro Colombian leaders to discuss the design of the National Program of Natural Resources Management (NPNRM). The NPNRM became part of the FAPC, the technical secretary of the program was in charge of the DNP and the Investment Center of FAO, within a FAO/World Bank Cooperative Program. The negotiations for the credits given by the World Bank as part of the NPNRM took place in Washington DC in October 1993 (World Bank, 1993: 14). The NPNRM supposedly sought “to stopped the degradation of renewable natural resources; promote their sustainable management; protect and recover degraded, fragile or strategic areas for local and regional development, and to develop a national forestry policy included in the national policy for the environment.”

(National Planning Department, Forestry Action Plan, 1994). A report of the NPNRM written in 1993 describes the Chocó region saying that:

“three quarters of its some 9.1 million Ha are tropical rain forests, and more than half of this forests are considered to be commercially exploitable. [...] The soils are generally unsuitable for conventional agriculture. Forest use is the dominant economic activity. There are a few areas with commercial plantations of oil palm, rubber, cocoa, or bananas, but subsistence farming is the main agricultural activity. This is practiced along the river banks by black and Indian communities who have developed sustainable agriculture and agroforestry systems suitable to the Region. The Chocó Region will be a special focus of the proposed Program due to the importance of its biodiversity, forest economy, land tenure issues, and the poverty and diversity of its rural population, including black communities and indigenous groups.” (World Bank, 1993:5)

García Reyes recounts the entrance and institutional support for palm oil crops in Colombia, and according to her research, there were no such crops in Chocó before 1993. It is possible that the World Bank report included in their consideration the southern part of the Pacific coast because there is evidence of such crops in Cauca and Nariño (García Reyes, 2011). One of the components of the NPNRM towards the achievement of those objectives was called “Policy and Strategic Development” and one of the strategies of that component was the Collective Titling of Afro Colombian communities. The NPNRM organized various meetings between members of the communities to discuss Forestry Resources Management, with the information contained in documents produced by the FAO/IBRD⁴⁵ investment center after making agreements with the institutions responsible for forestry management in the region. The government officer that first mentioned Yanaconas participated in those meetings and she recounts their importance to achieve collective land titling for Afro Colombian communities.

The involvement of international organizations served to legitimate communities' demands for territorial governance and the government interest of clarifying property regimes through better management and legislation over *baldíos*⁴⁶ (National Planning Department, Forestry Action Plan, 1994). During those meetings, they proposed that Afro Colombian leaders had a specific space to meet regularly to decide the best ways to proceed to obtain collective titles. The meetings were named the regional committees, formed to guarantee that representatives of all the departments of the Pacific that had black rural communities interested in acquiring collective titles participated in deciding the best procedures for their territorial claims.

Additionally, at the Yanaconas meeting, indigenous and Afro Colombian communities demanded concrete actions towards titling initiatives for both of them⁴⁷. As was mentioned before, one of the driving forces for Collective Land Titling was the influence of the indigenous movement, that has also a strong presence in the Pacific coast. In Chocó, the leaders of the movement remember that it was the indigenous leaders and the lawyers working with them who suggested that they should also appeal to the ILO convention to be recognized as ethnic minorities and eventually granted with titles for their territories, as they had already done it. The reference of the Yanacona meeting exemplifies their shared interests in owning their lands:

“In essence, indigenous and Afro Colombian leaders argued in favor of the convenience of redirecting the part destined to support local communities to the processes of titling collectively important areas of the biogeographic Chocó⁴⁸, according to the expectations of the Transitory Article 55 contained in the Constitution of 1991 and the subsequent Law 70 of 1993. They presented clarification of property rights and collective use of natural resources as a solid strategy to initiate and consolidate the process of sustainable development of the region, **with the commitment of its residents**. They proposed to consider **ownership rights as a complement to the strengthening of decentralized management** of forestry resources in charge of the Regional Corporations.

Even though the officers of the National Planning Department (DNP)/FAPC understand and shared this position since they designed the forestry component of the program, it had not been included yet because it exceeded the limits of forestry management, and because of the legal uncertainty of the Transitory Article 55⁴⁹. Nevertheless it was evident that **the definition of legal property rights in forestry preservation zones will affect the possibilities and forms of resource management in the tropical forests of the Pacific region**, and it was crucial to respond the demands of the communities.” (National Planning Department, Forestry Action Plan, 1994: 19, my highlighting).

In 1989, three years before the meeting in Yanaconas was held, the Afro Colombian movement had come to an agreement with government officials from the National Planning Department (DPN) and departmental authorities to define communal regional limits for resource management, called the Buchadó Agreement (See chapter IV). They also had started a national⁵⁰ campaign for their ethnic and territorial recognition at the national level. The short report of the meeting written in the second FAPC document shows how the communities managed to insert their claims for recognition in the FAPC agenda, and how their counterparts were reading their claims. For the DNP, the entity that produced and published the FAPC documents, clarifying property rights was a way to secure the preservation of natural resources that would eventually be profitable for the nation. It would also contribute to manage those resources without the central government supervision. It was not about granting rights to ethnic minorities, even though it ended up meeting their claims.

Winterbottom pointed out that the World Bank had identified the need for local participation of the communities involved in forestry programs to achieve their goals. The author does not conduct a critical evaluation of the WB goals, but it is clear that, in order to favor logging industries, for the WB officers it was desirable to clarify property and trading regimes. Since the beginning of my research, I have been interested in

understanding the specific role of multilateral institutions in the Collective Titling processes, hence I asked about it in almost every interview. One of the government officers that participated in the implementation of CLT was adamant in telling me that there were no resources from international cooperation at first, and hence there was no intervention of any kind from multilateral institutions or NGO's in the first phases of the processes of collective titling. On further inquiry, she explained that these resources were loans, and they gave autonomy to the receiving government to implement public policies.

In fact, she explained, the resources that came later to attend to victims of violent displacement were donations, with specific goals and no autonomy in their spending. In that sense, the international donors had a more active role in the decision of how the funds were used and distributed, even if they were given to the government (Interview to Government officer, July 2015). Nevertheless, the explanation of the DNP documents about the World Bank's program shows an intervention of the Bank, behind the loan of \$1.8 million US dollars, through the International Bank for Reconstruction and Development (IBRD), given to the Colombian government to implement Collective Land Titling for Afro Colombian communities. The amount became part of what the DPN aimed to have by 1994 to continue with the FAPC initiatives, as was mentioned above (National Planning Department, Forestry Action Plan, 1994).

The report of the NPNRM, written by World Bank officers tells a similar story. They stated that the loan for the component of Policy/Strategy Development, which included CLT, was for 9.8 million US dollars, disbursed in parts in the seven years between 1994 and 2001 (Tables 1 and 2). Of the almost 10 million US dollars, two million were set

aside for Collective Land Titling, and that amount was going to be granted in two years.

Moreover, the report refers to CLT as a subproject with the following objective:

“The objective of this subproject would be to support initial actions to regularize and title land of black communities in the Pacific Region, under the terms of the Law No. 70 (para 2.18). Currently, most of the land in the Chocó Region is a public forest reserve under direct State administration. A clarification of the land ownership situation is essential for the design of resource management and conservation policies, in order to assess the convergence of interests of the parties affected and involved, the distribution of economic benefits and costs, the degree to which market-based incentives can be used successfully, and the justification, if needed, of compensatory measures for external costs and benefits (see also para. 3.4)” (World Bank, 1993: 18).

The Bank was pushing actively for people’s involvement in preserving biodiversity. Their purpose was passing the administration of those lands that were “under direct State administration” to local communities. To achieve that goal, they listed some actions that included an incentive to a local organization for conducting the processes needed to obtain the collective title, even before Law 70 was ruled by decree 1745 of 1995. The Bank requested the participation of Colombian institutions such as the Colombian Institute of Anthropology, the Colombian Institute of Cartographic Information, and the Colombian Institute for Agrarian Reform, INCORA. A few years before, in 1992, the Colombian presidency had launched an order to create the Special Commission for Black Communities, with the participation of representatives of the executive branch, the institute of anthropology, the institute of cartography, INCORA, the planning department, and the ministry of agriculture. The special commission was created to discuss and decide the contents of what later would be Law 70 of 1993.

Tables 1 and 2. Program Cost and Financing and Estimated Loan Disbursements from the World Bank to the implementing agencies: INCORA, INDERENA, ICFES, SENA⁵¹

Program Cost and Financing (in US\$ million, including contingencies)				
	Total Cost	Agencies & Communities	IBRD Loan	Central Government g/
Policy/Strategy Development	10.8	1.0	9.8	
Watershed Rehabilitation	25.7	12.9	12.9	
National Parks g/	8.7			8.7
Education, Training, Research and Program Management	20.1	3.7	16.3	
Total	65.3	17.6	39.0	8.7

g/ Part of the Central Government commitment to finance the national parks component may at a later stage be replaced by grant financing from the Government of The Netherlands.

ESTIMATED LOAN DISBURSEMENTS (IBRD Standard Disbursement Profile (August 1993) for Colombia - Agriculture)								
IBRD Fiscal Year	1994	1995	1996	1997	1998	1999	2000	2001
Profile: % of Total as per Profile	6%	18%	34%	50%	66%	82%	94%	100%
US\$ million per year	2.3	4.7	6.2	6.2	6.2	6.2	4.7	2.3
US\$ million cumulative	2.3	7.0	13.3	19.5	25.7	32.0	36.7	39.0

Image obtained from: World Bank, 1993. Colombia- Natural Resources Management Program. Report No: 12250 CO. Country Department III. Latin America and the Caribbean Regional Office.

<http://documents.worldbank.org/curated/en/811431468026999052/pdf/multi-page.pdf>, p. iv

The discussions went from the concerns of specific communities about permits given to loggers by the government, to the definition of Afro Colombians as ethnic minorities. The work of the special commission has been analyzed by authors like Asher (Asher, 2009), and specially Domínguez Mejía, that explained the differences between community representatives, government officers, and academics (Domínguez Mejía,

2017). Domínguez Mejía highlighted the role of middle-range officers who participated in the special commission and worked closely with communities. They constantly moved between government and communities, which allowed them to mediate the difference between other actors who participated in the special commission. These were the same officers that accompanied the regional committees and the FAPC, at least some of them were part of both institutional spaces. Similarly, some of the community leaders of the special commission participated in the regional committees and the FAPC projects towards collective titling, taking advantage of all the opportunities to mobilize their claims.

After the launching of decree 1745 in October of 1995, the IBRD and the Ministry of Environment signed the agreement No. 45 of November 1995, through which the INCORA would execute, supervise, fund, and evaluate the component of Collective Titling for Afro Colombian rural communities (Ministry of Environment, INCORA, 1999: 63). By then, the INCORA had been already involved in corruption scandals but preserved its legitimacy. A few years later, according to the employees who participated in CLT implementation, international organizations stopped funding any programs through INCORA because of the blatant corruption of the institution, that included changing title deeds to favor landholders or paramilitaries dispossessing lands for landholders or agro industries.

In 2002 INCORA ceased existing and was replaced in 2003 by the Colombian Institute of Rural Development (INCODER), under the first administration of former president Alvaro Uribe Vélez. The official reasons to transform the institution were to end corruption inside of it and to modify the mission of agrarian reform for a more comprehensive mission of rural development. The modification seemed as a superficial

measure, as it only meant changing the name and some of the principal officers. However, it also meant abandoning any intention to redistribute land property to landless *campesinos* and initiating projects of agricultural development with them. In a country where land property inequity has been identified historically as a significant obstacle for achieving equality, the modification of the mission of the INCORA contributed to intensifying those problems which, in turn, generated more violence and dispossession.

As table 1 and 2 show, the WB transferred part of the resources to INCORA, but the officers also negotiated to allocate resources to support regional committees, the regular meetings that Afro Colombian leaders held to discuss and decide their actions towards collective titling. To facilitate the encounter of Afro Colombian leaders, the regional committees were managed by the Social Solidarity Network (SSN)⁵² and the NPNRM. I obtained written and oral testimonies of officers that participated in the design and implementation of regional committees. I interviewed the one that wrote the agreement between institutions to manage the regional committees in 1995. I also obtained recorded testimonies of another officer that worked advocating for indigenous and Afro Colombian communities from different institutions. He was a lawyer that worked for the collective title of la Boquilla twenty years after the regional committees existed, and he passed away in 2013. Finally, I contacted the daughter of a third officer who died in the late nineties to recover her CLT archives, her daughter agreed at first to let me see the documents preserved by her mother, but stopped replying before we could make an appointment. Thankfully, the officer that I interviewed gave me the report and other documents that they wrote together.

To understand the work of the regional committees there was another group of documents, the minutes of every regional committee that took place between 1996 and

1998. The WB funding was distributed in four components to make the committees work: hiring community members and experts to be in charge of specific tasks related to the meetings, transportation costs and per diem expenses for all participants, communication strategies, and logistics for the meetings. Table 4 shows the distribution of the funds in 1994 and 1995, by 1997 every item increased and the amount went from US \$124,000 to \$193,000. If we compare the numbers of table 2 and 3, we can see that the funding for regional committees corresponds to 5% of the total loaned by the WB in 1994 and 3% in 1997. There is no information about what happened with the rest of the money in the documents that I consulted or the testimonies that I gathered. It is difficult to know if the money was even disbursed, moreover, if it was spent for what it was destined. However, the information available shows the political willingness to use some funding to plan the regional committees and contribute to the participation of the Afro Colombian communities.

Table 3. Regional Committees Budget 1994 & 1995.

NATIONAL PROGRAM FOR NATURAL RESOURCES MANAGEMENT – NPNRM REGIONAL COMMITTEES COMPONENT – RCC 1994		
DESTINATION	ACTIVITY/CONTENT	VALUE US Dollars
Hiring 4 regional participants for 5 months – Monthly payment \$1105	<ul style="list-style-type: none"> - Writing a contextual report of the local and regional areas. - Calling for local and regional participation in activities of the committee. - Support their delegation in the departmental consultative commission. 	22,100

	<ul style="list-style-type: none"> - Processes needed for the planning and implementation of the regional committees in their department. 	
Hiring Experts	<ul style="list-style-type: none"> - Support communication strategies. - Production of specialized materials. <ul style="list-style-type: none"> - Support in the workshops. - Systematization of gathered information. - Any activity required for the program. 	14,724
Transportation and Per Diem expenses		13,000
Communication Strategies	<ul style="list-style-type: none"> - Publications - Radio production 	24,540
Equipment, materials, and logistics for the regional meetings	<ul style="list-style-type: none"> - Computers - Materials - Photocopies - Tape recorder - Cassette tapes - Others 	13,497
Promotion and pedagogy events	<ul style="list-style-type: none"> - Promotion and pedagogic strategies about Law 70 of 1993 and the projected ruling decree, chapters III (collective titling) and IV (land use and environmental practices) <ul style="list-style-type: none"> - National Parks - Indigenous Legislation - Interethnic relationships - Environmental issues - Management of natural resources 	36,800
TOTAL		124,661

Source: Progress report for the management framework agreement for the development of the regional committees' component of the National Program for Natural resources Management NPD – ministry of Environment – SSN – PNR; Technical Report of the SSN, 1994 and 1995. Quantities converted according to the Colombian Peso-US Dollar rate for 1994 (1COP=815USD)

1.4. The first Collective Land Titles: spatial strategies for ownership and management

I have recovered and consulted documents produced by national institutions that include the DPN, Ministry of Environment, and INCORA from the officers that preserved

them. After a curatorial process, I selected the documents and reports with more relevant information, even though some of them were not written to be published. Among those documents, there is a report of a meeting between officers of the division of National Natural Parks of the Ministry of Environment, the National Rehabilitation Plan (PNR)⁵³, and representatives of the regional committees of the NPNRM. The meeting was precisely focused on that component, the regional committees, proposed in 1992 during the Yanaconas encounter, given the importance that local participation seemed to have to the program.

They also aimed to take advantage of the work done by the PNR with communities before. It was during this stage that one of the officers whom I interviewed started to participate in the implementation of CLT. She remembers all the participants were seriously committed to the meetings and the discussions, and there was a collegial environment between participants. She said that people from Bogotá, either officers or academics involved, would offer their houses for community leaders to stay if they needed to participate in meetings in Bogotá or any other city (Interview with former PNR officer, July 2015).

The first formal meeting for the regional committees took place in Cali, in April of 1996 and the most important decision made in that meeting was that, due to the significant role of the Integral Peasant Association of the Atrato (ACIA) in the implementation of CLT, they will make the first formal request of a collective title for the communities included in their Association (BioPacífico, Ministry of Environment, 1996). The ACIA was formed before the ethnic mobilization by rural leaders that were involved in the National Peasant Association and received support from members of the Catholic church. By the time of the

constitutional recognition the Association had already negotiated with the government to have a special management area in which only them would manage natural resources. Because of the previous negotiations, ACIA was recognized as an interlocutor for the mobilizations in the region, as I will explain in chapter IV.

The ACIA members took all the steps required by the law to obtain the collective title, and then realized that some initiatives had taken place at the same time in Bajo Atrato, the lower river basin of the Atrato. There, the communities of La Madre, Chicao, Clavellino, Dos Bocas, Bocas de Taparal, and La Nueva requested their collective titles, granted in December of 1996, becoming the first six collective titles for rural Afro Colombian communities in Colombia (Map 2). The communities that occupied the area worked with missionaries of the Catholic church and with SwissAid to request the six titles. They, however, decided not to participate in the encounters organized by the NPNRM, nor in the negotiations led by Afro Colombian leaders of ACIA and other organizations with government officers; but leaders of Bajo Atrato were aware of the advances towards collective titling, and, as soon as the decree 1745 was sanctioned, they submitted their requests for collective titles.

Wouters explained how Ernesto Samper, the president that followed Gaviria, “wiped the dust off” two projects: the Atrato-Truandó canal, and the Pan-American Highway, which was also mentioned by Silvio Garcés, former INCODER officer during an interview (Interview with Silvio Garcés, July 2015). Samper’s motivation was to divert the public’s attention from one of the biggest political scandals in Colombia: he was accused of receiving money from the Cali cartel for his presidential campaign (Brooke, 1994). When community leaders and allied organizations heard about the reactivation of

those projects, they mobilized towards obtaining the collective title to protect communities from being displaced by parties interested in benefiting from the public works (Wouters, 2001).

Simultaneously, the incursion of paramilitary groups started in the area. Wouters recounts that the confrontations between paramilitaries and guerrillas in the area started in December of 1996, causing the forced displacement of its inhabitants. She then affirms that the six titles were granted in March of 1997 (Wouters, 2001: 505 n. 11). However, the resolutions ⁵⁴of the six titles are dated in December of 1996. The inconsistency on the dates might be due to the closeness of the two events: the titles and the publication of Wouters' research paper. The author cites information obtained during her fieldwork, not the resolution, which might have lead to some imprecision in the dates. The difference in dates is important because it contributes to the understanding that one of the principal reasons for the incursion of the armed conflict in the area was the transformation of the property regimes.

The author made the connection between the two elements but had a hard time explaining it. She noticed the interest raised by the development projects in the area, and she cited Carlos Castaño's statement about paramilitary's incursion in the zone. Castaño was a paramilitary leader that commanded the groups during the late nineties until he was presumed dead in 2004. According to Wouters, Castaño affirmed that "their task is clearing land for big landowners who come behind them". Wouters says that there was no evidence of landholders coming behind the paramilitaries at the moment (Wouters, 2001: 511). However, after her paper was published, palm oil projects started to take over the Bajo Atrato region, providing the evidence for Castaño's statement.

What took place once they found out about the other initiative, was a discussion about the spatiality of the organization: the leaders working in regional committees decided that it was better to request titles along the river basins instead of in a globe that encompassed the communal space of each village. The request for areas along the river basin responded to the logic of the river, according to which the titles will reflect their traditional logic that corresponded to the watersheds through which communities communicate, conduct logs and other products to commercialize, and maintain their relationship with municipal main towns and cities (Rudel, 2000; Oslender, 2016). The landscapes of most of the communities in the Pacific region correspond with houses distributed in strips along the river and the titles along the river aimed to reflect that spatiality (Aprile-Gnisset & Mosquera, 1987; Aprile-Gnisset & Mosquera, 1993). But they also sought to include more communities per title, instead of requesting a separate title for each community's globe of land located along the river, like it happened with the six titles given to communities in the lower Atrato.

The distribution along the river basin was also a resource to face the foreseeable bureaucratic obstacles, since it would allow a more expeditious titling because under one river or one sector of the river, more than one communal space could be titled collectively. ACIA leaders decided to put together more than a hundred communities distributed along the middle river basin of the Atrato in one request for a collective titling and, in December of 1997 ACIA became COCOMACIA, the Great Community Council of the Integral Peasant Association of Medio Atrato, and obtained a collective title for almost 700 thousand Has. In the INCODER database, the title granted to ACIA is formed by two titles because it was processed by the departmental offices of Chocó and Antioquia, and the

portion of land titled on each department has a different resolution despite forming continuous space in the river basin. The ACIA collective title became the largest collective title granted to an Afro Colombian community, and the next one after the first group of titles granted simultaneously to six communities in the lower basin of the Atrato.

In contrast to the sizable collective title granted in the Middle Atrato to ACIA, the first six titles granted in 1996 in Bajo Atrato, put together were not larger than seventy thousand hectares (Table 4). The strategy of claiming territories along the river basin (*por cuenca*) instead of by globes (*por vereda*⁵⁵) did not necessarily aim for larger extensions of land, but for less bureaucratic obstacles, faster titling processes, and more unity within titled communities. Even though communities maintained the informal familiar subdivisions of their terrains, for leaders and officers, river basin versus global titles meant also to keep communities united. For the leaders who participated in the titling processes, establishing formal property limits within communities by dividing fractions of the river basin would create unnecessary divisions in them (Interview with Silvio Garcés, July 2015).

Table 4
Collective Titles and Hectares granted to Afro Colombian Communities between 1996 to 2006

YEAR	TITLES	Hectares	Department					
			Chocó	Valle	Cauca	Nariño	Antioquia	Risaralda
1996	6	60,933	6					
1997	2	695,245	1				1	
1998	14	247,255	4	4	3	3		
1999	5	231,500	1	3		1		
2000	30	958,715	19	1		7	3	
2001	22	1,491,573	14		4	2	1	1

2002	34	559,362	5	10	5	9	5	
2003	14	275,210	2	5		5	2	
2004	5	105,309			3	2		
2005	15	363,674	4	3	1	7		
2006	8*	87,242		3	1	4		
TOTAL	155	5,076,018	56	29	17	40	12	1

*One Collective title in Antioquia was revoked.

Source: INCODER

Additionally, the extension of the titles by river defined aquatic spaces⁵⁶, a category Oslender uses to explain the inclusions of river basins and rivers as part of the collective territories for Afro Colombian rural communities (Oslender, 2016). When I visited Cartagena in 2017, I met a leader from the southern Pacific region that was visiting the city for a conference. I did not plan to interview her, but I told her about my research and she seemed interested. She explained that in her community, having the title along the river basin allowed them to mobilize between the lower and the higher parts of the river when they needed to reunite the community and when they were threatened by armed actors. In the political and economic turmoil that took place in some areas of the Pacific, establishing limits to their landscapes that included rivers on them also provided spatial strategies to survive war.

The role of the rivers or other bodies of water has been described as part of the ethnic characteristics and practices of the Afro Colombian communities in their relationship to nature. That description, made by community leaders that occasionally received help from anthropologists and social scientists, was part of the requisites to be recognized as traditional occupants of their lands. Furthermore, including rivers, mangroves and other bodies of water helped communities to define their social and cultural landscapes because it was a way to formalize the scale of governance they had over their

territories. With the recognition as occupants of their territories they made those spaces visible, not only to the Colombian state but also and mainly to themselves.

1.5. The Colombian state was present, but silent and blind for ethnic communities in the Pacific

When I first started to study collective titling processes, the number of publications about the case of Medio Atrato and the persistence of that case in people's testimonies, convinced me that it was the first and probably the most significant case. It was only after investigating in detail the entire group of processes and asking officers that I noticed that there were six titles previous to the title of ACIA. However, they are barely mentioned as part of CLT history, and the files of those processes were never granted to me, no one knew where those documents were, or how to find them. Some people said that the files got lost, others that only the communities have preserved them, but the difficulties in reaching those communities located near the border with Panama and the Darien gap made it impossible to recover the files.

One person told me that those titles do not exist anymore and had been subsumed by bigger titles to increase the extension of lands granted and the number of communities included in the original titles. That certainly would be an uncommon outcome because, unless a title is revoked, it is impossible by law to change its extension. On the other hand, those six titles are still registered in the databases of CLT information that I obtained from INCODER employees, they are also in the spatial information obtained in the National Land Agency (ANT) to elaborate the maps in the dissertation (Map 2), and there is no documental trace of the modification. The area of the missing documents has been a target for legal or illegal projects of economic growth. In this zone, extractive economies that are

not always formal or even legal thrive and losing its title deeds constitutes an excellent example of how the perception of entire regions as marginal spaces allows certain types of growth coalitions.

In places where documents disappear, and no one can establish what happened with them, the idea of an “absent state” provides an answer that dissipates questions about it. According to the idea of Serje presented before, the disappearance of documents would be one of the actions considered probable and even legitimate in these places (Serje, 2012). The lower Atrato has been historically read as an unorganized space where the state is absent, therefore, the lack of clarity in the archives and registration of ownership, seems like something one can expect in that space. However, what is usually described as state absence, needs to be questioned to understand the strategies that allow political and economic elites to manage resources forming coalitions to protect their interests while neglecting the needs of groups excluded from such coalitions.

Gaviria’s government consolidated the transformation of nature into a resource for economic growth. Collective titling transformed communities in the Pacific into stewards of natural resources, relieving state functions of preserving biodiversity in the area (Escobar & Pedrosa, 1996; Hoffmann, 2007; Escobar, 2008; Asher, 2009, Cárdenas, 2012). Gaviria’s program, focused on sustainable development, opened a loophole for Afro Colombian communities to formalize their land property regimes. International programs like TFAP framed that loophole in the global concerns for the environment that converge with the importance they gave to land property formalization. Ethnic minorities constituted a challenge for the liberal mindset of international organizations officers because indigenous and Afro rural populations were conceived as communities, instead of as

modern individuals (Lynch, 1991). Collective land ownership provided a remedy for the officers' concerns. Constituting these communities as collective subjects and making them responsible for maintaining the value of natural resources made them worthy of having land ownership, even though their collective lands were excluded from the markets because decree 1745 stated that Collective Lands could not be sold to people outside of the Community Council (McAfee, 1999; Dempsey, 2016).

Despite being focused on sustainable development, international programs did not show real interests in improving local livelihoods and allowed logging industries to thrive. Gaviria's government also protected the extractive economies that had a tradition in the Pacific region, preserved by the logging industries during the eighties and nineties. When Gaviria ended his presidency, President Samper used the Pan-American highway project to divert the attention from his alleged illegal campaign funding. Communities found another way to formalize their property rights before the projected public works of the Pan-American highway started. Ultimately the government abandoned the project due to the immense effort it implied and the negative environmental impact that a highway would have had in a significantly biodiverse area. The road would have also facilitated illicit traffic from South to Central America, which the Colombian government chose to avoid (Runk, 2015; McSeeney et al., 2017). Nevertheless, in another critical window of opportunity taken by Afro Colombian communities in the lower Atrato river basin, changing land property regimes transformed the area.

As Runk affirms in reference to the Darien region in Panamá, describing the Pacific as a forgotten region in which the state is absent has allowed extractive economies and dispossession throughout history (Runk, 2015). In the Colombian Darién area, where the

lower river basin of the Atrato is located, landholders sought to expand their capital investing it in agro-industrial projects as palm oil, usually preceded by paramilitaries. When the illegal actors encountered communities that owned their lands formally, they started processes of violent displacement, killing, and dispossession. In the southern parts of the Pacific, coca crops and cocaine trafficking became a growing illegal industry that also entailed the presence of armed actors in the region. It is no surprise that the files of the titling processes of the first six communities had gotten lost in such an upheaval.

Another official responded to my question about the lost documents by saying that “In this country, those documents get lost for a reason, you know.” I asked what she meant, anticipating her answer. She said that in Colombia, the practice of tampering with title deeds is well known and includes making them disappear. In the same way, one of the reports of the Center for Historical Memory created as part of the negotiations for the most recent peace agreement, refers to the chain of dispossession: “direct appropriation by armed actors, doubtful selling agreements made forcefully or at a lower price, forgery of title deeds, revoking land reform allocations, closing sales to pay a debt, massive buying of lands, or the combination of any of these methods.” (Centro Nacional de Memoria Histórica, 2018).

When the social movement started to struggle for ethnic and territorial recognition, one of their claims was that the Colombian state had treated them as if they were invisible. It was not about the state being absent, it was that the state institutions that they knew and recognize did not see them, nor recognize them as citizens. Obtaining constitutional recognition as ethnic minorities was a way to gain visibility. In the same way, clarifying land property was supposed to give visibility to the lands and the owners, to render them

visible to the state and the actors that controlled the markets. However, in the case of the missing six titles, property as a legal fact needed to stay obscure and eventually to disappear in order to hide the slow dispossession that started to take place in the area by paramilitary forces. The disappearance of those titles can be explained if we understand dispossession in Colombia and Latin America from a broader perspective that includes not only single acts of physical violence but smaller actions and everyday negotiations in which there is one party at a disadvantage from the other, as Ojeda has pointed out (Ojeda, 2016).

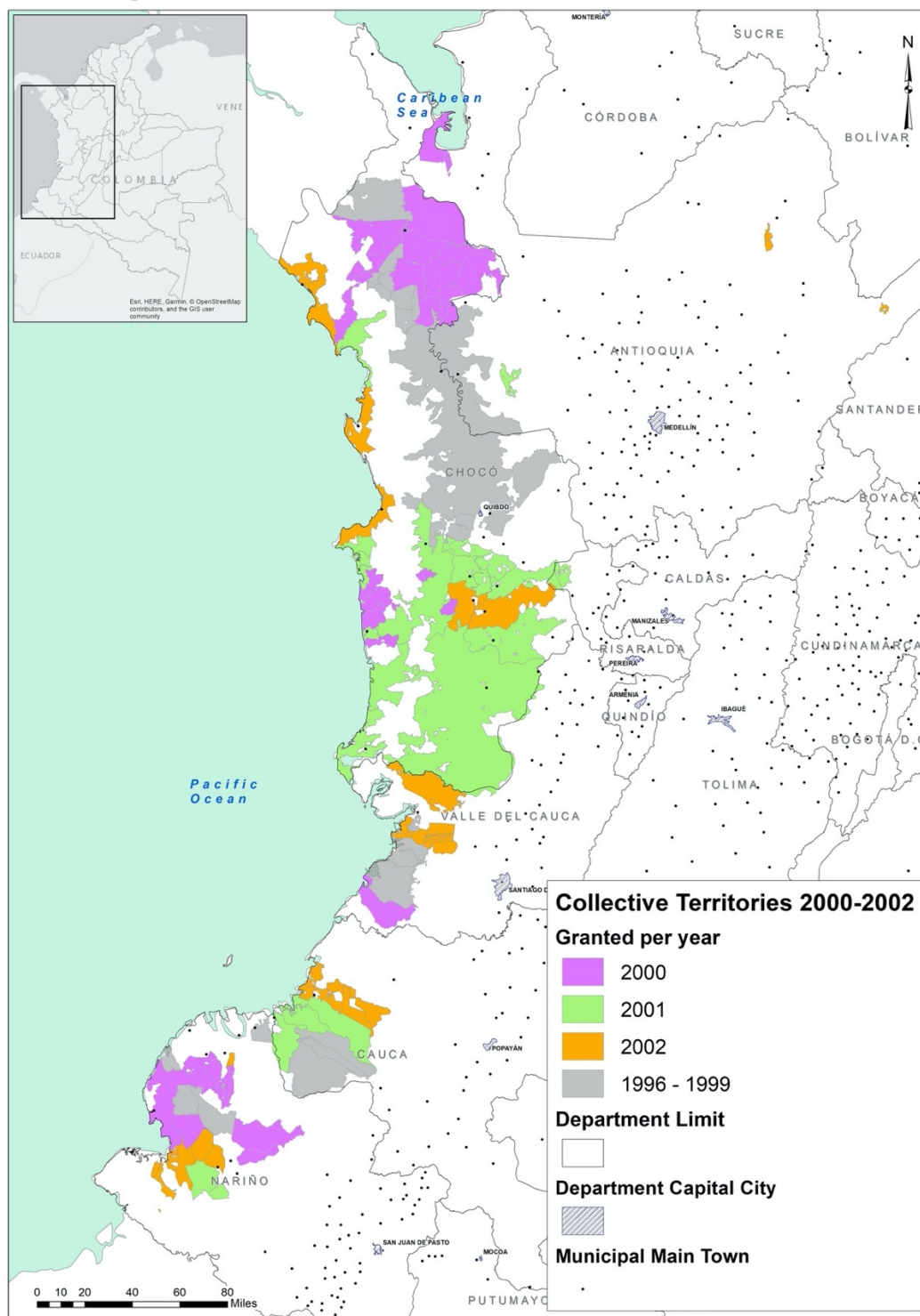
Organizations that work in the area, as well as academics like Grajales and Ballvé have documented the violent entrance of paramilitaries in the lower river basin of the Atrato (Grajales, 2011; Ballvé, 2012). Nevertheless, neither Grajales nor Ballvé included the events previous to the actual dispossession, such as restrictions to use, access, control, and representation of resources as part of it. Ojeda proposes to include those events, understanding dispossession as a process and not an event (Ojeda, 2016: 20). In agreement with Ojeda, I propose to include the disappearance of the files as a testimony of a strategy to make property invisible obliterating communities, their spaces, and the renewed relationship established with the state, contradicting the purposes of ethnic and territorial recognition of Law 70. We need to study dispossession as a slow process in which the Colombian state is involved through delaying bureaucratic procedures and obstructing access to public documents.

Given this situation, it is important to ask why people continued to struggle to obtain collective titles? Moreover, why does the Colombian government kept granting them? Between 1996 and 2006, most of the available lands in the Pacific were granted to Afro Colombian communities (Maps 3 and 4). The implementation of this policy

continued, because the procedures, the resources, and the actors involved changed. It would be safe to say that formalizing property did not work to impede the entrance of violence in the region.

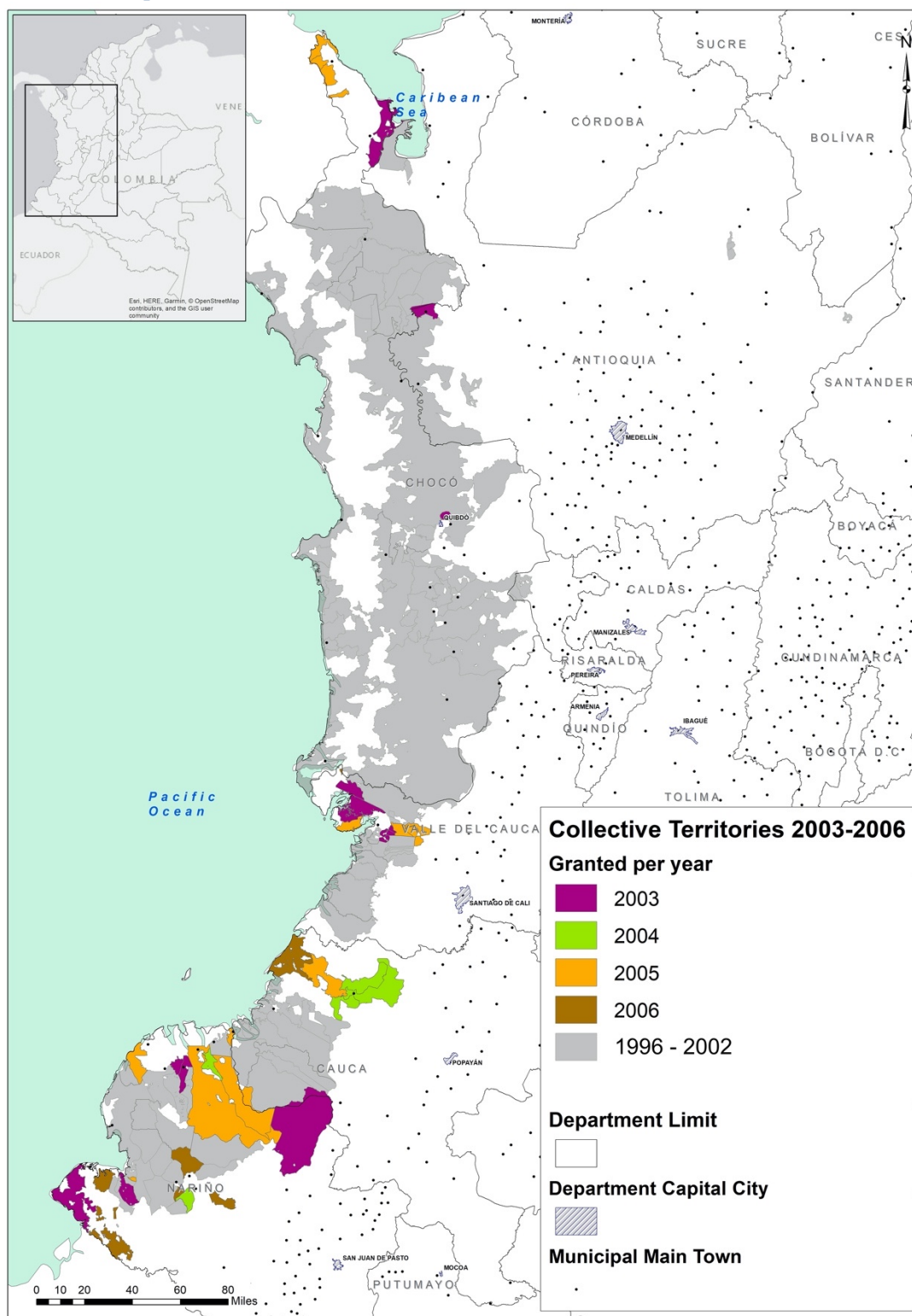
On the contrary, the modification of the property regimes seemed to intensify violence against the new owners. However, for Afro Colombian communities, land ownership became a way to register their presence in front of the otherwise blind and silent state. Formalizing land ownership was, for Afro Colombian communities, a way to render themselves visible and present through title deeds despite being killed or forcefully displaced. As a legal fact, having property over their lands would remain even through death and violence. For the Colombian state granting collective titles was a way to recognize the fundamental social mobilization of the Afro Colombian communities. Simultaneously, it was an innocuous bureaucratic procedure, and a way to transfer responsibility over natural resources to rural communities. However, it became an obstacle for development, and a threat for agribusinesses, as we will see in the next section.

Map 3. Collective Titles Granted Between 2000 and 2002



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

Map 4. Collective Titles Granted Between 2003 and 2006



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

2. From peace haven to the silent war: Communities, capital and other agents of CLT between 1998 and 2006

Despite not facing opposition at first, Collective Land Titling modified the relationships of property and transformed land tenure structures in the Pacific region of Colombia; in so doing, it pulled these spaces and its inhabitants into the dynamics of the social and armed conflict in the country (Offen, 2003; Cárdenas 2012). In 2001, Restrepo and Rojas compiled a volume of articles in which they and other scholars such as Oslender, Escobar, and García pointed out that the armed conflict started in the Pacific region simultaneously with the processes of ethnic recognition and Collective Land Titling (Restrepo & Rojas, 2001).

Similarly, Wouters wrote about the difficulties of ethnic and territorial recognition amid the war in Chocó (Wouters, 2001). Most scholars mentioned a connection between paramilitary incursion in the region and agro-development projects. They highlighted the threat that this armed actor posed over communities, the social movement, and the effective control of collective territories that, by the end of the nineties, had already been titled collectively (Map 2). Therefore, the research agenda went from ethnic recognition to the impacts and consequences of the armed conflict in the region, most probably because of the simultaneity of the two processes. In this context, the articles compiled by Restrepo and Rojas were published during one of the most violent periods in the region and focused on the processes of forced displacement and deterritorialization experienced by the Afro Colombians in the Pacific right after their ethnic recognition. The abrupt modification brought by war diverted the attention of scholars from the economic and political changes

that ethnic recognition implied for the region. Those changes were also entangled with the impacts of war.

In contrast, ten years later in her dissertation research, García Reyes sought to understand how the dynamics of the armed conflict changed during the nineties in the Pacific. She compared two of the departments in that area, Chocó and Nariño, to analyze if there was any participation of palm oil cultivation in that change, and if the modification of property regimes played a role in the renewed conflicts (García Reyes, 2011). García Reyes analyzed how a new social actor emerged with ethnic recognition: the Afro Colombian rural movement. Even though the movement's origins are urban and its rural expressions existed before the Constitutional recognition, the movement consolidated its role in the processes of land allocations in rural areas after Law 70 of 1993 and decree 1745 of 1995.

Focusing on the armed conflict, she explained the transition that the Afro Colombian rural population went through from informal properties in extractive economies to collective property in the context of agro-industrial projects such as palm oil. She concluded that the modification of the property regimes triggered violence in both departments. In 2014, Velasco Jaramillo studied how in Chocó, indigenous and Afro Colombian communities have failed to benefit from the rights they obtained in the nineties. She analyzed how the nineties' multicultural measures could not protect Afro Colombian and indigenous communities by granting them autonomous territories. Her conclusion questions the lack of institutional support at the regional and national levels that these communities received to achieve autonomous local governments. In the Pacific, the national government did not respond to paramilitary incursions. Moreover, the state armed

forces accompanied or supported paramilitaries when they attacked communities to gain control over lands. Consequently, Velasco Jaramillo affirms that for indigenous and Afro Colombian communities not having institutional support in their autonomous territories generated a more substantial impact of the armed conflict within those communities (Velasco Jaramillo, 2014).

The reflections made by both these scholars helped me to identify a gap in the study of the transition between ethnic recognition, collective property granting, and the incursion of armed conflict in the Pacific, and particularly in Chocó, where the first titles were granted. In this part of the chapter, I explore the strategies taken by national authorities after ethnic recognition to implement collective land property distribution between rural Afro Colombian communities. I am particularly interested in the trajectory of the state interventions at different levels over the regions where collective titles were granted to understand the role of the state in consolidating land ownership for Afro Colombian communities.

2.1. The peace haven: people living in empty lands, extractive economies

Law 2nd of 1959 declared a significant portion of the Pacific region baldíos to make it an area of preservation, obliterating Afro Colombian rural communities that inhabited it and excluding those lands from the market. The entire extension of the preserved area was 11,155,214 Has. However, between 1962 and 1993, more than 3 million of those hectares were extracted with different purposes, as Table 5 shows. The INCORA granted most of them to *colonos*⁵⁷ that came mainly from Córdoba, but also Antioquia and Valle del Cauca. Other lands were extracted from the initial preserved area to inscribe them in national parks

and indigenous preservations sites. Finally, a few of those lands were allocated to government institutions (Table 5) (García Reyes, 2011; Interview with Government officials involved in collective titling processes. Conducted in April 2016).

Table 5.
Land extractions in the Preserved Forest Zone of the Pacific between 1962 and 1993

DEPARTMENT	Hectares Extracted	GOVERNMENT OFFICE	PURPOSE OF THE EXTRACTION OF LAND
Antioquia	763.664	INDERENA/INCORA	Colonization, Natural Resources Protection
Chocó	1.301.340	INDERENA/INCORA	Colonization, Natural Resources Protection
Risaralda	8.905	INDERENA	Indigenous reserve
Valle del Cauca	198	Minambiente	Colonization/Alternate Road
Cauca	743.943	INCORA	Colonization
Nariño	326.734	INDERENA/INCORA	Colonization
TOTAL	3.144.784		

Sources: Colombian Ministry of Environment, Environmental Studies Institute,
García Reyes 2011: 133-135.

Similarly, the *baldíos* that could have been available, located around urbanized areas, were managed by the local and departmental authorities, which created an impediment to be assigned by a national authority. Therefore, an appreciable amount of the lands was allocated before the ethnic recognition process began (Interview with Silvio Garcés, July 2015). It is possible that a few of these lands were private property belonging to Afro Colombian settlers, although there is no evidence of titling programs in the Pacific because, as I have mentioned before, the main economic activity was resource extraction which made a formal property regime undesirable. Additionally, the declaration of

preserved lands prevented private property with the exceptions mentioned before, which implies that in all likelihood, there were not many formal private landowners among the Afro Colombian rural communities.

The situation did not change for people in the Pacific region until the late eighties, when the Colombian government identified it as a commercial hub, which prompted plans to build roads, ports and bridges that connected it with the rest of the country and with international trade systems. Simultaneously, they granted permissions to mining, logging or oil extraction companies to extract raw materials from the region, which generated conflicts with communities due to disputes over access to natural resources (Leal, 2008; Escobar, 2008; Asher, 2009; Cárdenas, 2012). In 1992, after the United Nations conference in Rio de Janeiro, the members of the UN launched a report in which they highlighted the need to establish a connection between economic development and environmental conservation.

Simultaneously, international development organizations incorporated social justice and conservation in their mission statements. The discourse of the government officials then went from modernization of the region and extraction of resources at the expense of the nature there, to one of sustainable development in which nature was full of resources to exploit but had to be preserved to be sustainable. Colombia entered in different biodiversity conservation projects focused mainly on the Pacific region where Afro Colombian communities comprised majority of the population (Leal, 2015). Internationally, sustainable development became the hegemonic narrative, and the NGO's, national institutions and multilateral organizations started to describe ethnic communities

as having traditional cultural practices that preserved complex and delicate ecosystems (Cárdenas, 2012).

2.2. The armed conflict arrived, and collective titles did too

In the Pacific region, specific spaces in Chocó, Valle, and Nariño, three of the four departments located in that coast, were used as hiding and resting spots and trafficking paths for guerrillas during the eighties and early nineties. In those places, there were very few episodes of confrontation between the guerrillas, hidden in identified areas in the three departments, and the army or the paramilitaries that had already undertaken their dispossession campaigns with a discourse of an anti-subversive civilians defense movement⁵⁸. Before 1996, there were two massacres registered in Nariño in 1988 and 1989, committed by an unidentified actor; and two in Chocó, in 1990 and 1995. Both events in Chocó were perpetrated by paramilitaries, most probably with the consent of the army, to eliminate members of a leftist political party. Finally, there was one registered in Valle del Cauca in 1993 by members of the army, supposedly intended to eliminate guerrillas or people identified, often by mistake, as guerrilla allies (Rutas del Conflicto, Cartographic Information and Database⁵⁹).

The situation in Cauca, the fourth department of the Pacific coast, was different because of the historic conflicts around land ownership between traditional landholders and indigenous communities (Rappaport, 1994). There was a stronger presence of guerrillas in Cauca, associated initially with those conflicts although they did not necessarily have a relationship with indigenous communities, as members of the army and the paramilitary groups that confronted guerrillas would claim. However, in 1996 the armed conflict reached the Pacific region and ended the “haven” era described previously

by different scholars referring to the near absence of armed conflict episodes there (Arocha, 1992, Agudelo, 2000). As one of the strategies to consolidate paramilitary power, in that year, paramilitaries started processes of violent displacement and dispossession to introduce agro-industrial projects in northern Chocó. They later expanded those projects to the rest of the region, finding resistance from communities in some places, and other obstacles such as the bud rot disease that impacted palm oil plantations after 2000 (De Franqueville, 2001; Torres, et al, 2016). While the paramilitaries were at it, they began confronting the guerrillas based in the region (Wouters, 2001).

Meanwhile, coca cultivation spread in the southern part of the Pacific, especially in Nariño, transforming the region from a corridor used for drug trafficking to a place of production and processing of coca (Restrepo & Rojas, 2001). The expansion of coca crops initiated clashes between the army, guerrillas, and paramilitaries fighting to control the production or the strategic paths to trade it. Afro-Colombian communities found themselves in the middle of these conflicts. The ones that survived the conflict were forcefully displaced from their lands. The need to attend to the urgent social crisis produced by the armed conflict gradually replaced the moment of excitement towards ethnic recognition and collective titles. The episodes of violence increased in the Pacific after 1996 and became a national and international priority after 2000.

By that moment, some Afro-Colombian communities had achieved ethnic recognition, and some of them had received their collective titles. However, collective ownership for communities became more difficult than before because of the armed confrontations and attacks directed to communities. While collective titles were used by communities to gain visibility, rendering themselves visible in the state's eyes also exposed

them to other actors with interests in their lands. At that moment, elites brought development projects into the region by establishing strategic alliances with para-state actors that expelled communities that owned the territories after those territories became of interest for agro-industrial projects.

Those acts of violence against titled communities made other communities request their titles as a way to resist dispossession even while displaced. However, processes of collective titling became more difficult because communities and community leaders were under constant threat of being killed or displaced, and further state and international cooperation resources were allocated, understandably, to attend to uprooted populations and alleviate the effects of war. Nevertheless, without knowing the dimensions of the incoming violence, some collective titles were granted due to the persistence of leaders and state officers that channeled international loans and other funds towards collective titling through the creation of regional committees, as I will discuss next.

2.3. After 1998 Collective titling spread in cluster communities through collective and individual agents, public funding, and capital

After the group of six collective titles and the title granted to ACIA, in 1998 the number of collective land titles increased, but the number of hectares granted to those communities decreased. As Figure 1 shows, while in 1996 and 1997, eight collective titles were granted in Chocó⁶⁰; in 1998, communities received fourteen collective titles in the departments of Chocó, Valle del Cauca, and Nariño. However, the extension of the titles went from almost seven hundred thousand hectares in 1997 to less than three hundred thousand in 1998 (Table 6).

Table 6
Collective Titles and Hectares granted to Afro Colombian Communities between
1996 to 2006

YEAR	TITLE S	Hectare s	Department					
			Choc ó	Vall e	Cauc a	Nariñ o	Antioqui a	Risarald a
1996	6	60,933	6					
1997	2	695,245	1				1	
1998	14	247,255	4	4	3	3		
1999	5	231,500	1	3		1		
2000	30	958,715	19	1		7	3	
2001	22	1,491,573	14		4	2	1	1
2002	34	559,362	5	10	5	9	5	
2003	14	275,210	2	5		5	2	
2004	5	105,309			3	2		
2005	15	363,674	4	3	1	7		
2006	8*	87,242		3	1	4		
TOTAL	155	5,076,018	56	29	17	40	12	1

*One Collective title in Antioquia was revoked.

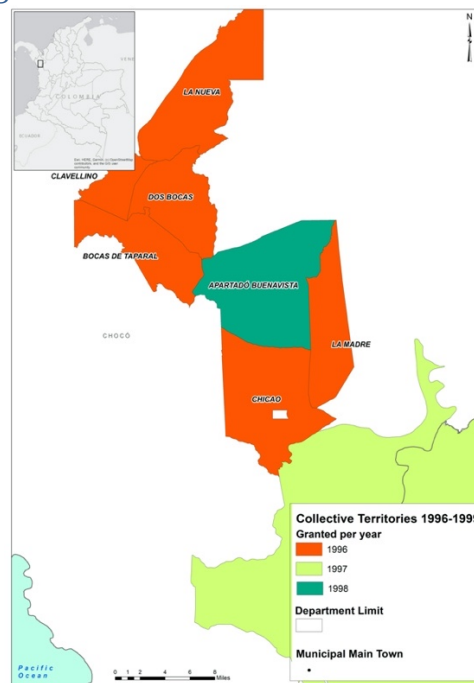
** The Collective Title of ACIA is counted as two because its largest part is in Chocó, and a smaller part in Antioquia, and it has a different resolution in each department.

Source: INCODER

For the officers that I interviewed, there was a political momentum that allowed them to accompany some of the subsequent processes until communities received the collective title. However, by 1998, the potential benefits of Law 70 and decree 1745 were still unfamiliar for rural Afro Colombian communities. Members of the Afro Colombian rural movements that participated or knew of the first collective titles granted to other communities started pedagogic campaigns in other parts of the Pacific to socialize the contents of the Law and the procedures that communities should follow to benefit from it.

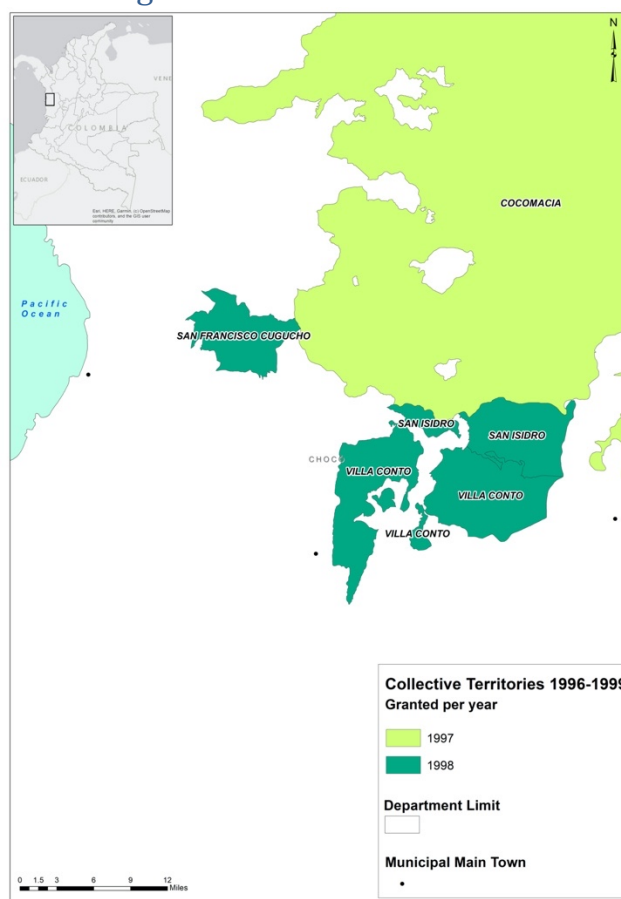
In Chocó, four communities received their collective titles in less than two months after the one granted to ACIA in Medio Atrato. One of the four communities titled collectively in February of 1998 is located in the northern part of Chocó, neighboring the six first titles. The other three are along the southern limit of the title granted to the Major Community Council of the Integral Peasant Association of the Atrato (Cocomacia) (Maps 5 and 6). Therefore, it is possible to think that those communities started their titling processes simultaneously with the ones granted the year before, in a spillover effect in which the news about the possibility of becoming owners of their lands motivated communities and other actors involved to start their processes. Communities that requested collective titles in other departments of the Pacific coast had similar motivations but went through different processes and organizations, which implied different outcomes.

Map 5. Collective Titles granted in northern Chocó between 1996 and 1998



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

Map 6. Collective Titles granted in Chocó between 1997 and 1998



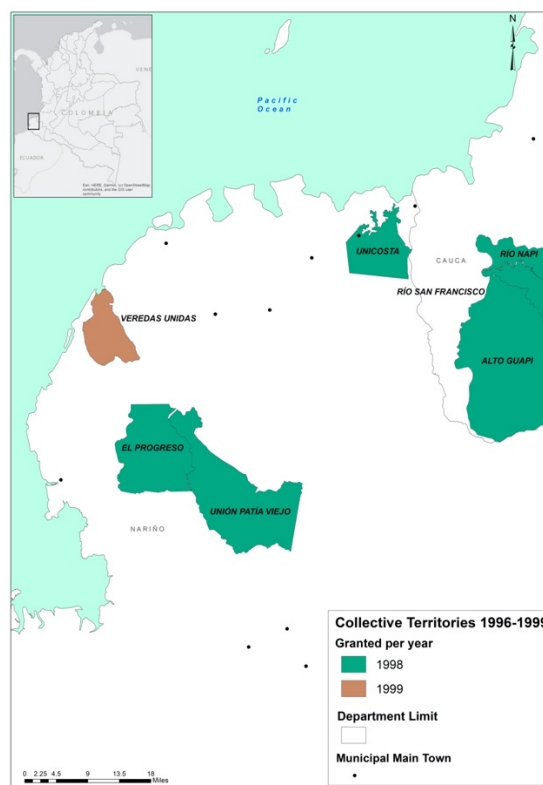
Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

Officers recounted that while in some places they found a few communities organized and mobilized towards claiming their titles; in other places, they realized that most rural communities were unfamiliar with Law 70 and the implications it had for them. At that moment, INCORA and the institutions that participated in the counter deforestation programs still had funding from international organizations, and the social component of the FAPC was still available to invest in CLT processes. With those resources, they also started educational campaigns to familiarize communities with the contents of the Law. Indeed, communities and officers continued taking advantage of the loophole that the

sustainable development and counter deforestation policies created, but they were not the only ones taking advantage of it.

The community councils of Unicosta and El Progreso, in the department of Nariño, received two collective titles of more than fifty-five thousand hectares in 1998 (Map 7). The two communities, Unicosta and El Progreso, were in the same department but distant from each other, and received their titling resolutions with three months of difference, in February and March of that year, respectively. The resolution of the collective title granted to the community council of Unicosta, states that the council is formed by ten communities dedicated to traditional practices of subsistence such as fishing, hunting, gathering, artisanal logging, and crafting.

Map 7. Collective Titles Granted in Nariño between 1998 and 1999



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

They emphasize that for the small-scale logging, they work extracting *naidi*⁶¹ palm to process and commercialize the *palmito* or heart of the palm (INCODER, Resolution 0158 of 1998). Oslender found that those two communities formed their councils and requested collective titles because of the initiative of the director of the *palmito* industry, dedicated to extract and commercialize palm hearts. The director of the company funded workshops and all the logistics needed to complete the requisites for claiming the titles using the company's money. It was not a philanthropic initiative from ALENPAC (Canned Foods of the Pacific, in Spanish).

ALENPAC had worked in the region since the early eighties, and according to the extractive business model described by Oslender, ALENPAC paid members of the community for each palm heart delivered to the processing plant. In this model, community members were not employees of the company, nor did they have stable labor conditions from working with that industry. The practice was also not sustainable because to obtain the heart palm, the harvester had to cut down the entire palm tree, and they would cut down even the youngest trees to increase the number of heart palms delivered, which affected the regeneration of the trees.

In 1982, the heart palm trader company received authorization from the Colombian government to exploit the *naidi* palm to extract and export heart palms. The permit was renewed in 1990 and again in 1993. However, the changing conditions for Afro Colombian rural communities after 1993, impacted the extractive industries because the existent permits of extraction were rescinded and given only to community councils. Then each community council would give permission to a company to extract the resources. Consequently, ALENPAC promoted the organization of the community council and the

granting of their collective title and negotiated directly with the two communities to guarantee continuity of their activities (Oslender, 2016).

In 1999 the company closed down because the buyers found cheaper hearts of palm in Ecuador. Oslender states that since the community organized around an extractive economy instead of their social and spatial dynamics, the organization weakened after the industry left town. ALENPAC came back in 2004 and established the same extractive model, and the environmental and social conflicts associated came along with them (Oslender, 2016: 143-147). I could consult the resolution of Unicosta, but the one of El Progreso is missing from the files that I received from INCODER officers. Oslender cites the resolution of El Progreso by its number and date, which could indicate that it was available before, either in the offices of INCODER or in the files of the community.

The community council of Patía Viejo, the third one to obtain a collective title that year in Nariño, is adjacent to El Progreso. Their resolution mentions El Progreso being one of their neighboring communities. However, they did not reference small scale logging in their traditional practices, nor the naiad palm, and there is no evidence of industry's sponsorship to claim their title. They, most likely, followed the example of el Progreso to obtain their title. Despite being the result of social mobilization and the commitment of mid-level officers, community councils and collective titling were also coopted by industries. Economic power resulted from controlling the extractive economies in a region where elites accumulated power by controlling the extraction of natural resources instead of by becoming big landholders.

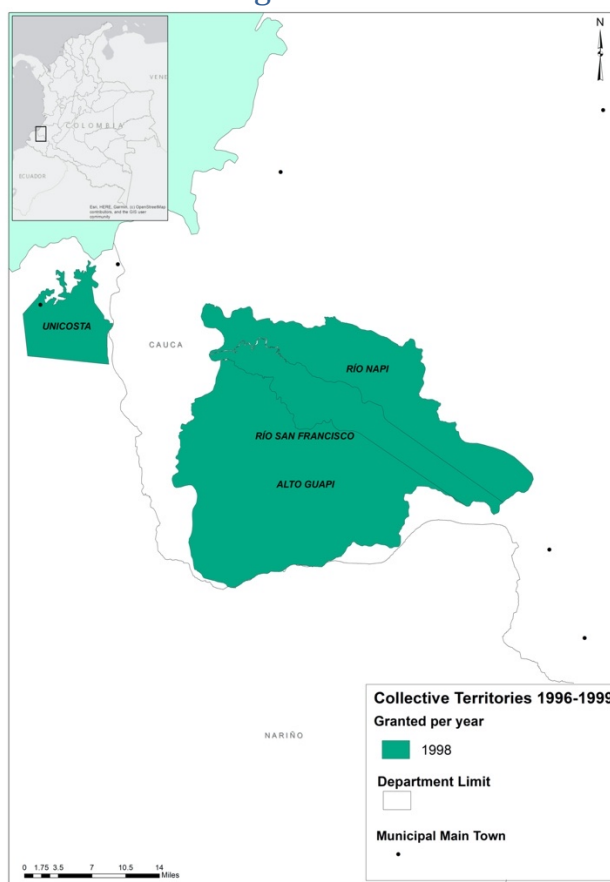
In Cauca, there were three community councils granted collective titles in April of 1998: Alto Guapi, Río San Francisco and Río Napi (Map 8). Their files show that they

gathered in general assembly between April and May of 1997 to start their titling claims (INCODER, Collective Land Titling Files-San Francisco and Alto Guapi; Resolution 1082 of 1998, CLT Río Napi). The closeness in their starting dates confirm that it took more than a year for these communities to obtain their collective titles. According to Oslender, in Cauca, INCORA officers that might have been interested in forming small community councils, purposefully delayed some of the necessary steps to grant collective titles to communities previously organized:

“This shows the ambiguous nature of INCORA’s involvement in these processes. Rather than acting as a homogenous unit with a consistent politics toward local organizing processes, it should be regarded as a fragmented institution in which individuals operate who may favor the organizing processes of black communities, others who impede them, and still other who do not really care.” (Oslender, 2016: 156).

This helps Oslender to understand the different and sometimes contradictory strategies from the Colombian state and its institutions towards communities in the Pacific. The tactic of delaying procedures to grant titles would continue and, in some cases, it would take more than ten years for a community to obtain the resolution of their title, depending again on the interest of the office in charge, and other actors involved in the processes, as we will see further in this research. Domínguez Mejía describes the procedures to grant collective titles as a relatively decentralized endeavor at first because INCORA’s regional offices were in charge of supervising the processes, while the municipal offices were responsible for working directly with the communities (Domínguez Mejía, 2017: 126).

Map 8. Collective Titles granted in Cauca in 1998



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

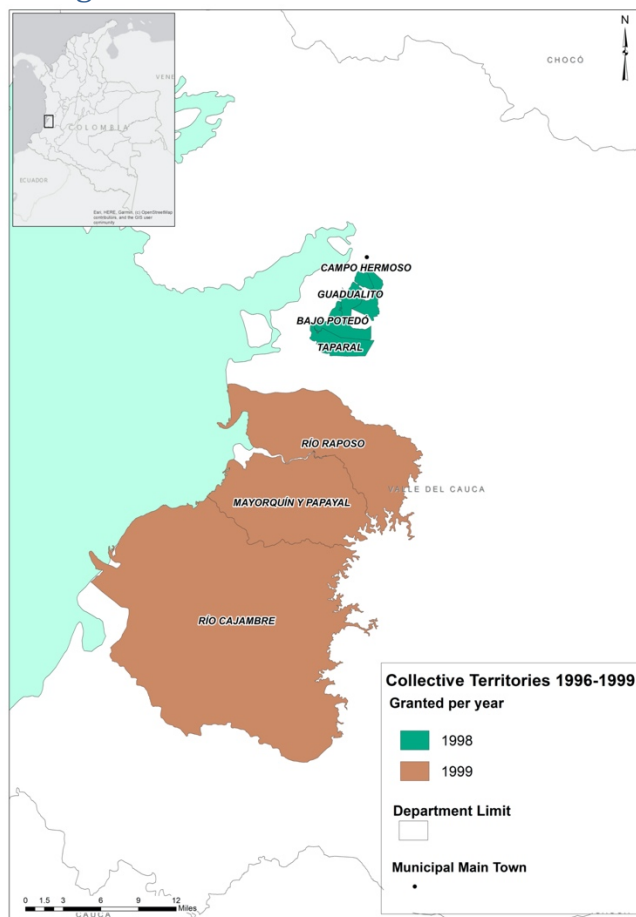
Domínguez Mejía also states that only in cases where the projected collective title was contested by individuals, other communities or government institutions, the case would go to the Technical Commission for Black Communities. She situates the origin of this commission in decree 1745 of 1995, however, the commission was formed by the same institutions that the World Bank suggested to oversee the clarification of property rights in the Pacific, and that also formed the Special Commission to design Law 70. Whether the case had to go through the Technical Commission or not, after fulfilling all the requirements, the process would go to INCORA's national office where, after a thorough revision, officers close it by issuing the resolution of the title (Domínguez Mejía, 2017).

This final step explains why there are resolutions for different communities that have the same issue date despite having different temporalities in their processes.

There were four titles granted in Valle del Cauca between April and May of 1998: Taparal, Guadualito, Campo Hermoso and Bajo Potedó (Map 9). All of them were located in the rural area of Buenaventura, the coastal seaport city in the Colombian Pacific located in Valle del Cauca department. In her research about state formation in the Colombian Pacific between 1993 and 2009, Domínguez Mejía mentions these communities noticing that the files of Guadualito and Bajo Potedó were missing from the INCODER archives⁶² (Domínguez Mejía, 2017: 127). In these four cases of Valle del Cauca, as it happened before in Chocó, the need for expedited processes motivated the first claims. However, unlike what happened in Chocó, in these cases communities decided to request titles by *vereda* or globe instead of doing it by *cuenca* or river basin. As I mentioned before, this decision defined the landscape in the new property regimes, and in the file of Guadualito, one of the communities granted, they affirm that:

“It is true that the requested area is part of the Dagua river basin, and the expectations of the grassroots organizations as the palenque or the process⁶³ is that communities receive titles by their respective river basin, the institutional experience in Guadualito shows the importance of making these territories concrete because of the threats over them. Over there, private interests that are politicians or just wealthy people are buying terrains inside of Guadualito in strategic spots in places considered important due to their location. Similarly, these areas are permeable in preserved areas by people coming from Buenaventura after retiring from the company Seaports of Colombia, some with the idea of colonizing lands, which goes against communities’ rights over these lands traditionally occupied, taking into account that the areas occupied by black people are defined in river basins, the floodplains⁶⁴ and the areas of hills covered by forest” (INCODER, Collective Land Titling File-Guadualito, p. 156. My translation).

Map 9. Collective Titles granted in Valle del Cauca between 1998 and 1999



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

According to Domínguez Mejía, in these cases, the urge was not to encompass more communities and more land but to secure their land and to clear their property rights. She also states that the funding that came from INCODER and other government offices motivated a group of civil society organizations to start working with communities towards obtaining the titles. One of those organizations was the Rosa Solís foundation, named in the file of Guadualito, as the organization chosen in the general assembly of the community council to work permanently with them because of their professionalism (INCODER, Collective Land Titling File-Guadualito, p. 38). As the seaport town in the Pacific, the rural

lands surrounding Buenaventura are often destined for development projects. Rosa Solís, an Afro Colombian leader of that area, used her foundation to capitalize on the possibilities of Afro Colombian communities to control those lands (La Silla Vacía, 2017).

Solís then became an agent for collective titling, leading the formation of community councils in Valle del Cauca and acting as a representative of those communities with the national government. By helping communities to obtain their titles in the rural areas of Buenaventura, she gained power and capacity to negotiate public works and private initiatives projected to develop the area (La Silla Vacía, 2017). Consequently, Domínguez Mejía affirms, only a few debates around collective titling took place in these communities because people's focus was not on consolidating the social mobilization. In a salient example of the objectives in establishing growth coalitions, communities' interest was more inclined to having leverage in the negotiations of development projects (Domínguez Mejía, 2017: 171).

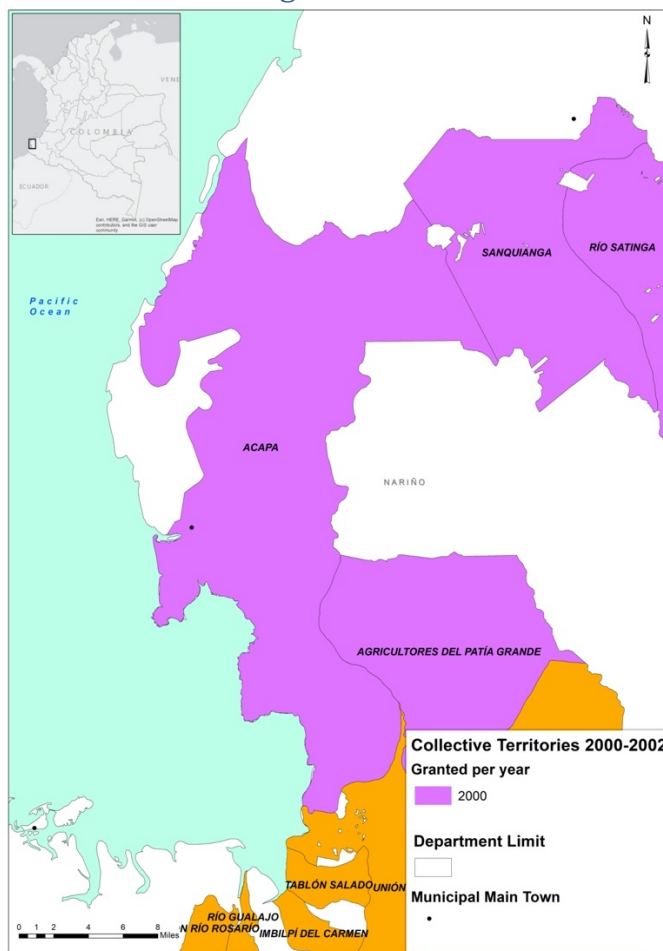
2.4.1999: "The violence in our lands"

In 1999, the number of collective titles declined, and only five were granted. However, the number of hectares was stable, compared with the extension of the titles granted in 1998 (Table 6). In Valle del Cauca, the communities of Río Raposo, Mayorquín, and Río Cajambre were titled by their *cuencas* or river basins (Map 9), and they received titles of more than a hundred thousand hectares with help from the movement Process of Black Communities (PCN in Spanish), one of the largest Afro Colombian social movements (Asher, 2009). The community council of Veredas Unidas, in Nariño, started its process in 1998 and received the collective title only in November of 1999 (Map 7).

Veredas Unidas is a title of approximately thirteen thousand hectares located next to the community council of the Peasant Association of the Patía River (ACAPA, in Spanish), and to the west from El Progreso, one of the two titles granted in 1998 with the support of ALENPAC.

ACAPA was an organization similar to ACIA in Chocó, its origins were the peasant organization that preceded the ethnic Afro Colombian movement, and they had priest and nuns as allies in their struggle. After being a peasant movement, in 1997 ACAPA was transformed into an Afro Colombian movement, and constituted their community council. The same year they requested their collective title, and received it in early 2000 (Rivas, 2001). Having El Progreso and ACAPA as neighboring communities could have had a spillover effect for Veredas Unidas to organize and request their title. These cases show that even though various communities started their processes simultaneously, because of the different regional circumstances and temporalities, including the disposition of INCORA officers towards the processes, some received their titles later than others.

Map 10. Collective Titles granted in Nariño in 2000

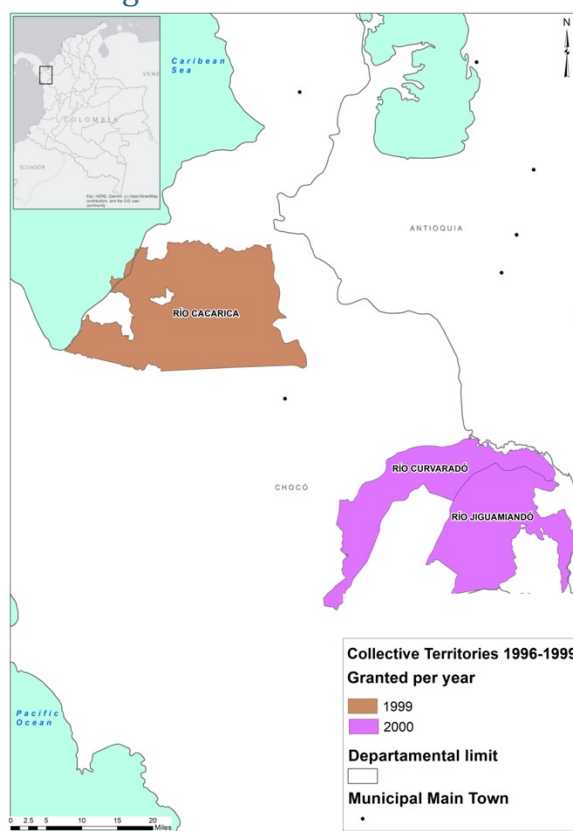


Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

There was a community in Chocó that received their title in 1999: The community council of the Cacarica river basin. This collective title was the first one requested and granted while the community was absent due to having been forcefully displaced by violence. The Cacarica river basin is located in the Low Atrato zone, in northern Chocó, close to the border with Panamá. As I mentioned before, there were rumors of paramilitary presence in the Low Atrato region since 1996, and, in 1997, the first massacre occurred in Las Brisas, a small hamlet near Riosucio, the municipality in the area. In an open statement

Freddy Herrera, also known as *El Alemán* (The German), affirmed that they received funding from industries like Maderas del Darién, one of the biggest logging companies in the area (VerdadAbierta.com, 2010). After the massacre in Las Brisas, the group lead by *El Alemán* planned an incursion to Riosucio.

Map 11. Collective Titles granted in Chocó between 1999 and 2000



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

The paramilitaries also maintained control in the area by blocking the entrance of food and any other goods through the river, the main form of access to the hamlets of the river basin (Inter American Court of Human Rights, 2013). He also said that, obeying Carlos Castaño's orders, they helped the army, giving them guidance in the area to conduct

the operation Génesis against the front 57 of the guerrilla that had kidnapped ten marines in January of 1997. Moreover, while the army did operation Génesis, the paramilitary had their operation in tandem: operation Cacarica, in which they killed peasants that they affirmed were helping the guerrillas⁶⁵ and ordered people to abandon their houses. Some peasants decided to stay in the area, building refugees in the *montes*, as they call the jungles nearby, and staying there for months (Inter American Court of Human Rights, 2013).

The rest of the population escaped to different places, most of them to Turbo, a city in the department of Antioquia, where they decided to request their collective title. According to the file of collective titling of Cacarica, the communities gathered in the community council had claimed separated titles before, but decided to cancel those processes to have one as a major community council that included all the communities of the river basin. The massacres and the forced displacement are barely mentioned in the file. Communities refrained from making formal complaints because both the army and the paramilitary groups used violence to generate fear and prevent people from denouncing their situation, which facilitated the later land dispossession. Moreover, there were no trusted authorities in the area to inform them before the displacement.

In the conclusion of the ethnohistorical description written by the community as part of the requisites to claim their collective title, is stated that “the survival of the black communities gathered in the Cacarica river basin depends on the free access to natural resources in their territory and on receiving validation and support [...]” (INCODER, Collective Land Titling File-Cacarica River Basin, p. 78 Doc 1. My translation). For the first time in a collective titling process, communities referred to collective property as controlling access to resources (Peluso & Ribot, 2003; Hall, Hirsch & Li, 2011).

It was not the violence experienced by the community what delayed the resolution of their title, nor the fact that they were displaced while claiming it. During the collective titling process, INCORA reported having conducted a technical visit to the area and included the report of that visit in the CLT file. In their report, INCORA officers never mentioned what had occurred in the zone. They repeated the standard components of all other reports produced before by that office in CLT processes: demographics, limitation, forms of subsistence, property regime, conflicts over property between community members or neighbor communities, and, lastly, the recommendation of the officers. It is not clear if they were aware or not of what happened with the army and the paramilitaries, and also who they talked to during the visit if the community had already been displaced.

In 1998, the community council sent a letter to INCORA presenting themselves as forcefully displaced population due to “the violence in our lands”, there was no response to that letter or that allegation (INCODER, Collective Land Titling File-Cacarica River Basin, pp. 97,98. Doc 2. My translation). In fact, there was no reaction, much less response documented in the file from any state officer to the violence and the death threats recounted by people of Cacarica. Officers of the *procuraduría* ⁶⁶and others pointed at some errors in the documents of the file, which delayed the process, and after amending some mistakes in the procedures and requisites, the community council of Cacarica received their collective title in April of 1999. After 2000, some people returned to the area, others joined them a few years after, and some decided not to go back.

In the documents produced by community members and included in the file, they stated that for their communities, being in the territory meant having a space to exist legally, for which they needed “validation and support” to not be displaced, to confront the death

threat that they had received. They expected to obtain validation by being legally recognized as owners. For the leaders that worked in the CLT claim, land property meant to survive as a community, if not physically, at least legally. Only the community leaders referred to that violence, but never in the file appears a recognition from any government officer of anything that happened in that area. Their file traveled from Turbo to Medellín, the closest city, and most probably to Bogotá to seek approval from INCORA.

In that trajectory, the violence experienced by the communities became elusive for urban officers who were used to read about similar episodes of violence in other parts of the country. For the bureaucrats in Bogotá, it was another complaint about unidentified armed actors in alleged connivance with the army. The military is a very prestigious institution in Colombia, and, after more than sixty years of armed conflict, it is difficult to question its legitimacy, especially within state officers. For some urban bureaucrats, and even for some urban citizens, the army was the most reliable and most unambiguous presence of the state in these areas. People that have not been affected directly by the armed conflict tend to think that if the army were not taking care of national security, the guerrillas would have taken over, which is why controlling those rural zones was needed.

As Rodríguez et al. affirm, there is a “civilian militarism” in the country, in which the historical militarization of different aspects has brought greater acceptance of militaristic strategies within citizens. Similarly, people seem to accept the role of the army in maintaining national security, which should be the role of the police force (Rodríguez et al., 2018). For communities in the Pacific, civilian militarism implied that the public in the rest of the country or the national courts did not know about cases like the massacre in Cacarica⁶⁷. It also meant that the community could bring a lawsuit against the Colombian

state and receive a favorable verdict in an international court system. In 2013, the Inter American Court of Human Rights condemned the Colombian state for the massacre. Similar episodes of violence that communities in the Pacific experienced were not documented until years later by human rights organizations. As Table 7 shows, the number of massacres reported in the four departments was particularly high between 1999 and 2002.

Table 7
Massacres committed by different armed actors in the Pacific between 1999 and 2006

	Chocó	Valle	Cauca	Nariño
1999	2	10	1	4
2000	2	9	5	2
2001	2	4	8	3
2002	2	3	7	3
2003	0	3	0	3
2004	0	1	0	1
2005	1	2	0	0
2006	0	2	1	2

Rutas del Conflicto. Cartographic database.

<http://www.rutasdelconflicto.com/geografia-del-terror/> Retrieved on February 26, 2018.

2.5.From 2000 to 2002: Seeking the initial goal while they could

Not all episodes of violence shown in table 7 were experienced by communities granted with collective titles. Most of them were part of a systematic strategy of dispossession that also affected other groups in rural areas like peasant, indigenous, and Afro Colombian communities without collective titles. Episodes like the massacre of

Cacarica aimed to terrorize people, displaced them, and dispossess their lands. For the groups reunited in the community council of Cacarica, the claim for their collective title consolidated after the massacre and displacement, and after they realized other communities had gotten their collective titles even while absent.

As I mentioned before, there is no standard time for a collective titling process, while some have taken a few months, others have rested in INCORA, or later, INCODER offices for years. The pace in issuing the resolution depends on factors like the agreement within the community to request their title, the willingness of the local and departmental offices to mobilize the process, the availability of the central offices involved to conduct the requirements, and the resources available to the community to do the census and cartographic exercises.

With the variable times of the procedures taken by INCORA, some of the processes that started before 2000 received their resolution after that year, which explains the increase in the number of collective titles and the extension of land granted between 2000 and 2002 increased (Table 6). Similarly, between 1998 and 2002, communities and officers took advantage of the loophole that the sustainable development and counter deforestation policies like the FAPC, created. They still had funding from international organizations, and the social component was available to invest in CLT processes. With those resources, they also started educational campaigns to familiarize communities with the contents of the Law.

The educational strategies consisted in conducting workshops and publishing materials intended to reinforce citizenship and the knowledge of their special rights

included in our new multicultural constitution⁶⁸ (Garcés, 1999; Garcés, 2000; Restrepo & Bustos, s.f.). They were focused on three aspects:

- Territorial, environmental rights: To explain why Afro Colombian communities had been recognized as subjects of collective rights.
- Inter ethnical relationships: To solve possible conflicts between Afro Colombian and Indigenous communities over lands.
- Resource management: To maintain the spirit of Law 70 according to which communities were stewards of nature and natural resources.

In the documents, produced mainly by INCORA and the recently created Ministry of Environment, there is a reference of violent displacement suffered by Afro Colombian communities already granted with titles. However, violence is just one of the variables that these communities have to learn to manage, and not an obstacle for claiming their titles. The educational documents are not intended to unveil the complexities of the incursion of the armed conflict in the area. Local leaders and officers traveled to different communities, sometimes accompanied by officers from the *procuraduría*, to conduct the procedures needed to grant a title and to bring the documents produced to socialize the collective titling procedures between members of the communities.

Between 1996 and 1999, some collective titling claims were processed by the regional committees, organized as part of the counter deforestation program (Maps 2 and 5). There, communities with more representation in the committees, more internal coercion, and local support were the first in requesting the titles. After 1999 as the war

became harsher in the area, the situation changed, and it became difficult to conduct visits. Some communities had to request their title after being displaced from their territories as it happened in Cacarica. Between the educational campaigns and the spillover effect, the number of collective titles granted increased between 1999 and 2002, in tandem with violence in the region. As Table 6 shows, ninety-one titles, and more than three million hectares were granted in four years.

2.6. "They destroyed everything, even the graveyards": Development through dispossession and displacement

After the increase of lands titled collectively to Afro Colombian communities, from 2003 to 2006, there were fewer resolutions issued to communities. Between 2003 and 2006, only forty-two titles and eight hundred thousand hectares were granted, less than half than the previous four years, most of them in Nariño and Valle. This decrease did not stem from a lack of land available for communities after 113 titles and close to four million hectares were granted. It is important to remember that for the officers involved in CLT processes since it started, the goal was to title five million hectares in the Pacific region by 2006. In that sense, the titling processes were on track, and most of the few hectares left in the Pacific were titled collectively between 2003 and 2006.

However, the goal of the officers involved in CLT was twofold: They expected to have, by 2006, most of the lands available in the Pacific granted, and to start processes of collective titling in other parts of the country. But the difficulty in the first part became an obstacle to start the second part. Not only there were claims of collective titles denied, but also communities that manage to obtain titles while displaced were dispossessed of their collectively owned lands. By 2003, the crisis of violence in the Pacific was dramatic for

the communities that survived the killings in the northern part of Chocó, only to be displaced from their lands (Restrepo & Rojas, 2001; Escobar, 2003; Meertens & Zambrano, 2010). Cases like Curvaradó, Jiguamiandó, and La Larga and Tumaradó, where officers claimed to have granted those communities to protect their territories legally, are representative of this situation (INCODER, Collective Land Titling Files of Curvaradó and Jiguamiandó).

Internal displacement became a problem all over the country (Meertens & Zambrano, 2010), and, as I mentioned before, most of the funding coming from international organizations went to attend displaced populations from regions that suffered different impacts of the armed conflict. In northern Chocó, as I mentioned before, paramilitaries entered before agro-industrial projects claiming they were fighting guerrillas. The National Center for Historical Memory has documented this as a systematic strategy in which:

“Displacing people was a mechanism [used by the paramilitary forces] to consolidate territories and strategic corridors, take back parcels of land previously granted by the state and accumulate lands. It was also a strategy to appropriate areas with lots of natural resources, and/or zones destined to development projects and also appropriate the surplus-value of those projects.” (Centro Nacional de Memoria Histórica, 2012: 65. My translation⁶⁹)

The reference to zones “destined” to development projects shows the systematic character of these strategies and how many of them constituted the growth imperative, creating alliances and building strategies to achieve a specific type of development that did not include communities. According to the statements of paramilitaries compiled and analyzed by researchers of the Center for Historical Memory, they had five steps:

1- Military take over and violent displacement: As it happened in Cacarica and other parts of northern Chocó.

2- Appropriation or acquisition of large extensions of land through corrupted markets: After displacing people, they negotiated the lands with new settlers that claimed to be private owners or part of the community council. Then they sold the lands or registered them to other settlers or private industries. In the case of negotiations with supposed members of community councils, they did usufruct leases, signed to last for decades. Consequently, the newest owners have alleged that they bought or leased those lands in good faith without knowing about the dispossession. This has created a new challenge for justice to solve those processes, as Max Counter has studied (Counter, 2019).

3- Implementation of large-scale agribusinesses in association with private industries and public offices: Paramilitaries claimed been in contact with investors consolidating a growth coalition in the area. Those contacts were later confirmed, and some landholders and business owners went to jail for its relationships with these armed groups and their involvement in killings and violent displacement (Centro Nacional de Memoria Histórica, 2018). On the other hand, the participation of public officers made it possible to manipulate title deeds to change owners, and modify the extension of the appropriated lands. Some of those public officers that belonged mainly to INCODER, CODECHOCÓ, and the registry office were sent to jail for their involvement (Centro Nacional de Memoria Histórica, 2018).

4- Need for hiding assets and laundering money obtained through illicit activities: Paramilitaries continued with illegal activities besides dispossession, like drug trafficking. The money that came from those activities were legalized through agribusinesses.

5- Resettlement with new population to control territories freed of guerrillas: After consolidating the agribusinesses, Paramilitaries brought peasants from other regions, which served for purposes of controlling lands and changing property regimes, from collective and excluded from the market to individual and part of it. This mechanism allowed them to reverse ethnic and territorial recognition to mobilize their growth coalition with the kind of peasants that favored their narratives of development (Centro Nacional de Memoria Histórica, 2018).

In Curvaradó and Jiguamiandó, for example, after receiving their collective titles, the community councils decided to return to their lands. When they did, they found numerous palm oil crops covering not only their collective lands but their cemeteries and their houses, that had been burn down (INCODER, 2005; Ministry of Interior, 2011). INCODER officers that conducted a technical visit to the area calculated that agro-industries grabbed twenty-six thousand hectares from the hundred thousand hectares of land that belonged to both communities (INCODER, 2005). The new industries in the area used most of those lands for palm oil projects, but some for cattle ranching. They changed the vocation of lands and altered property regimes and communal landscapes by also using

the places that the communities occupied and attributed cultural meanings, like the cemeteries.

The cases of northern Chocó have been studied by scholars like Ballvé, Grajales, and Ruiz Serna, among others. Some of those scholars have even shown how paramilitaries replicated those strategies in other regions like the eastern plains known as the *Llanos Orientales* and in the southern part of the Bolívar department in the north of the country (Ballvé, 2012; Grajales, 2011; Ruiz Serna, 2017; Centro Nacional de Memoria Histórica, 2018). However, there have been fewer reflections regarding how these strategies corresponded with patterns of dispossession focused on ethnic communities that owned their territories. Moreover, we need a better understanding of how those patterns were articulated with the development strategies of the Colombian government.

As I recounted in the first section of this chapter, in 2003, INCODER became the government agency in charge of rural development, which entailed abandoning the previous mission of conducting a redistributive agrarian reform. The purpose of the new agency implied bringing large capitals to invest in rural areas, where previous occupants, peasants, or ethnic communities, would participate as labor force for agribusinesses. The rural population would also have the option of migrating to cities, where the government expected to offer better services of education and employment. Uribe Velez made that purpose explicit by supporting and launching several rural development projects questioned later by the Constitutional Court and other authorities (Alfonso Sierra et al., 2011).

Uribe's government's purpose was in agreement with what the paramilitaries proposed for northern Chocó and other regions of Colombia: bringing the wealthiest people

to invest in those impoverished areas (National Center for Historical Memory, 2018). Years later, academics like James Robinson also argued in favor of that type of development. In a national newspaper, Robinson quoted one of the infamous paramilitary chiefs, Vicente Castaño, to state that in places where the state is absent, bringing rich people to rural areas as the paramilitaries did in Chocó, would necessarily bring state institutions. He stated that even though it had not happened in any of the places where paramilitaries brought agribusinesses. Yet, Robinson insisted that policies of land restitution or redistribution were naive because the country can only counteract its failure by bringing elites to the rural areas (Robinson, 2014). Various academics responded to Robinson's affirmations, pointing out the numerous evidence that contradict his statements, and how that ideological approach to the rural areas in Colombia supported strategies of dispossession, and ignored the historical processes of marginalization experienced by campesinos and ethnic communities in rural areas (Bermudez Liévano, 2015).

As I explained in the previous section, the Colombian government historically supported extractive economies in the Pacific. Then it implanted national and international top-down programs designed for environmental protection. Those initiatives opened a loophole through which Afro Colombian communities could claim ownership over those territories. However, the Colombian state elites have had an understanding of this region as a place for extractive economies or a provider of natural resources. In addition to that historical understanding of the area, the purpose of achieving rural development without the participation of local communities made it difficult for Afro Colombian communities to continue being recognized as collective landowners in the Pacific.

After 2003, the officers that had participated in collective titling were removed from the agencies in charge of land adjudications, and agro-industrial projects received economic and political support from the state⁷⁰. It was in this moment where high government officers started to refer to ethnic communities as the most prominent landholders in the nation, trying to undermine the legitimacy of territorial recognition for these communities (Naranjo et al., 2017). All these legal and illegal strategies generated that during the rest of Uribe Velez's presidency that ended in 2010, only nine more titles were granted to Afro Colombian communities.

3. Collective properties from 2007 to 2015

Between 2007 and 2015, there were only 38 titles granted, and five hundred and thirty hectares granted to Afro Colombian communities (Table 8). Since 2011, more communities outside of the Pacific started receiving collective titles. However, between 2007 and 2010, communities witnessed a significant slowdown in their processes. Besides the strategies that paramilitaries and elites deployed to challenge collective titling processes, the government tried to have more control of the titling processes launching legislation that modified previous laws about territorial recognition for Afro Colombian communities.

Table 8
Collective Titles and Hectares granted to Afro Colombian Communities between
2007 and 2015

Year	Titles	Has.	Department								
			Chocó	Valle	Nariño	Antioquia	Risaralda	Bolívar	Magdalena	Córdoba	Guajira
07	4	32,932	1	1	1		1				
08	1	1,730		1							
09	0										
10	2	3,712		2							
11	7	77,083	1	2		3		1			
12	11	45,862	1		7	1		2			
13	0										
14	7	162,042		1	4			1	1		
15	6	207,895	1	3						1	1
	38	531,256	4	10	12	4	1	4	1	1	1

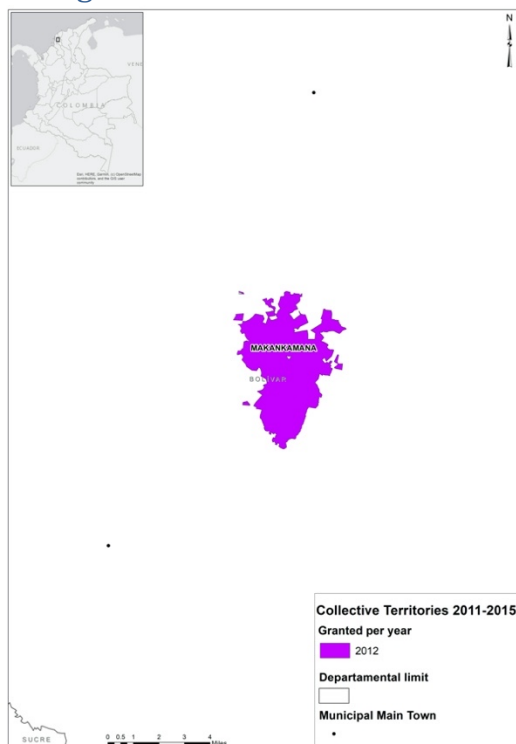
Source: INCODER

The most salient example of these strategies to control processes of collective titling is Law 1152 of 2007 which mandated that the Ministry of Interior, would be the institution in charge of CLT processes. The Law sought to relieve that responsibility from INCODER an institution that was supposed to allocate lands to ethnic communities based on technical information. Putting the procedures and decisions to grant collective titles in the charge of the Ministry became an obstacle for communities, as it happened in the case of San Basilio de Palenque.

The community council Makankamaná of San Basilio de Palenque, located in the Bolívar department, started their titling process a few years before Law 1152 was launched, suffered the change of responsibilities and officers in charge. They were ill-advised to conduct some new procedures, causing a wrong delimitation of the requested areas and, ultimately, their title to be revoked the first time they requested it. The community of Palenque then experienced a complicated process in which people decided against claiming the collective title and had to be convinced again by leaders to try and request it. They

finally obtained it in 2012 (INCODER, Collective Titling File-Makankamaná of San Basilio de Palenque).

Map 12. Collective Title granted in San Basilio de Palenque, Bolívar



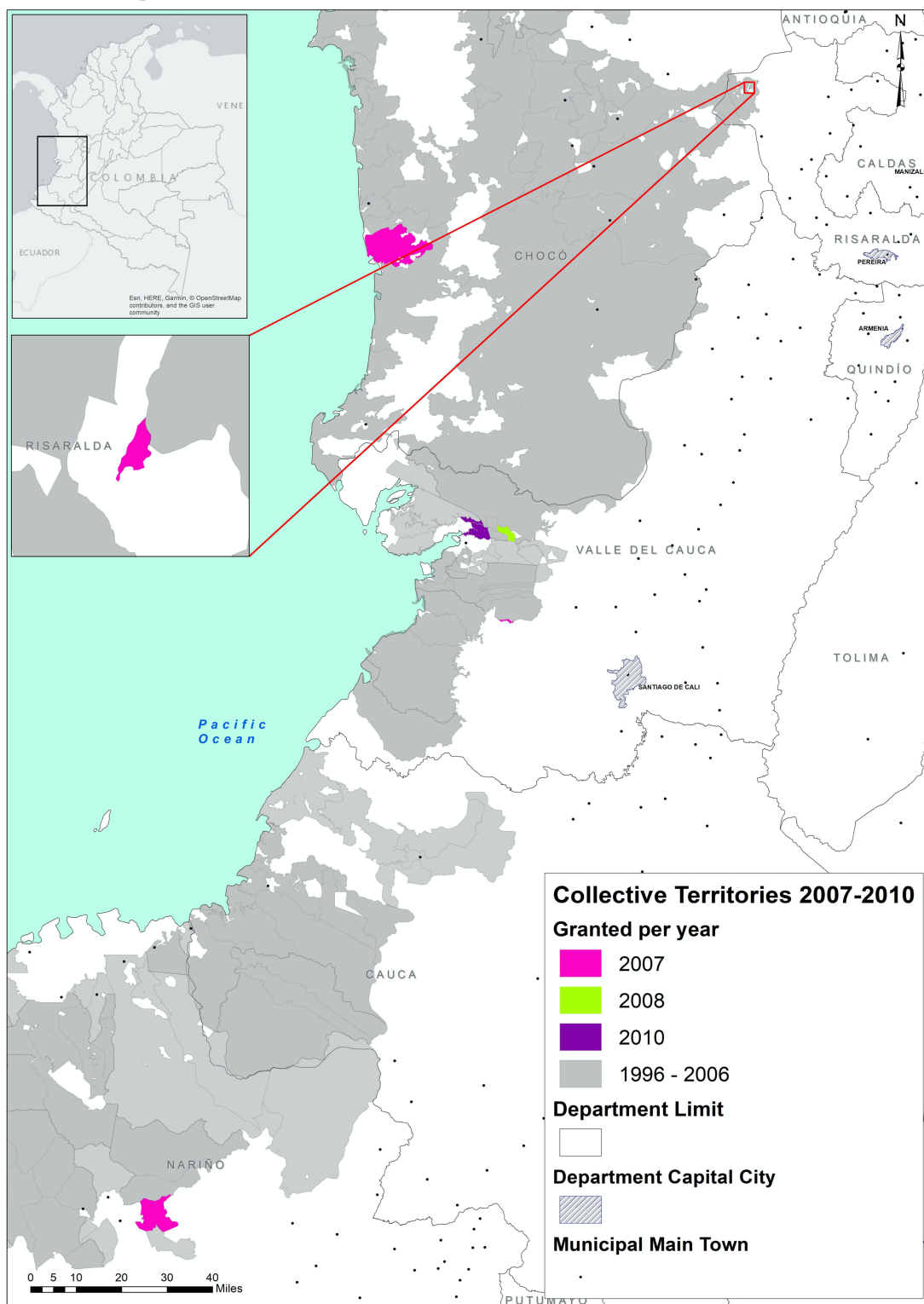
Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

In 2009, the Constitutional Court declared the Law 1152 unconstitutional and returned the titling functions to INCODER (Constitutional Court, Sentence C-175/09). Through the decree 3759 of 2009, the congress mandated that INCODER assumed those functions again and reinforced its autonomy to conduct processes of collective titling. The Constitutional Court launched the judgment 005 of 2009 to follow up on the fulfillment of the Sentence T025 of 2004 that declared internal displacement due to violence an unconstitutional situation that the Colombian state ought to attend. Judgment 005 of 2009 sought to make the government give special protection to Afro Colombian communities to

guarantee their constitutional rights in a situation of displacement. Through this judgment and other complementary arguments made by the Attorney General and the Constitutional Court, processes like Curvaradó and Jiguamiandó obtained attention. Those processes, however, have not been solved yet.

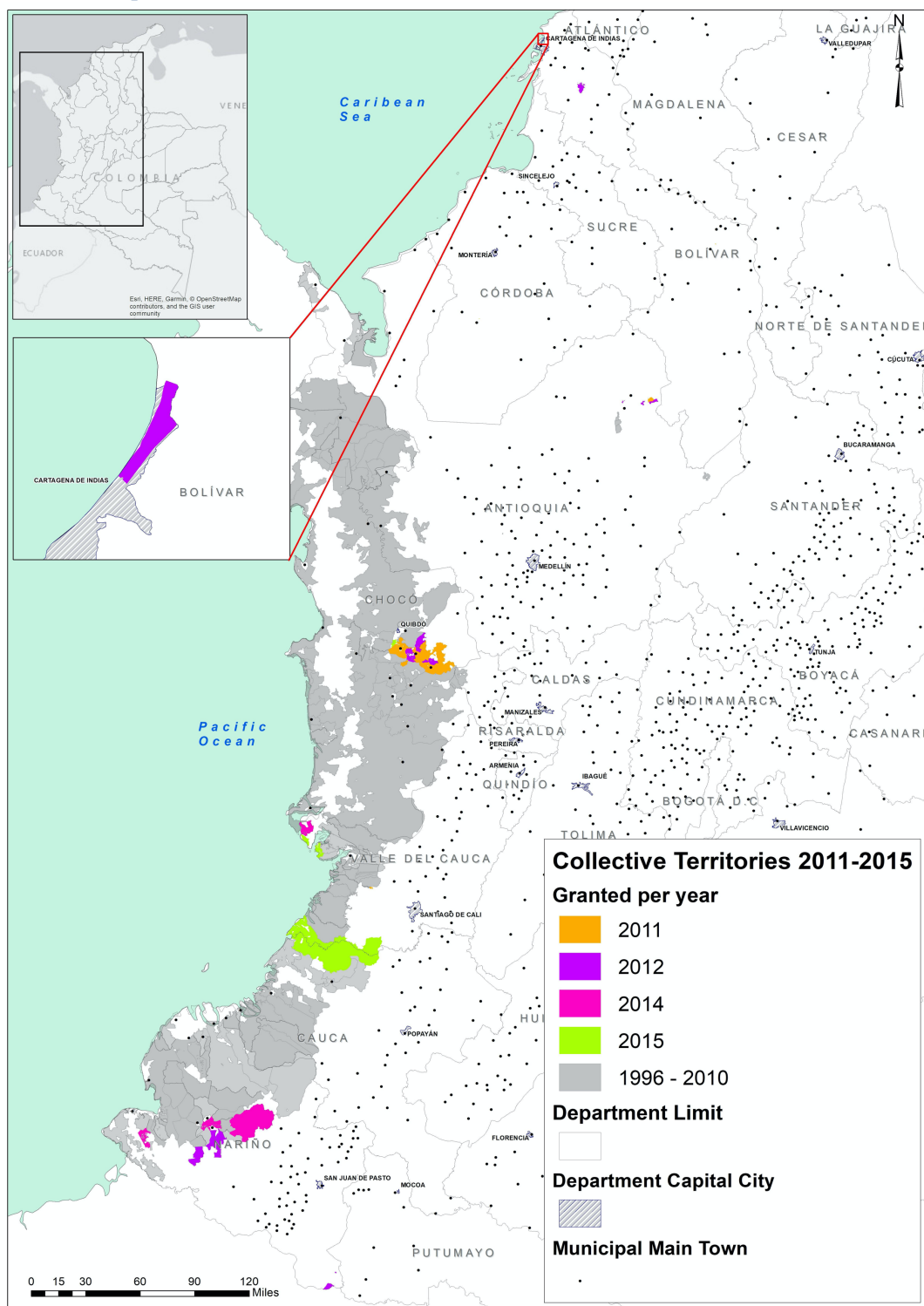
As I will show with the case of La Boquilla, CLT was reinforced by president Juan Manuel Santos that had an interest in designing a policy of Land Restitution. He also used CLT processes to reaffirm his interest in rural communities to Colombia's international economic allies and supporters of a peace agreement with the former FARC guerrillas. As problematic as these intentions and its results were, they meant that communities as La Boquilla, Palenque, and others finally received their titles. Moreover, they also helped to achieve the inclusion of Afro Colombian rural communities outside of the Pacific.

Map 13. Collective Titles Granted Between 2007 and 2010



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

Map 14. Collective Titles Granted Between 2011 and 2015



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

IV. The Collective Land Title of Medio Atrato: The trajectory from requesting access to claim formal property

The department⁷¹ of Chocó is usually known as a neglected place with high unemployment rates and basic needs mostly unsatisfied. In this chapter, I will examine how the idea of a landscape that could not be controlled or civilized, led to similar narratives about its people and produced a justification and an explanation to neglecting them. The lack of attention from the national elites towards the social and economic situation in the area generated an idea of an absent state. However, the premise of state absence has obscured the nuances of the relationship between the national and local government, the elites, and the rest of the population of Chocó. During the late XX century, those relationships changed and converged with the social mobilization of rainforest peasants⁷², and the increasing concern about biodiversity.

These elements and the close participation of national government officers interested in Afro Colombian communities led to the success of the collective titling process in Medio Atrato. The chapter is based on information gathered in the five trips to Chocó I made during the past ten years. I visited Quibdó and some of the communities included in the Collective land title where I conducted 43 interviews and participated in everyday activities, meetings, and discussions related to the situation of the communities

and their lands. I also interviewed government officers in Bogotá that had a close relationship with the collective titling process. I reviewed the Collective Land Title (CLT) file of the Major Community Council of the Integral Association of Medio Atrato (COCOMACIA), kept by the Colombian Institute of Rural Development (INCODER), the documents of the process kept in the archive of COCOMACIA. Finally, I examined newspaper and magazine articles to trace the information related to the titling process and the political and economic situation of Chocó to put all the information gathered in context.

The first part of the chapter relies upon the work of scholars that have shown how colonial and republican authorities started the process of marginalization that later would help to consolidate an extractive economy in the region. Colonial authorities also organized the life in the area, they created narratives of nature and extended them to the people living there, either indigenous communities or Afro Colombians brought to the region during the second phase of the slave trade (Colmenares, 1979). Resource extraction brought economic prosperity, motivating projects to build urban spaces for the elites, and to send Catholic missions to civilize rural communities considered as indomitable as the Pacific jungle. The extractive economies, managed by a small white mestizo elite, kept growing and providing productive activities to the Afro Colombian population that remained in the area after the abolition of slavery in 1851.

The local political and economic elite of Quibdó, the capital of Chocó, maintained commercial relationships with people that inhabited the rural areas. They also established practices of redistribution of political and economic power, in which those elites, acting as the state at the department level, would contest the lack of participation in national politics, consolidating the idea of a central state that ignored them. At the same time, they would

gain leverage from having distance between national and local politics and reproduce the narrative of national governments that had forgotten about the region because it helped to maintain their elite status at the local level with no accountability to the national government. The dreams of building cities and participating in the national economy existed until the Pacific's prevalent extractive economies represented a significant source of income for the nation. However, the aim of centralizing the state and the national economy around the production of coffee in other regions became an obstacle to those dreams. The extractive economies did not generate stability for the department and precipitated the failure of any drift towards the urbanization.

In the second part of the chapter, I question the premise of state absence in light of the lack of agrarian conflicts in Chocó. The main economic activity of the region was the extraction of resources, which made it unnecessary to seek land titling. Gold and platinum mining is a traditional practice done by digging into the bedrock and washing for gold (Tubb, 2015). The extraction of forest resources like *tagua*⁷³ was done by trekking in the forest seeking for palm trees. Both activities took place in inhabited areas of the rainforests and did not require to claim the surface of the land to do it. Moreover, owning the land was expensive and demanded bureaucratic procedures considered unnecessary for those activities. In Chocó Afro Colombian peasants and miners⁷⁴ needed access to those resources, not land property for agriculture.

Scholarly research about Colombia in the XX century has reinforced the idea that the lack of redistribution of land property fueled the formation of the modern state and the Colombian armed conflict, the longest one of the western hemisphere. Although it was correct for other regions of Colombia, it did not apply to what happened in Chocó. The

notion of a region in which land ownership was not sought and did not generate conflicts contradicted the explanation. There, the settlement patterns of formerly enslaved people that stayed in the rural areas after obtaining their freedom by escaping or purchasing it continued after the abolition of slavery. Those patterns showed a fluid occupation of plots and informal property regimes. In the interviews that I conducted in Medio Atrato, people described how informal property worked there traditionally. However, the urge to protect the resources used by Afro Colombian peasants from external threats of exhaustion generated by the logging industries triggered the mobilization of a group of peasants. They formed the Integral Peasant Association of the Atrato (ACIA) and received help from the Catholic missionaries, and members of an international cooperation project working in the area. They also captured the interest of a few government officers that sympathized with their cause. With that support, in the late eighties, the ACIA started working towards obtaining the title for their lands.

However, things did not necessarily improve for the Afro Colombian communities of Medio Atrato after obtaining the title. In the last part of the chapter, I will show how the initial purpose of titling to protect their lands and their access to resources, transformed into a struggle to protect their lives. The arrival of agro-industrial projects in the area came with the paramilitary incursion in front to assure land availability. There were some guerrilla groups in Chocó since the seventies but they had no other group confronting them, which made the place relatively peaceful. With the arrival of paramilitaries, the guerrillas and the army became more active confronting each other, and the civilians became part of the geographies of war in Colombia. Having the title meant that peasants could resort to legal mechanisms to avoid violent displacement.

But armed actors most often operated illegally and used the collective titles to target populations that wanted to fight to protect their lands. They murdered peasants and threatened people seen as an obstacle to control lands. The collective title came with the recognition of an autonomous governance for the Afro Colombian rural communities. They have asked for that autonomy, it was an accomplishment for the movement, but the autonomy also meant that communities had to assume state functions. In a context of war, it was even more challenging to manage the titled territories, and the communities repeatedly had to struggle to obtain attention from the national and even from the departmental and local governments to support them.

The Department of Chocó, and the Region of Medio Atrato

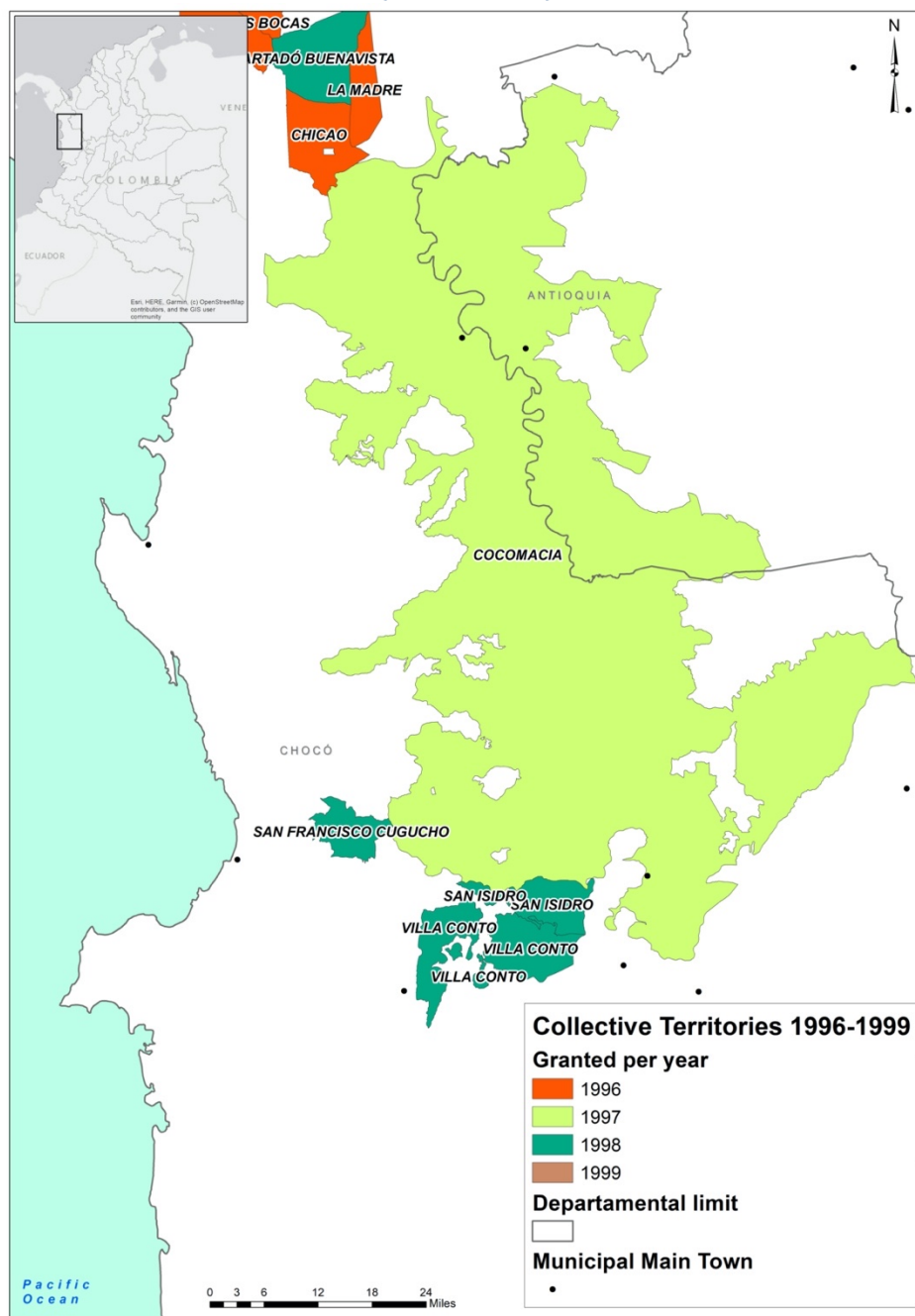
Chocó is one of the four departments on the Pacific coast of Colombia, its northern end is on the border with Panamá, and a small part goes to the coast of the Gulf of Urabá, in the Caribbean Ocean. At the southern limit, the departments of Valle del Cauca, Cauca and Nariño occupy the rest of the Colombian Pacific coast. At the eastern boundary are the departments of Antioquia, Caldas, and Risaralda, sharing the western Andes mountain range. One of the wettest places in the world can be found close to Quibdó, the capital of Chocó. That location has an average of almost 12000 millimeters of rainfall per year. The department is covered by rainforest, and it is a biodiversity hotspot. Robert West described the Atrato river basin as one of the best examples of the fluvial morphology of the Pacific lowlands (West, 1957).

The Atrato river has a length of 750Km that, by volume of discharge, makes it the largest river in Colombia. The source of the river is in the western Andes at 3900 m over sea level, and it flows into the Caribbean in the Gulf of Urabá. The widest part of the river

has 500 meters, and its deepest portion is close to 40 meters.⁷⁵ The amount of precipitation and the trajectory of the western Andes that goes parallel to the coast generates topographic conditions for the formation of many smaller rivers that feed the Atrato. The settlements in this area are located either along those smaller rivers or the Atrato river. The water bodies function as avenues for communication between communities. The main tributaries of the river are the Andágueda, Beté, Bojayá, Buchadó, Cabí, Cacarica, Capá, Domingodó, Napipí, Neguá, Muguindó, Murri, Opogodó, Puné, Quito, Salaquí, Sucio, Tagachí y Truandó. West concluded that the best lands for agriculture in the river basin were in the affluents of the Atrato that are less prone to flooding.

The Atrato river is divided according to its elevation into three geographical regions: lower, medium, and upper river basins. This chapter is centered in the area of Medio Atrato,⁷⁶ that corresponds to the medium river basin and goes through seven different municipalities, four of them in Chocó: Quibdó, Atrato, Medio Atrato, and Bojayá, and the other three in Antioquia: Vigía del Fuerte, Urrao, and Murindó. According to the 2012 report of the National Department of Statistics (DANE), 10% of the Colombian population self identify as Afro Colombian, which currently is an amount between 4 and 5 million people. There are almost 500000 people in Chocó, and 126000 of them live in Quibdó, the capital. Approximately 82% of the total population of Chocó self identify as Afro Colombians. Finally, by 2012, 43% of the total of collective titles in Colombia, nearly 5 million hectares of land, have been granted to Afro Colombian communities in Chocó, according to the National Administrative Statistics Department (DANE).

Map 15. Collective Title granted to the Major Community Council of Medio Atrato (Cocomacia)



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

1. The regional context that made Medio Atrato an Afro Colombian space

1.1. Montes and barbarians, untamed nature and uncivilized people: the devil's paradise

I went to Quibdó, the capital of Chocó, for the first time 11 years ago. My grandma was born there, and one of her nieces and some of her nephews still live there with their families. Yet, I had never been there, and my grandma, my father, and my aunt warned me not to go. My grandma lived there for just a few months after she was born. But her mother, my great-grandmother, was also born there and spent years in Condoto, her village, before meeting her second partner, my great-grandfather. After their two daughters were born, they moved to Valle del Cauca, another department in the Pacific. My great-grandfather died, and the family eventually moved to Bogotá, the capital of Colombia.

Like many other families that went from the *provincia*, a derogatory name for small or middle size cities, to the capital, they did so to pursue better living conditions for their families in the forties and fifties.⁷⁷ Grandma asked me what did I want to do in that *moridero*, by that she meant a place where one can only find death and misery. That is how many Colombians, even some Chocoanos like grandma, see or think about Chocó. People from other regions often celebrate the joy of the Chocoanos, their great carnival of San Pacho, their talented musicians, dancers, and athletes that have overcome the adversity of living there. Because Chocó also signifies corruption of their local politicians, unemployment, illiteracy, poverty and malnutrition rates, untamed nature, and unfathomable jungles. It is seen as place historically neglected by the Colombian governments. But it was not always a *moridero*, as Grandma called it.

There is a continuity in the ways Chocó is described and its landscapes are represented. In the XVIII century, the province of Nóvita, as they called the Atrato area, was described in a chronicle as full of *montaña* or *monte*: “it is all thick *montaña*, except for the few settlements. The *montes* are generally alike; swampy in the lowest areas and less in higher lands, except when they are along the coast, where they are clean and dry” (Cespedecia, 1983)⁷⁸. As I referenced before, the marginalization of these areas mean describing them as *montes* and places suited for uncivilized people (Herrera, 2002; Jiménez, 2004).

Mining has been the main economic activity there since colonial times, but other extractive practices such as timber,⁷⁹ *tagua*, logging, and, more recently, oil palm have prospered as well (Leal and Restrepo, 2003; Leal, 2008; Leal 2015). The history of mining brought contingents of enslaved population to the area after the indigenous populations were decimated and the few remaining indigenous peoples confronted the Spanish authorities.⁸⁰ In this context the colonial authorities realized the effectiveness of enslaved labor for mining and organized them in *cuadrillas* or groups usually formed by approximately 30 enslaved people commanded by the mine administrator (West, 1952; Sharp, 1976; Colmenares, 1979; Wade, 1986).

A significant number of enslaved population bought their freedom working in the mines during the time they had designated to rest, and continued working there to buy freedom for their families. After the abolition of slavery in 1851, some of the survivors of the slave trade formed a riverine pattern of settlement along the river basins of the department and in the coast (Aprile-Gnisset, 1993; García, 2003; Leal, 2008). This pattern persisted into the twentieth century: Afro Colombian villages are usually described as

“dispersed” because they did not place their houses around institutional buildings, as in the traditional Spanish settlements replicated in Andean cities and villages (Aprile-Gnisset, 1993; Herrera, 2002).

In the XVIII century, gold and platinum mining thrived in the region (Colmenares, 1979). The extraction of gold decreased in the XIX century, due to the exhaustion of the resource and the lack of technologies to make mining labor more efficient. The confrontations that took place during the war of independence from Spain also affected gold and platinum extraction. All of these factors induced the owners and managers of placer mining sites to abandon them, leaving the abandoned mines to former enslaved people and indigenous communities (West, 1957; Leal, 2008). Those mining sites were controlled by former slaves and their families, and the scarce minerals extracted were sold by them to the elites that remained in cities like Quibdó or Barbacoas, as Leal explains (Leal, 2018). However, national initiatives like the Chorographic commission described Chocó as wild deserted area because it was mostly inhabited by indigenous and black communities, according to the liberal racism ideology of the time (Appelbaum, 2016).

1.2. States of civilization: Cities and agriculture to civilize nature, missionaries to civilize the souls

After the war of the thousand days ended in 1902, and the separation of Panama in 1903, Rafael Reyes became president in 1904 and, in 1908, commanded the mission to the catholic order of the Sons of the Immaculate Heart of the Blessed Virgin Mary, also known as Claretians, to civilize indigenous communities. Reyes worked during his five years of presidency to bring reconciliation through narratives of resource management and development without politics. He believed in development through colonization of

unexplored areas as Chocó, Putumayo, and the Amazon. During his presidency, Reyes separated Chocó from the Cauca province and declared it an independent administrative jurisdiction known at the time as an *intendencia*.

These jurisdictions were similar to departments, but had a lower administrative status, the only authorities were an *intendente* and a council, appointed by the central government to represent it without any decision making power in the areas. The dispositions related to these territories were taken by the Administrative Department for *Intendencias*, an office of the central government. Reyes also envisioned to build the Atrato-Truando canal, which, after the separation of Panama from Colombia, would make this area strategic for international commerce. Reyes sent the missionaries to start working towards development transforming the ignorant and immoral indigenous and black population into catholic citizens who would serve to the progress of the nation (Bushnell, 1993).

Subsequently, the successors of President Reyes also took an interest in civilizing nature and the population of Chocó, giving the task into third parties such as the catholic missionaries, explorers, and miners. According to Leal, between 1910 and 1930, the rise of platinum extraction and commercialization generated an important growth in regional and national economies. The problem was that this occurred while Colombian governments struggled to stabilize the economy and supersede the extractive models stemming from the unfortunate experiences of boom and bust with quinine and tobacco during the second half of the XIX century (Leal, 2009). By the 1920s, coffee production had become the center of Colombia's economy and the focus of the government's efforts to regulate growth and development. The money brought by the rise of platinum extraction benefited the mining

industries and, to less extent, the population of Chocó, but the government missed the chance to regulate this industry, loosing money on royalties⁸¹ and control over the economy of the region (Palacios, 1979; Bergquist, 1999; Leal, 2009).

During the second half of the XIX century the work of the Chorographic Commission, along with the numerous plans to build cities in Chocó, reflected the interest of the state and the knowledge acquired of this region and its resources (González Escobar, 1996; Appelbaum, 2016). The formerly enslaved people that were so valuable for gold and platinum extraction escaped from forced labor and hid in uninhabited areas in Chocó with their families. They and their descendants ended up working for the few miners left after the independence from Spain in 1819, and the abolition of slavery in 1851 (Leal, 2008, 2009). The promulgation of the 1886 Constitution reinforced the Catholic character of the Colombian state. Consequently, when President Reyes sent Claretians to take care and transform the souls of the Chocoanos into Catholic citizens, he was entrusting them with that task in the representation of his government. The governments that followed President Reyes also tried to build cities on the coast, to improve agriculture there bringing banana crops to the north of Chocó and even intended to build a new canal to compete with the Panama Canal (González Escobar, 1996; Lasso, 2019; Ballvé, 2020).

They also gave the first licenses for resource extraction to mining companies that were in charge of the economic life in Chocó, where mining and *tagua* recollection thrived. During at least half a century, the catholic church and the urban elites were part of the state as a structure because they shared the civilizing agenda. However, the extractive economy in Chocó unfolded, and the projections to build cities and roads in there failed. As a consequence, national politicians used those as reasons to remain silent and left matters of

Chocó and its people to the recently formed local elites and state-like institutions like the catholic church that sought to organize social, moral, and spiritual life of people (Ballvé, 2020). The resolution of centralizing the state and the liberal racism of those days explained the strategies to manage regions as Chocó with enough distance and indifference but having them controlled enough to favor the consolidation of a modern elitist state in Colombia.

1.3. How to create a moridero: A small urban elite and a group of rainforest peasants

In 1942 Jorge Mendoza Nieto published the *Illustrated Geography of Chocó*, that along with similar publications explain the spatial features and its resources, seeking the ways of progress and development for the *intendencia*. These ideas often found an obstacle in the population of Chocó, characterized as too indifferent and lazy to accomplish such purposes. The solution was, according to the explorers, to motivate immigration, allocate empty lands, build roads to transform Chocó, taking advantage of its minerals and “despite the ferocity of its terrains” (González Escobar, 1996: 38). The growing economy of platinum and gold mining generated a new generation of miners and traders, some of them Afro Colombians, that started to form an elite that embraced these ideas.

As a consequence, although liberal racism was still present in the project of transforming Chocó despite its inhabitants, it intersected with a class distinction between the new urban elite and the rural population. These new local elites started to participate in politics and to form bureaucracies. They were all men, most of them belonged to the liberal party, and some of them became part of the conservative party, the most important political forces at the national level. After numerous public discussions that lasted for a couple of decades, they worked towards the creation of the department, and obtained it in 1947,

which meant establishing bureaucracies in the new administrative unit. Nevertheless, this did not mean a closer relationship with the central government, on the contrary, it was precisely the way in which the national government, now centralized, left the locals to manage the state presence in the department. Those local elites maintained the state services centralized in Quibdó, and traded minerals and other materials extracted in rural areas with peasants that lived there. Those elites established relationships with rural areas and were plenty aware of people living there (Leal, 2018).

In 1958 a group of scientists that included the geographer Robert West⁸², gathered in Quibdó for the *Tropical Wetlands Symposium* which, according to Gonzalez Escobar, changed the perception of Chocó radically. They presented their research on geography, biology, anthropology, and mining among other topics, and for the first time, exposed the particularities of the department, referring to them as its diversity (Gonzalez Escobar, 1996).

Despite the accumulated knowledge about the region and its people, after the symposium, law 2nd of 1959 declared the entire extension of Chocó and part of the other departments in the Pacific coast as *baldíos*, or empty lands formed by a reserved forestry zone. There is no evidence of any exchange between the scientists that participated in the symposium and the congressmen that launched the law, or of the motivations for this ruling that sought to preserve biodiversity by declaring these lands as empty, obliterating the people living in the rural areas of the Pacific.

In theory, rural lands that were owned by private individuals would either be bought out by the INCORA to make them part of the preserved areas or would be excluded from the preserved areas because they were private property. However, the Colombian Institute

for the Agrarian Reform (INCORA), the government office in charge of those procedures, did not recur to any of them in the Pacific. There is no evidence of any land sold to INCORA or of anyone contesting the preserved area designation arguing to be a private owner and, therefore, asking to be excluded from it. There was not much activity for the INCORA in Chocó because there were no agrarian conflicts in the department that invited the participation of that office to solve them. The main economic activities there were extractive, and people involved in those activities were interested in obtaining licenses to extract resources but not in becoming owners of the lands where mines were located, as will see further in this chapter.

In these circumstances, the rural areas of the department were inhabited by rainforest peasants' families, a few local authorities, and the Catholic Claretian missionaries. While local authorities remained connected to the regional government in Quibdó, the mission of the Claretians went through a significant change that affected their missions in Latin America. The Second Ecumenical Council of the Vatican that took place from 1962 to 1965, sought to adapt Catholic church to the rapid changes of society during the XX century, but a group of Latin American bishops, among them the Brazilian Helder Câmara, found it insufficient to tackle poverty and inequality in that region. They organized the meeting of Medellín, Colombia, in 1968 to make an official collective statement about those problems. Part of the need to make a clear statement was to react to the reception that communist guerrilla movements were having in Latin America. La Rosa has stated that Catholic church authorities in Latin America were afraid of the communist revolutions and tried to distance themselves from any of their ideas (La Rosa, 2000).

In Colombia, at least two Catholic priests became part of communist guerrillas at the time, another reason why Catholic authorities were trying to sympathize with some of their causes while avoiding the armed and revolutionary aspect of them (La Rosa, 2000). The commitment to attend to the poor increased for Catholic missionaries, and in Chocó Gonzalo de la Torre, a priest who was still around during my visits, was commanded to the area and eventually appointed the provincial head of the Claretians there (Gaviria Pérez, 1980; Hernández Ospina, 2010). Father De la Torre reformed the work of Claretians with the rural communities in Medio Atrato and gave a new character to their mission. He also ordered the devolution of land given to the Claretians by the Colombian government to indigenous communities, closed the boarding school for indigenous children, and forbade cutting the hair of indigenous people without their authorization, which priests used to do in their schools (Ferro, 2009). De la Torre adopted practices of enculturation, to recognize the local culture and incorporate its practices in Catholic rituals (Gutierrez & Restrepo, 2017). Furthermore, he initiated working with grassroots groups known as base communities, which eventually became an important element for the formation of the Integral Peasant Association of Medio Atrato (ACIA) in 1987.

The growth of an urban elite of politicians and a rural population attended mostly by the priests generated a distance between the two contexts. Nowadays in the small hamlets along the Atrato River, people say that politicians from Quibdó go to the rural areas during their campaigns to obtain votes but rarely would go back to take care of the needs of the people there. During one of my visits to Tagachí, one of the hamlets on the Medio Atrato area, I noticed some workers were building a dock next to the place where boats used to stop to leave people and goods. I was walking with a friend, and when we asked

around about the new dock, people told us that it was a gift, which sparked our curiosity. They introduced us to the engineer in charge of construction of the dock, and he told us that he was commanded to build it because the mother of the mayor of the adjacent municipality was from Tagachí, and he decided to give the hamlet a new dock to honor his mother.

The type of relationship that people have built with the state in Chocó is, as Gupta described, deployed in everyday lives and bureaucratic procedures, and cross-cut by kinship and political clientelism (Gupta, 2012). In there, the moment you occupy a position of power, you are expected to use it as a way for social mobilization and resource redistribution, even if you have to do it through corrupted mechanisms. There is no social sanction to this behavior because it is a shared practice, it is what everyone does when the opportunity presents, hence it is not condemnable because power will eventually rotate to someone close that might favor you in a growth coalition type of relation. Maintaining these practices became the only mechanisms of distribution of power and wealth, in a department with historically high unemployment rates and where the state is the largest employer (DANE, 2018⁸³)

For rainforest peasants in Medio Atrato, the state was a source of redistribution through kinship or camaraderie; and that is how the distance between local politicians and rural people would eventually decrease, improving the lives of some peasants. They received services from state bureaucracies when the gap between local politicians and bureaucrats was smaller and obtained fewer services when other families or groups were governing. Elites in Bogotá and other main cities of Colombia condemn these practices while referring to Chocó as a *moridero*, or a place forgotten by the Colombian state where

only corruption reigns. National elites distanced themselves from local politicians of Chocó by reproducing the colonial racist geographical division between cities located in the highlands where transparency works, and towns and villages in the lowlands where there was only corruption and no vocation of progress, as travelers said in the nineteenth century. That image leaves outside things like the blatant corruption of national elites and the scarce redistributive mechanisms available for people in the lowlands, but also the structural racism that rural Afro Colombian communities often have had to navigate.

In rural areas of Chocó, there were groups with state functions, like the Boards of Communal Action or JACs (*Juntas de Acción Comunal*, in Spanish) in rural communities (Ruiz Serna, 2010). There were also policemen and teachers in the municipal main towns. However, there was no regulation of the extractive economies, nor industries or other forms of employment and redistribution in Chocó. The state in there was composed by some rural officers and a local urban elite that aspired to participate in national politics of development through interventions in Quibdó, or sometimes in rural areas deemed apt for agro-industrial projects, like Urabá, in the northern area of the department. But most of these local elites remained local because they controlled the inter departmental commerce and worked only with the local or departmental government. They did not control extractive economies, not were they interested in building infrastructure in the rural areas. In that context, local urban elites created their means of redistribution through corruption and favoritism. From the sixties to the eighties the distance between local urban politics and campesinos became bigger while the social movement grew, before the armed conflict violence irrupted and altered the power distribution and all the social relationships in the area.

2. Resource extraction needs access not property: Rainforest campesinos claiming territory, not seeking land

Since the consolidation of the independent republic in the second half of the nineteenth century, the rainforest peasants that occupied rural areas of Chocó were dedicated to resource extraction. Most of them were indigenous or former enslaved population, and did not participate directly in the agrarian conflicts that originated both the modern Colombian state and its modern armed conflict, mainly because they did not need to participate in formal property regimes to work on resource extraction. Scholars that have worked on the history of the Afro Colombian movement, the ethnic recognition and the political ecology of resources management in Chocó have affirmed before that Chocó was not part of the colonization endeavor of the Colombian government during the late nineteenth and early twentieth century.

Studying the consolidation of mining and *tagua* extraction in Chocó, Leal states that the scarcity of good soils, insufficient sunlight, and high rainfall limits agricultural productivity in the region (Aprile-Gnisset, 1991). However, the upper basins of the rivers were historically identified as containers of gold and platinum, and the rainforest provided logging, tagua, timber, and hearts of palm, resources with high demand in different moments of the twentieth century (Leal, 2008, 2018; Oslender, 2016). Subsequently, Leal highlighted the importance of the work of Catherine LeGrand, *Colonization and peasant protest in Colombia 1850-1950*, published in 1988, but explained why the premise of the book did not apply to the Pacific.

In her book, Legrand analyzes how the colonization processes generated inequity in the distribution of empty lands and conflicts over land ownership in Colombia that later contributed to the origins of violence and the armed conflict in the country. Leal affirms that even though there were some settlement processes in the Pacific lowlands at the time studied by LeGrand, her conclusions cannot be extended to this region because no major landholders were interested in it, and peasants were not forced to struggle for land property or to obtain title deeds at the moment (LeGrand, 1988; Leal, 2008).

Leal then shows how mining and tagua extraction created conflicts between previous and newer settlers, but those conflicts were not related to property for two main reasons: First, it was easier to extract tagua from tropical forests on empty lands than to become land owners of unproductive terrains, as it happens also with expensive woods like the mahogany (Rudel, 1989). And second, mining permits were obtained over subsoils and there was no need to also owning the lands that, again, were not useful for agricultural production (Leal, 2008). The conclusion reached by Leal sheds light on why the government only titled few tracts of land in rural areas of the Pacific during the first half of the twentieth century. Meanwhile, in other parts of the country, identified as agrarian frontiers, the state launched significant efforts to colonize lands by granting titles to private owners.

Declaring lands occupied by ethnic groups as empty, as the government did in Law 2nd of 1959, was a measure taken by state governments in Latin America and other parts of the Global South at the time. The general pattern is that less populated and forested places lands were declared public, as it happened in places like Brazil, Indonesia, or the Democratic Republic of Congo (Rudel & Hernández, 2017). In Colombia, when the

Congress launched that law, they disregarded the previous settlers that had been counted at earlier censuses⁸⁴, and whose existence was documented before. Most of those settlers were black people occupying the place historically since colonial times.

However, the effects of Law 2nd intended to preserve forests, to control extractive economies were null because the mechanisms ruled to protect the areas were never applied in the Pacific. Those economies grew in places where the government used what McElwee, in her research about forest protection policies in Vietnam, has defined as the environmental rule. According to McElwee, the environmental rule is a set of decisions taken by arguing concerns about nature preservation but intended more to intervene in the landscape and the social life in specific areas (McElwee, 2016). In this case, the decisions made by the government seemed to favor extractive industries of logging and mining by ignoring the previously accumulated knowledge about rural settlers and the relationships that local politicians had established with them (Leal & Restrepo, 2003; Leal, 2018).

Aprile-Gnisset studied the settlement patterns along the Atrato river basin in the XX century and, like Leal, he described the low quality of the soils for agriculture and the high rainfall. For him, that prevented peasants from having a sedentary life and consolidate a system of institutions based on land property. In these circumstances, registering and obtaining title deeds to legalize ownership over plots of lands to later transfer property was not a concern for rainforest peasants. The author affirms that different from what happens in traditional agricultural areas, in the middle Atrato river basin, the activities of production were destined to domestic consumption and not to regional markets. He states that the villages and hamlets, located along the riverside, remain connected through the river and

its tributaries that also connects them to Quibdó, the capital of the department, and its only city (Aprile-Gnisset, 1991).

Similarly, Valencia and Villa described how the growth of industrial banana crops⁸⁵ in the northwestern part of Antioquia displaced people to Chocó during the fifties, mostly to the lower Atrato river basin. Silvio Garcés, a person who has worked from different government positions on topics related to ethnic and land rights for Afro Colombians, mentioned in an interview that the INCORA conducted state-led colonization initiatives in the late seventies and early eighties. They motivated migration of peasants from Córdoba, a department located in the northwestern part of the country reaching the Caribbean coast after Chocó and Antioquia, to occupy the northern part of Chocó, in the areas of the Darién Gap, and the lower basin of the Atrato river.

Garcés confirmed the statements of Valencia and Villa that recount how in 1959, some peasants came from the departments of Córdoba and Sucre to the Darién and Urabá area attracted by an INCORA project called “Proyecto Chocó No. 1” conducted in 1963 (Valencia & Villa, 1991). It was a project funded by the Colombian government to promote livestock, in agreement with the US government, to transform the area in a foot-and-mouth disease control zone towards Central America, which consolidate cattle ranching in some sections of the Darién area. However, as other initiatives from the INCORA, this one also did not help to strengthen a peasant economy but produced an accumulation of land used in cattle ranching. “Proyecto Chocó No. 1” generated the conditions for cattle ranching, then landholders bought those lands and brought more cattle displacing more peasants during the seventies and eighties. Those peasants moved to different areas, some of them to the lower Atrato (Valencia & Villa, 1991: 236). Garcés mentioned that it is not clear if

the INCORA offered title deeds to these peasants⁸⁶. Still, they did not have them later when INCODER conducted the technical visits to grant the first Collective Land Titles.

Valencia and Villa explained that the colonization patterns in the low Atrato river basin depended mainly on the possibilities of being hired by the logging industries. Between 1957 and 1968, nine sawmills started to work in that area. However, they did not hire peasants as labor force, only as suppliers of sawn timber to vendors that transported by river to Cartagena on the Caribbean coast or to Turbo in Antioquia (Valencia & Villa, 1991). In 1964, the government tried to improve peasants' lives by promoting agricultural plans like the one started by the cocoa growers federation to develop cacao tree crops in the low Atrato river basin area, granting them small loans to invest in their plots. However, those programs failed when the yield was far less than expected (Valencia & Villa, 1991; Aprile-Gnisset, 1991).

They compared this pattern with the one established in the middle Atrato river basin, where there is a rotation of activities in different plots with different phases of productivity, a practice learned from the indigenous communities. Familial plots, distributed along the river basin, alternate between extended families, resulting in an average of 5 hectares used per family. There is no land scarcity because familial units did not produce a surplus for the market, the logic is not to increase their production but to maintain the lands for alternation between different productive activities: agriculture, artisanal mining, resource extraction, and fishing. When I visited the area, people constantly refer to family plots located in the *montes*, far from the river and into the dense forest. I would ask how they can be sure that people would not grab their lands, and they

said all of them know the plots that belong to each family, but there was no need for title deeds because they would let other families use them if they needed to.

For Valencia and Villa, the labor force came mostly from within the family or by exchanging labor with other families in the community, what peasants in the area called *mano cambiada*, or exchanging hands (Valencia & Villa, 1991). Those authors affirm that “in theory, there is an endless area down the hills where they potentially could expand their plots; however, it would make no sense to cut rainforest trees only to extend them.” (Valencia & Villa, 1991: 244). For Leal, there were some commercial exchanges between peasants and urban elites of Quibdó that allowed peasants to have money and establish a relationship with the city (Leal, 2018).

Peasants preserved the rainforest as one of their livelihood sources. Valencia and Villa described four different activities from which rainforest peasants in the middle Atrato river basin would obtain resources: agriculture, artisanal mining, resource extraction, and fishing. According to members of the community, they only cut down the trees needed to build houses and fabricate household items, and canoes, paddles, levers, and oars. Moreover, they would cut down only adult trees guided by the phases of the moon, and respecting the trees that have been marked down by another member of the community. However, they recognized that during the eighties and nineties, some people in the community have cut down trees to sell to the sawmills because it has become a highly demanded resource.

Despite their stability, after the sixties, the situation became more complicated for peasants in Chocó because there was a significant decrease in the production of food and an increasing threat of deforestation coming from the sawmills located in the northern area,

in the lower river basin. Leal and Restrepo's research shows how, in the lower Atrato region, as the logging industry grew, the government gave permits to logging companies to exploit the rainforests. As I mentioned before, peasants there would only be intermediaries to take sawn timber to traders and transporters, but the sawmill owner and the company would profit from the forest (Leal & Restrepo, 2003; Valencia & Villa, 1991). Those practices constituted a threat for peasants along the Atrato river because as the resource became limited, logging companies started to move south to find more trees to cut.

By that moment, rainforest peasants could not migrate somewhere else because the agricultural frontier in the rest of the country was almost closed. Having access to the rainforest and the river was crucial for them in conditions of low agricultural production. Subsequently, for rainforest peasants, the problem was not owning land but securing their access to resources in the forest and the rivers that allow their subsistence (Villa, 2001). Leal and Villa emphasized this difference as a way to understand the processes that would make ethnic recognition and land titling possible in the nineties. Both of them point out that the struggle in the Pacific lowlands, and particularly in Chocó, was broader than a struggle over land ownership, as suggested by Peluso and Ribot in their theory of access:

“Access is about *all* possible means by which a person is able to benefit from things. Property generally evokes some kind of *socially acknowledged and supported* claims or rights -whether that acknowledgment is by law, custom, or convention. Right-holders enjoy a certain kind and degree of social power. The rights associated with law, custom and convention are not always equivalent. Some actions may be illegal under state law, while maintaining a socially sanctioned base in customary or conventional realms of collective legitimacy, or vice versa” (Peluso & Ribot, 2003: 156)

The mobilization that led to Collective Titling in the middle Atrato river basin started with a conflict for access and not ownership, and not for being included in the agrarian reform that peasants were claiming in the rest of the country. Some of the leaders of the movement interviewed for this research mentioned that, before being part of the Afro Colombian movement, they were members of the national peasant movement, and they were aware of the struggles that were taking place in the rest of the country. Nevertheless, they referred to lands in ways that included forests and *montes* around them. None of them talked about land property demands as land for those who work it, or in any of the ways that the leaders of the peasant movement did in other parts of Colombia during the second half of the twentieth century (Rivera Cusicanqui, 1987; Múnera, 1998).

The movement then started as a struggle for the possibility of having access to resources and preventing others from accessing them. Hall, Hirsch, and Li took the definition of access and added the notion of exclusion to it (Hall, Hirsch & Li, 2011). They suggested that it is not only about being able to benefit from things but also about “the ways in which people are *prevented* from benefiting from things (more specifically, land)” (Hall, Hirsch & Li, 2011: 7). The transition between the struggle for access to resources to the claim for territory is known among community leaders as the organization process, and it was led by the Integral Peasant Association of the Medio Atrato, ACIA.

2.1. How to access resources within informal property regimes

Losonczy described the settlements in the Atrato region as fluid, since they did not respond to any type of urban concentration. Instead, they were placed linearly to allow easier access to resources and mobilization along the river. However, the pressure of state

and non-state institutions such as the school and the church, have transformed the occupation patterns. During the nineties, the armed conflict also modified the settlement distribution, making people want to live closer to others in case of any external threat (Losonczy, 2006). The processes of Collective Land Titling (CLT) added a layer of state recognition to the previous property regimes, but did not change them. Before the ethnic recognition and the granting of collective titles, the land was distributed between families, and ownership was recognized informally by the community.

When a member of the family, usually a man, made use of previously unoccupied lands, he and his family could continue using the lands and in that way they were recognized as the owners of the parcels where they had crops. Since the presence of authorities in rural areas was scarce, only a few people had title deeds, and the recognition of ownership was not legal but part of customary rights system. If necessary, the first one to declare property would give a letter as deed to his family or if he had sold the land to another family, he would give a receipt as proof of the transaction. Members of the community use certain species of plants as markers to enclose their property (Camacho, 1999; Losonczy, 2006). Those practices continued after obtaining the collective titles, and one of the objectives of Law 70 was to protect Afro Colombian communities through the preservation of their traditional practices, given by the informal titles.

I confirmed the continuity of these practices to mark property rights within a customary regime, in one of my visits to the middle Atrato area, when I asked a group of women if I could participate in a journey to plant rice. They warned me that they planned to start navigating before 5am and were surprised that I was willing to join them. There is a clear gender division in rice cultivation: first men clean the terrains, leaving the seedbed

in a small area; then women take the seeds and distribute them wider to occupy all the plot. Months after, men harvest the rice and women and children are in charge of cleaning the rice. Our task was to remove the seeds from the seedbed and plant them in the previously cleaned terrain that belonged to the family of one of the women in the work party that morning. The seven of us got into a small canoe, they put me in the stern knowing that I would not be of much help to row, and they gave me a children size oar, reinforcing their perception of me as inexperienced in the jungle as a child.

As we advanced, they were showing me around, listing the families who owned each piece of land along the river. I had to ask why there was not sign or barbed wire or anything that marked the limits of the plots. To make it easier for me, Marisela, one of the ladies in the canoe, told me that the parcels were divided in the same way as in the cities, with streets and avenues. She said that they use plants and trees in the same way that people see streets in a city, the plants and trees are aligned to facilitate its location to owners and occasional workers. The boundaries were usually big size trees called *nacaderos*⁸⁷. In another occasion Don Rícael, also mentioned *nacaderos* as big trees used as boundary markers. He said that there was a difference between male and female *nacaderos*, and that he rather liked using male *nacaderos* because its branches do not fall and transform in roots, making it difficult to mark the parcels. Don Rícael also told me about strategies to keep their lands safe from intruders wanting to steal fruits or any resources from the land. One of them was to “grab the trace”, which meant taking the piece of soil with the footprint if the intruder and using it to inflict pain through witchcraft⁸⁸.

The marking practices that those peasants described showed me the fluidity of the property regimes in which land is perceived as a resource to share within the community.

In this case, these lands are not seen as financial assets because, even before the collective title, they were excluded from the market by law 2nd of 1959, which declared them empty lands formed by preserved forests. Moreover, as I explained before, there was no interest in becoming a landowner in this part of the country, only in extracting its resources; therefore, there was not even an informal market of lands. After people were settled in this area, the interest of access remained despite that there were only a few lands suitable for agricultural production.

There was a division between communal forests in which anyone could exploit timberland, river beds to extract gold or platinum, and parcels that belonged to families or individuals that used them to cultivate rice or sugar cane. In those parcels, the production practices were shared within the community, recognizing and marking it according to rules of customary land ownership. Leaders of the social movement there referred to the collaborative practices in agriculture as an ethnic characteristic: The *minga* and *mano cambiada*, meaning working in groups rotating the tasks and paying back with labor to people that worked in your parcel before. The idea of working someone else's land did not create a problem in terms of ownership because lands were not assets to produce capital, only what could be produced or extracted from them, and then sold had that potential.

The recognition of informal property did not change with the collective title because it sought to capture the living conditions of these communities at the moment of the ethnic recognition. The practices of shared labor helped to maintain these regimes fluid in the case of Medio Atrato within the limits of their territory. However, despite being excluded from the market, these lands were still part of an extractive economy in which gold, timber, and to a less extent, coca leaves were products with a high commercial value⁸⁹. When Afro

Colombian communities mobilized to control access in their zone of influence, they also consolidated their political position in the region. In 1997, after they received the collective title and their lands were excluded from the market by law, they became of interest for development projects, which meant a transformation in the political economy of the area, and the definitive inclusion in the geographies of war.

2.2. Integral Peasant Association of the Atrato (ACIA)

In the late eighties, the Colombian government identified the Pacific region as a commercial hub, which prompted plans to build roads, ports and bridges that connected it with the rest of the country and with international trade systems. Simultaneously, they granted permissions to mining, logging or oil extraction companies to extract raw materials from the region (Leal,⁹⁰ 2008; Escobar, 2008; Asher, 2009; Cárdenas, 2012). In 1992, after the United Nations conference in Rio de Janeiro, the members of the UN launched a report in which they highlighted the need to establish a connection between economic development and environmental conservation.

Simultaneously, international development organizations incorporated social justice and conservation in their mission statements. The discourse of the government officials then went from modernization of the region and extraction of resources at the expense of the nature there, to one of sustainable development. Colombia entered in different biodiversity conservation projects focused mainly in the Pacific region where black communities were the majority of the population (Leal, 2015). In an international context in which sustainable development became the hegemonic narrative, these

organizations described ethnic communities as having traditional cultural practices that preserved complex and delicate ecosystems (Cárdenas, 2012).

At the same time, neo-liberal reformers decentralized the state. These reforms reached marginal regions and improved democratic strategies, but they also reduced financial resources for state offices and programs (Dagnino, Olvera, & Panfichi, 2006). Facing diminished resources, the alliances that officials of the Colombian state made with private enterprises to give them licenses to exploit resources continued and sometimes were extended (Leal & Restrepo, 2003). The reforms and presence of outside investors also opened the opportunity for the Afro-Colombian movement to become an active interlocutor for the State, not only through recognizing rural black communities as ethnic groups, but also granting them territorial rights (Escobar, 1995).

In 1982, Claretian father Gonzalo de la Torre started to organize workshops called ecclesial grassroots groups (CEB, *Comunidades Eclesiales de Base*) where each community would present their problems and received continuing education from the catholic priests. Restrepo affirms that the catholic missionaries received bad judgements from politicians and businessmen for becoming allies to the communities. The anthropologist stated that both politicians and businessmen criticized them because the missionaries opposed to the racist hierarchical division by which indigenous and Afro Colombian did not receive the same services from the state and receive what for them were unjust payments in exchange for their resources. Meanwhile, elites benefited from the structure reinforced by extractive economies (Restrepo, 2010). They decided to have a peasant organization associated with the catholic church to discuss community issues and be trained as community leaders. People in the CEB meetings talked about deforestation

and other problems. By sharing those concerns, they became aware that in various communities logging companies like Pizano, Cartón de Colombia (Colombian Cardboard), and Maderas del Darién (Darien Woods) hired peasants to open paths in the forests and show the loggers the good trees to cut down for wood (COCOMACIA et al., 2002; Gutierrez & Restrepo, 2017). After a couple of years of attending the workshops, peasants realized they shared the same problems and started to formalize their organization as a peasant association.

In 1985, a group of peasants of the middle Atrato participated in a meeting with Boards of Communal Action (JAC, in Spanish) from the lower Atrato area⁹¹, where they received first-hand information about the forest exhaustion experienced in the lower river basin area. After the meeting, they started to discuss possible strategies to confront that threat. They met with departmental and city government officers and even traveled to Bogotá, the capital of Colombia, to discuss their needs and demand attention to their issues. The association of peasants knew that they could not stop those companies by claiming private property because the places where they lived were included in the protected area determined by the Law 2nd of 1959. Nevertheless, they were aware that INCORA had the option to extract areas from protected zones, but only for agricultural purposes, and their lands did not fit right into the character of a traditional farm dedicated to agriculture (COCOMACIA et al., 2002). They still considered requesting individual titles over their titles. However, they realized that if they processed the paperwork to title their familiar plots they would be granted with much less land than they would via Collective Titles. Furthermore, they still would not control the resources obtained from the forests, which was the area more at risk.

After numerous meetings sharing concerns about the threats of deforestation and the possibilities to confront them, in 1986, the group of peasants decided to name their organization Integral Peasant Association of the middle Atrato, ACIA, or *Asociación Campesina Integral del Atrato* in Spanish. The chosen name shows two aspects related to the struggle of the organization: Peasant and Integral. In collaboration with the Claretians, the members of the organization decided to reinforce their peasant identity, since the ethnic component was not part of their narrative yet⁹². However, not long after choosing the name, they received help from indigenous communities and lawyers that worked with indigenous groups of the area, with a long tradition of social mobilization. These allies explained how characterizing peasant communities as ethnic minorities could help them to demand control over their territories in a similar way that indigenous communities⁹³ control their *resguardos*. Since this happened after they have named the organization, and the ethnic component was not still consolidated among peasants, they decided to keep the word “peasant” in the name of their association.

The word integral refers to the work that communities had done with the Dutch international cooperation during the eighties. Like Escobar did before, Restrepo affirms that in Colombia, the Pacific region became a developable area during the eighties. The project conducted by Dutch technicians pertained to that region, and it had significant impacts on the organization of peasant communities and in the struggle to obtain their collective title (Restrepo, 2010). After the Dutch and Colombian governments signed an agreement, an international cooperation project brought a team of technicians from Holland to the Pacific in 1979 and started to work with peasants in 1980. It was called the international cooperation project of Integral Agricultural Rural Development, or

Desarrollo Integral Agrícola Rural, DIAR. The project worked in the middle and lower Atrato river basins. According to the documents of the project, integral meant a holistic perspective of development that considered dimensions of social life beyond productivity or supplying the infrastructure needed for productivity. In the Pacific region, it meant the articulation of peasants to the national markets, but also educational plans and reinforcing national institutions.

Restrepo affirms that the concept of integrality was part of the history of development and development projects in which integral became widely used in the seventies and eighties to seek economic development beyond productivity for the communities that the aid workers and technicians were intervening (Restrepo, 2010). The project had a significant impact on the middle Atrato river. When I worked as an ethnographer with Restrepo in a research project that traced the effects of the DIAR in the area, and people referred to the Dutch nostalgically, asking if they were planning to come back. Most of them remembered how they would give the tools, seeds, and technical support to work in their crops, to store the produce and sell it later. Furthermore, most people have an image of technicians traveling in boats in the Atrato river with big bags full of cash to buy the rice to peasants, which was very uncommon for the peasants. It was also evidence of the problems of redistribution in the area. The research about the DIAR concluded that although the project did not accomplish its objectives towards development, it had unexpected impacts over the peasants' organization and their claims to control access to their resources.

One of those impacts was that it consolidated the notion of cooperative work, which became a pillar of the social movement. Along with the sense of community that the church

grassroots groups generated, both allies contributed independently to the social mobilization and eventually converged in their interest in the success of the peasant movement ⁹⁴(Hernández Ospina, 2010). It was not only them sharing their problems; the cooperative work done in the years of the DIAR showed people how their collaboration could help them to have a better position as a collective in the market, at least while the market that the project ended up sustaining existed⁹⁵. But most importantly, one of the purposes of the project was to establish communal forests based on the remaining need to cut down some wood to fabricate houses and small boats, and supply income in areas where agricultural production or mining was not enough for peasants. The second principle of the communal forest was to have better social control of the ecosystem that secure regeneration and sustainability of resources. Finally, through the establishment of communal forests, they would guaranty reinvestment of earnings of any commercial activities in improving their communities (Hernández Ospina, 2010).

The idea of communal forests was compelling at the moment. Still, project officers realized that to be able to consolidate those principles, they needed to secure that the peasants owned the forests. Consequently, the people involved in the DIAR started to refer to communal forests as an innovative agrarian reform at the same time that the community founded the ACIA, and was trying to establish ways to control their area beyond individual plots. The convergence of these two purposes even changed the relationships between technicians and the priests and missionaries that worked with communities, that were not amicable at first (Gutierrez & Restrepo, 2017). The technical knowledge from project managers became handy when they sat down with peasants to start mapping out the extension of those areas, giving them a concrete tool to claim control over them. Moreover,

since the project was an agreement between governments, the project helped to reinforce the contacts between the peasant association and the National Planning Department, where some officers were interested in the development of the Pacific region.

2.3. The Buchadó agreement and the Collective title: from access to territorial claims

Those meetings took place in 1987. One of its conclusions was that the association of peasants needed to request the legal recognition of their organization. They started to work on it and obtained it in May of 1987. In June of that year, they held the Middle Atrato second peasant meeting, described as a pivotal moment for the association. They manage to gather representatives of 35 towns located along the river, but also National Planning Department officers, representatives from the environmental corporation of Chocó, CODECHOCÓ, officers of the DIAR project, a member of the regional indigenous organization Embera Wounaan, and Catholic missionaries (COCOMACIA et al., 2002).

With the materials produced by the association and their allies, communities pushed to obtain recognition as managers of the area where they lived and earned their livelihood. The most important result of the meeting was the Buchadó agreement, by which the Colombian government recognized the informal property regime in the area, and communities as owners. Additionally, the government publicly supported ACIA's initiatives to guard and monitor natural resources, but also to communally use them within the marked area. The government officers committed to taking peasants' demands to CODECHOCÓ, the office that managed the preserved area defined in the Law 2nd of 1959. Moreover, peasants also demanded to legally extract from the protected forest zone demarcated by that law, the area defined by the association and its allies. That area would

be destined to conduct a program of communal management of natural resources in which communities would be supported by CODECHOCÓ and officers of the DIAR project (COCOMACIA et al., 2002).

By July of 1987, CODECHOCÓ presented a document of conclusions of the agreement. However, the association of peasants rejected it and requested a new meeting that took place a few months after in the town of Bellavista, located in the northern part of the Atrato's middle river basin. The latest meeting gathered representatives from ACIA, the National Planning Department, CODECHOCÓ, DIAR, the Dutch Embassy, the apostolic vicariate of Quibdó, and delegates of the National Corporation for Forestry Research and Promotion, CONIF and the Colombian Institute of Agriculture and Livestock, ICA. The purpose of the new meeting was to clarify the items around communities' participation, including which associations could benefit from the agreements.

After numerous meetings, in June of 1988 a new agreement was signed by CODECHOCÓ. It is significant to remember that CODECHOCÓ was the same office that represented the state at the departmental level and had negotiated and launched permits for the logging companies before. The final agreement stated that a part of the Pacific preserved area would be destined to develop a communal participation program for the conservation and sustainable usage of natural resources and scientific research in the middle Atrato river basin. Eight hundred thousand hectares were assigned to ACIA to manage, control, and steward natural resources.

The ACIA grew as an organization during the eighties and achieved significant milestones, which reinforced their role when the TFAP meetings took place in the Pacific.

The national government officers and the representatives of international organizations involved in the TFAP encounters recognized ACIA as an important peasant organization that could channel communities' participation in programs to counteract deforestation. As I explained in the chapter that analyzed CLT as public policy at the national level, ACIA representatives participated in the regional committees. Those committees were the regular meetings held to support Afro Colombian and indigenous communities' demands for territorial governance.

ACIA's leaders background and experience in organizing, defining and communicating their spatialities in their demands, and requesting control over spaces beyond their land plots became crucial when communities identified a loophole that allowed them to filtrate specific needs in counter deforestation programs. Having those demands already discussed and worked out within the community, and with other actors as ACIA did it in the eighties, gave them the bureaucratese⁹⁶ and abilities that ultimately made it possible to use that window of opportunity. For that reason, one of the decisions made in the regional committees that took place after the legislative structure existed, allowing communities to claim their territories, was that the first collective title to claim should be ACIA's.

The association changed its name to the Great Community Council of the Integral Peasant Association of Medio Atrato. As a Great council, they included the community councils of each of the hundred more peasant towns associated. They decided to request the area demarcated before, which also made for a more expedited titling process. In December of 1997, they received two Collective Title resolutions, corresponding to two Collective titles located in adjacent areas of the departments of Chocó and Antioquia.

Despite not being the first title granted, it was undoubtedly the largest collective title given to Afro Colombian communities, and it became an impressive achievement after all the years of peasant organization and struggle.

3. The aftermath of the Collective Title

Communities leaders and their allies documented the incursions of armed actors in Chocó since 1996. They were seen and acted mostly in the Atrato lower river basin. But the armed actors moved progressively towards the south, reaching the Medio Atrato area in 1997. As I mentioned before, in 1996, six communities obtained the first group of collective land titles granted to Afro Colombians in Bajo Atrato, and the title of the ACIA, the organization of the Medio Atrato, was granted in December of 1997. While communities were participating in regional committees and other gatherings to defend their property rights, paramilitaries gathered people in the school of Vigia del Fuerte, the northern area of the middle Atrato river basin. People in the lower river basin already knew the armed actors, and the paramilitaries moved south to cover more spaces and warn people about their counter-insurgent mission that, according to them, sought peace and progress in the region.

The archives of the peasant association in Quibdó are a chaotic room where every piece of paper written by them or given to them ends on a random shelf. During my first visit to Quibdó, I offered to organize it while I reviewed documents that could be pertinent to my research. As any social scientist would do, I collected numerous documents that were not included in my first research about ACIA. Some of those documents are booklets put

together by human rights organizations that have documented the actions of armed actors in the area and the responses of other actors to those actions.

I compared the contents of those documents to testimonies and newspaper articles to reconstruct what they described. On May 22nd of 1997, nine motorboats filled up by approximately twenty heavily armed men by boat, dressed in national army garments, were seen navigating towards the north of the Atrato. They stopped in various towns to let people know that they were looking for guerrilla members and asking the whereabouts of guerrilla commanders. They killed a person on their way to Vigia del Fuerte, and they threw his body to the river. Once some of the boats arrived at Vigia del Fuerte, they went to the police station, which counted twenty police officers in their forces. Police did not react to the armed group, on the contrary, they seemed to support it, and they did nothing about it. Other boats continued and arrived in Bellavista, a northern town. People thought they were part of the guerrillas, a group that was taking entire towns in other rural areas in Colombia during those years. However, when the Bellavista police did not react to these armed men, they concluded that they were paramilitaries.

The group in Vigia del Fuerte identified themselves as Peasant Self-defense from Córdoba and Urabá, *Autodefensas Campesinas de Córdoba y Urabá*. That meant they were the paramilitary group originated in the northern areas of Chocó and Antioquia and the southwestern portion of the Córdoba department, located more towards the Caribbean coast of Colombia. They wrote in the walls around town things like “*Vivan los paramilitares ACU [ACCU]!*”-“Cheers to the ACCU paramilitaries!”, “*Abajo la guerrilla*”- “Down with the guerrilla,” “*Muerte a sapos*”- “*Snitches will be killed.*”⁹⁷ The armed group threatened

people to make them go to a meeting at the schoolyard; they wanted people to see what they have written.

In the meeting, they told people that they were against any leftist organization that could be allied with the guerrillas, that they have already identified guerrilla allies, and wanted to give them a chance to come clean. They also described themselves as a grassroots organization and stated to be against corrupted politicians and all kinds of thieves. Finally, they said they did not want to intervene in household disputes. Some people disappeared during the days that followed the meeting, people suspected from paramilitaries. People heard screams during the night, but no one knew for sure what had happened with them. There were forced displacements. They terrorized the Medio Atrato area through displacement, controlling the circulation of all kinds of boats along the Atrato, selectively disappearing and murdering. In December of 1997, communities celebrated their collective title as an achievement. However, it did not help to repel the paramilitary incursion to the area. Joined by indigenous organizations from Chocó and Antioquia, the ACIA denounced those illegal actions to the local and departmental authorities and did not receive any response. They suspected an alliance between paramilitaries and authorities because the latter refused to act against the former, and some town mayors had paramilitaries as bodyguards.

The documents show numerous letters of support received by the peasant association and signed by members of the catholic church, ambassadors of different countries, UN officers, and other people aware of the dangerous situation that communities were facing. Officers from the *procuraduría*⁹⁸, and the *defensoría*⁹⁹, went on a mission to verify the facts denounced by the communities and informed the departmental police about

them. A letter from those two offices came in 1999, two years after receiving community's reports about violence. In October of 1999, a priest from Urabá received a letter signed by the *Autodefensas Unidas de Colombia*, the United Colombian Self-defense group, asking him to intervene in the area to confront guerrilla members that have killed five peasants and brought journalists. According to the letter, some guerrilla allies were inviting journalists to convince them that they were just peasants and spreading lies about the self-defense groups. Like Ballvé stated in his research, paramilitaries believed they were helping the state, and reinstated a state-like project in the area (Ballvé, 2020).

In November of 1999, the bishop of Quibdó received a letter from the AUC commander and replied to it, and a group of Catholic missionaries replied as well. The communications talked about the death of a priest and an international cooperation officer that worked with peasant communities of the Atrato. Both men died in the waters of the Atrato, close to Quibdó. While Castaño, the paramilitary chief commander, stated that it was a tragic accident between boats that produced the two deaths, the religious group attributed the murder to the paramilitaries.

These documents also show that state officers in the area and at the national level were aware of what was happening in Chocó, as they historically have been. The presence of the paramilitaries was public knowledge in the area, people could quickly identify them in the streets, and they were an organized group recognized as an interlocutor by members of the catholic church, and by other actors. The state in Chocó, and probably in the entire Pacific, has been present throughout the history of the region. The documents that I consulted mentioned names of the authorities that received denounces and dismissed them: the police, the departmental attorney office, and the office of the public prosecutor among

them. People in the area recount how the police would talk in public with men previously identified as paramilitaries by members of the community.

The government offices in these areas were not absent, they engaged in the development projects by allowing and condoning the actions of the paramilitaries, as they did in other regions like the lower Atrato, where Ballvé and Grajales have documented similar practices (Grajales, 2011; Ballvé, 2012; Ballvé, 2020). The guerrillas in the area confronted the army and the paramilitaries, and civilians were killed in those confrontations. These strategies were systematic and continuous, producing episodes such as the Bellavista massacre on May 2nd of 2002, where more than a hundred people died in a confrontation between guerrillas and paramilitaries that received help from the armed forces of the state.

Registration as an act of visibility that comes with modifying property regimes through Collective Land Titling raised the profile of Afro Colombian communities. It also made communities a visible obstacle to the interests of paramilitaries and the economic elites that supported paramilitaries' initiatives. Those interests were concealed, and the violent episodes were inscribed in the narrative of the armed conflict, where different actors were fighting against each other for political motivations solely. That narrative has become an endpoint that explained violent episodes. However, the interests behind those actions and the systematic diminishing of communities that continues to this day have rarely been part of the explanation (Exceptions to this affirmation can be found in García Reyes, 2011; Cárdenas, 2012; Grajales, 2011; Ballvé, 2020). The coalitions between elites and armed groups to develop the area have been usually kept in the dark.

V. The Collective Land Title of La Boquilla

In 2013 I visited La Boquilla for the first time. I encountered a very festive community that benefited from the tourism that Cartagena, located at the southern end of La Boquilla, regularly attracts. Cartagena is the most touristic city in Colombia, receiving both national and foreign tourists throughout the year. A few years before I visited, tourists used to make day trips from Cartagena to La Boquilla to relax at the beach and eat fresh food prepared at a local restaurant. They might even enjoy a canoe trip through the astonishing mangrove tunnels in the Ciénaga de la Virgen, the swamp that surrounds the village.

Before tourist industries started to grow in the northern zone of Cartagena, La Boquilla was considered a place to go for a truly local experience, not easy to find in the city, where the main attractions are historic buildings in the downtown area. Those buildings are often occupied by government offices, small hotels and gourmet restaurants, and people from other parts of the country or foreigners. La Boquilla is still considered a native community, and *Boquilleros* have struggled to participate in the economy of Cartagena. After receiving their Collective Land Title in 2012, some *Boquilleros* expected to secure better living conditions for themselves by improving their participation in Cartagena's economy. However, that does not seem to be the case.

I decided to study the collective titling process of La Boquilla because its case allowed me to evaluate the conditions of implementation of Collective Land Titling outside of the Pacific and in a peri-urban area. La Boquilla is a significantly different case to assess

how a policy created for the specific context of the Pacific region was applied in other areas. The research for this chapter was conducted during four trips to La Boquilla that I took since 2013. In those trips, I stayed in La Boquilla and Cartagena for almost eight months total across the four trips. During these stays, I also visited other communities just outside the northern limits of the city. As part of the field research, I conducted 26 non-structured interviews with community leaders and government officials. I had access to the documents of their Collective Land Titling file kept in the community. The parts of the file that I could not consult during my time in La Boquilla, I was able to review in the offices of the Colombian Institute of Rural Development (INCODER) in Bogotá. I also went through the Master Plan of the city of Cartagena, and read the correspondence from government officers regarding the titling process. Additionally, I reviewed newspaper articles related to the context in which the CLT process occurred.

The chapter is divided into three parts. The first part recounts the history of La Boquilla and its situation regarding Cartagena. It relies upon the work of scholars that have shown how previous episodes of gentrification in the city have impacted Afro Colombian communities, and how the communities have reacted to those episodes. Though La Boquilla is located on the outskirts of Cartagena, those episodes exemplify the more extensive processes of marginalization that have taken place in the area. They can also shed light on what is currently happening to peri-urban Afro Colombian communities in Cartagena. I will explain how particular narratives have extended from the city to the surrounding areas making Afro Colombian people and their spatialities undesirable. Finally, I will reflect on how both national and local elites have built growth coalitions to obtain direct economic benefits from the process of marginalization and gentrification.

In the second part of the chapter, I will focus on the history of the Collective Land Title granted to La Boquilla. I analyze the reactions of some community members to claims-making entailed in obtaining their Collective title. Similarly, I will reflect on the responses that the Collective title produced amongst economic and political elites in Cartagena that opposed to it. I will explain how amidst the struggle for the title, the community, divided into three different hamlets, formed three Community Councils, and requested three different Collective titles. The division between communities and the reactions of different actors involved in the process did not stop when one of them received the Collective title. Conflicts grew more robust and generated a new wave of marginalization and further attempts to displace local communities.

Finally, I analyze the tourist project named *Serena del Mar*, publicized as “The dream city,” partially built over spaces traditionally inhabited by Afro Colombian communities, like the two communities adjacent to La Boquilla: Marlinda and Villa Gloria. Those two communities had conflicts with the company that is building *Serena* since its origins. However, they started collective land titling claims together and then rescinded them and got involved in the project. *Serena del Mar* managers have used different strategies to solve their conflicts with black communities.

At first, they disputed the land claims by opposing it during the process. After that, they intervened with the government officers in charge of confirming the limits of the requested areas. The *Serena del Mar* managers also presented themselves as environmentally responsible developers capable of managing nature and responding to the challenges brought by climate change. The use of that image contradicts the role given to black communities in the Pacific as nature stewards. They also recurred to colonial

narratives of uncivilized and violent black populations, incapable to manage the resources that nature gave them, bolstering the use of a particular notion of nature and nature protection to marginalize and ultimately dispossess black communities.

Finally, the *Serena del Mar* project gained favorable opinions within Afro Colombian communities, government, and mass media by reinforcing growth coalitions and consolidating programs of corporate social responsibility. Those programs involved black communities by offering education to children, scholarships to learn technical labor and training in tourist service programs for the youth. They also provided enrollment of adults to work in cleaning services and in the construction site, maintaining the racialized hierarchies of Cartagena's tourism as part of a broader process of marginalization of black communities in Colombia.

La Boquilla, a peri-urban area of Cartagena

La Boquilla is located north of the Rafael Nuñez international airport of Cartagena. The community can be reached in a ten-minute car drive from the historic center of the city. In 1999, the district secretary of Cartagena calculated that there were almost fifteen thousand people living in La Boquilla, in houses along the beach. There are four or five unpaved streets between the coast and the main road, one police station, and one school. The village is surrounded by the Ciénaga de la Virgen. Boquilleros earn their livelihood through multiple occupations. They used to fish in the open sea but, they affirm that there are fewer fish close to the coast nowadays, and they have to go farther out in the open sea to fish.¹⁰⁰ They currently fish more in the Ciénaga, which, along with logging mangrove trees, has had a substantial environmental impact on the swamp. In addition to fishing,

most community members commute daily to work in Cartagena, often in touristic services. On weekends and during the tourist season in June, July, December and January, they also work serving food or beverages to tourists on the village's beach.

As I mentioned before, La Boquilla is a village formed by three different hamlets: La Boquilla, Villa Gloria, and Boquillita, currently known as Marlinda. The Collective Land titling process of La Boquilla initially included the three communities, but at some point, each community decided to have different titles and to rescind the initial process. La Boquilla was the only community council that continued with the process that culminated in 2012 with the granting of their Collective Title.

To understand the relation between La Boquilla, its three hamlets, and Cartagena, I will briefly describe the status of those places in the country's administrative structure. Colombia is a centralized State divided into administrative units called departments, managed by governors. Departments contain cities and municipalities commanded by a mayor. Within those units, there are smaller ones as La Boquilla called corregimientos, administrated by the nearest city or municipality. Inside corregimientos are units called veredas and even smaller units called caseríos that find some public services in corregimientos, but most of them also at the nearest municipality or city¹⁰¹. Historically, La Boquilla has been identified and managed as a corregimiento of Cartagena, and Villa Gloria and Marlinda as caseríos of La Boquilla. One of the requisites to receive the Collective Title is to be a rural community which made them maintain its characterization as a village. However, the expansion of the northern area of Cartagena has diluted its limits, and La Boquilla is often referred to as one more neighborhood of the city. I will refer to it as a peri-urban area.

The National Administrative Statistics Department (DANE in Spanish) refers to La Boquilla as a village under Cartagena's administration, with the same status as Marlinda. Yet, DANE's document does not mention Villa Gloria (DANE, 2012). Meanwhile, Cartagena's Master Plan refers indistinctly to La Boquilla as a corregimiento, a village, and a neighborhood in different parts of the document. While there is no difference between village and corregimiento, there are some differences between a corregimiento, a vereda, and a neighborhood. The differences are mainly in their size, the number of people leaving there, and the management and resources they receive from municipalities. The fact that not even the National Department of Statistics has a clear status for La Boquilla shows the lack of interest in making the village visible administratively.

The Master Plan document for the city of Cartagena is hectic and now dated. The plan was last updated in 2001 and is focused more on urban land use and protection of the historical center, the main attraction of the city. Chigbu et al. studied the possibilities of a tenure responsive land use planning in developing countries, showing land planning as a political exercise, and master plans as the result of negotiations and debates around the best uses of the land to improve the lives of citizens (Chigbu et al.; 2017). Similarly, but with a less optimistic view, Tretter affirms in his research on Austin that planning also "reflects the ideals and interests of a large range of private interest groups" (Tretter, 2016: 116).

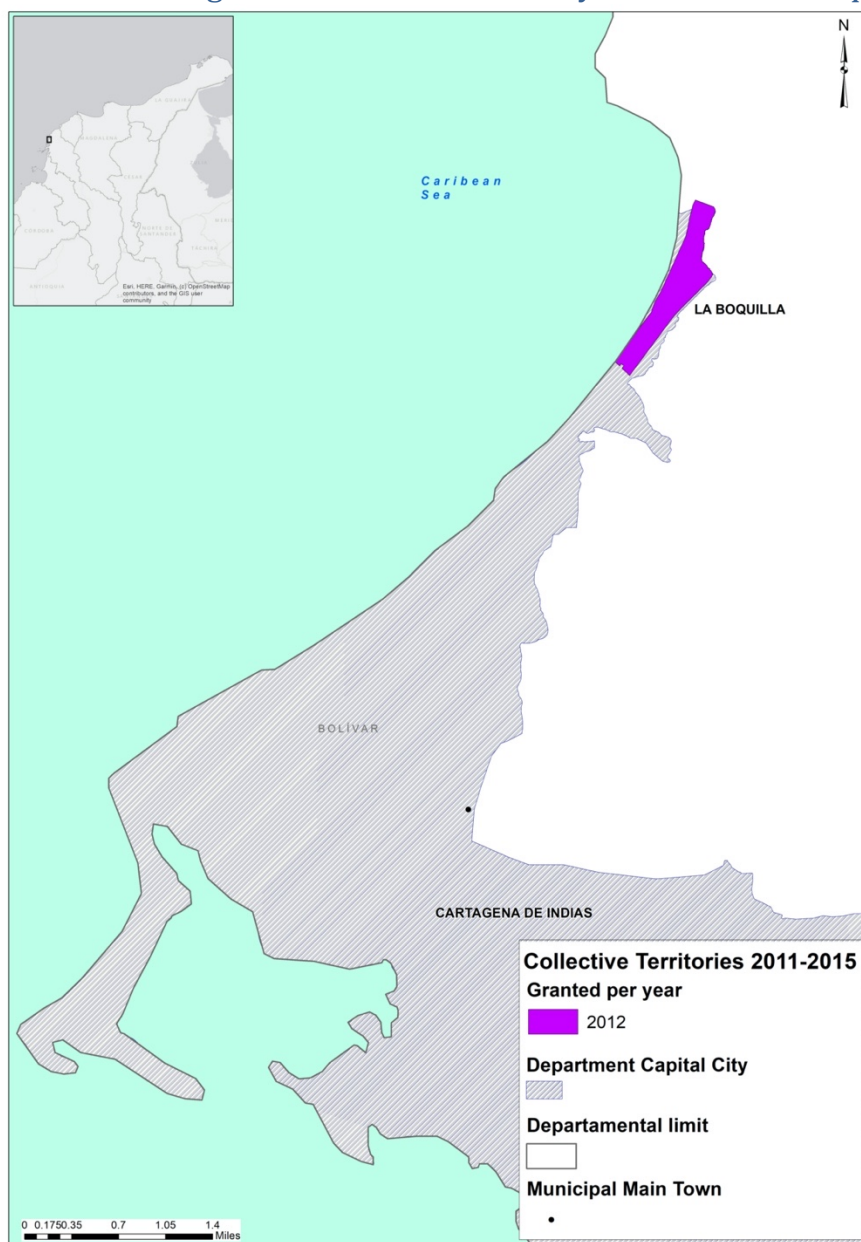
Cartagena, the most touristic city in Colombia, has been planned by its elites. The Master Plan document is an example of the lack of participation and representation of regular citizens and ethnic communities in the planning process. In Cartagena, the growth imperative has secured that only specific interests are represented and negotiated, resulting in a Master Plan that has not been modified in more than fifteen years and favors economic

groups that have administered the city. In Colombia, mayors are elected for four year periods.

The Master Plan is supposed to change in each administration with approval from the city council. However, in the last decades, almost every mayor of Cartagena has been involved in corruption, and there had been nine different mayors over the previous ten years, which has made it more challenging to modify the Master Plan of the city. The political instability in Cartagena has prevented the renovation of the document (Mercado Vega, Razón Pública, 2017). Consequently, the Master Plan currently in force does not include the participation of ethnic communities, the recent developments of the touristic industries, and even less the city authorities' action towards climate change.

Understanding the administrative structure of Cartagena and its political situation is useful to clarify the context in which Collective Titling for Afro Colombian communities occurred. Cartagena has a significant history of gentrification and displacement of black communities. There is evidence of how growth coalitions have impacted black communities before. The following section will present some of those impacts and how they became precedents in the process of La Boquilla.

Map 16. Collective Title granted to the Community Council of La Boquilla



Map elaborated by Victoria Sarmiento and Mónica P. Hernández Ospina with information from the National Lands Agency (ANT)

1. The lesson from Chambacú: Jumping into the world requires removing black spaces

1.1. *Brando, Burn, and Cartagena's obstacles to recreate a modern historic center for tourists*

In 1968, Gillo Pontecorvo directed a film called *Queimada!* or *Burn!* The movie was filmed entirely in Cartagena and had Marlon Brando and Evaristo Marquez as the main characters. Marquez was a Colombian black man from San Basilio de Palenque who worked as a herdsman before acting in the movie. Brando, a well-known movie star at that moment, lived for a few months in Cartagena while making *Queimada!*. Fifty years after the making of the film, writer J.J. Junieles published a book gathering stories and testimonials about it. In an article about the book, an Italian member of the movie's production team that ended up staying in the Colombian town for good, told Junieles that the making of *Burn!* was a pivotal moment for a city that was already cosmopolite, and thanks to the movie took a jump into the world (Junieles, J.J., 2018).

Figure 2. *Burn!* Poster

Source: <https://www.imdb.com/title/tt0064866/mediaviewer/rm3363116032>

Scholars like Cunin, Deavila Pertuz, and Flórez have recounted how, in the first half of the twentieth century, Cartagena's elites tried to position the city as a tourist destination (Cunin, 2003; Deávila Pertuz, 2015; Flórez, 2015). However, Deávila Pertuz described precisely how those intentions were not prioritized by local authorities that tried to bring back the importance of the city as a port. Cartagena was one of the main city ports in South America during colonial times, and thousands of enslaved people came to this part of America through this port. However, by the early twentieth century Cartagena had lost its place as the most important port on the Caribbean to Barranquilla, the next city towards the north on the Caribbean coast. The opening of the Panama Canal in 1914, was supposed

to bring prosperity to the city, located close enough to take advantage of it. But the lack of a modern infrastructure evident in the absence of roads of communication with other cities, the low public hygiene, and the obsolete port structure made it challenging for the city to regain the place that it had under Spain (Deávila Pertuz, 2015).

Authorities decided to demolish part of the rampart and the improvised neighborhoods located outside of it to improve the city's problems. Cunin affirms that when the neighborhoods situated outside of the city's wall were torn down, some of the inhabitants moved to Chambacú, a neighborhood located also outside but closer to the wall (Cunin, 2003). To interrogate the use of racial categories in Cartagena, Cunin investigated the formation of Chambacú, a neighborhood traditionally described as black. Cunin found that Chambacú was also formed by black people that came in the nineteenth century to work on the construction and operation of streetcars. They started to occupy shacks built by people from the city for themselves or to shelter visitors that could not leave the city after its doors closed down at night (Cunin, 2003: 124).

In 1939, when authorities started to build one of the main city roads in front of the coast, more people moved to Chambacú to be closer to their worksite. Cunin quotes the director of the historical archive of Cartagena at the moment of her research, who affirms that the demolished neighborhoods outside of the wall were hideous, and the people that lived there were enslaved people descendants' who usually worked in domestic services in houses in the historic center. Some of them moved later to Chambacú. In a book chapter published in 2015, Flórez reaffirms Cunin's description, stating that black people in Cartagena are trapped between the roles of service workers or exotic attractions. Those

who try to escape the two stereotypes are usually condemned or experience blatant discrimination (Flórez, 2015: 117).

The purpose of demolishing parts of the colonial rampart was to improve hygienic conditions towards the modernization of the city. When elites realized that other Caribbean cities like Havana and San Juan made their colonial architecture monumental sites to attract tourists, they changed their gaze and started to value the walls and colonial buildings. Those intentions translated into public policy to obtain resources for their preservation, even impacting the living conditions of some citizens (Flórez, 2015). Deávila Pertuz explains that tourism did not consolidate as a government strategy for development until the mid-twentieth century when the president decided to open an office dedicated to it and bring international consultants to help design strategies to make Cartagena take a jump into the world (Deávila Pertuz, 2015).

1.2. Chambacú: rendering black people ungeographic

It was then that national and local authorities decided to relocate the people that lived in Chambacú and send them to other neighborhoods far from the historic center. Deávila Pertuz shows how politicians and members of the elite frequently published statements in the local and national newspapers talking about Chambacú as a problem for the city. They often extended the negative references of Chambacú as backward and lacking in hygiene to characterize its inhabitants as immoral, uncivilized, and prone to criminality (Deávila Pertúz, 2015: 137). The goal of having a pleasant aesthetic in the touristic sections of the city was complemented with moral and civilizing goals that,

according to authorities, could not be accomplished by black people. The Afro Colombian communities that lived in Chambacú did not have title deeds and did not exhibit the propriety necessary to make their neighborhood a tourist attraction (Ghertner, 2015). Consequently, the only mechanism was to remove them from that place to different neighborhoods far from the historic center.

Improving the conditions of those neighborhoods was rarely a strategy to modernize the city. There were some plans and promises that never took place. Buitrago affirms that Cartagena's elites not only decided that moving people away from Chambacú to other areas was going to solve the problems of the city. They also neglected the neighborhoods where people from Chambacú moved, places that had the same adverse conditions. However, they did not worry about those places because they existed in the margins of the city, where neither tourists nor elite members had to see them (Buitrago, 2006). Once again, the marginalization of black spaces functioned as a growth coalition strategy that sought to take advantage of a space deemed crucial to develop the city's touristic potential. Afro Colombian writer Manuel Zapata Olivella wrote a novel about Chambacú synthesizing the experiences of black people in there:

The 'Black cancer,' as they call us. They want to destroy us. They are afraid that one day we'll cross the bridge and the wave of hovels will flood the city. That's why there are no streets, sewers, schools or hygiene for us. They are trying to drown us in misery. They are mistaken. We will fight for our dignity as human beings. We will not let ourselves be expelled from Chambacu. They will never change the black face of Cartagena. Her greatness and her glory rest on the bones of our ancestors." (Zapata Olivella, 1989:106)

Zapata Olivella was an iconic Afro Colombian writer raised in Cartagena. His novel *Chambacú, corral de negros* or *Chambacú: Black Slum*, as it was translated to English, was originally published in Spanish in 1963. From his literature, he showed how black

spatialities were unacknowledged in Cartagena. However, the intention was not to make black people disappear entirely from the city because they had a role in providing services (Lozano Lerma, 2009; 2010). Elites meant to marginalize Afro Colombians to see them only when they were needed, in their traditionally assigned roles¹⁰².

In Cartagena, as the scholars mentioned above explained it and Zapata Olivella narrated before, black people were moved and slowly dispossessed of their traditional spaces. Elites used arguments of safety, hygiene, city aesthetics, and development but did not implement public policies to make black spaces safe and developed for its inhabitants. What McKittrick called the colonial fiction of considering black people ungeographic can be seen in Cartagena as much as in other places (McKittrick, 2006). Black people are needed to work, but their spatialities and lives are also unattended. Considering people ungeographic means that their geographies are deemed unseen and unworthy, a reminiscence of the colonial perspective to manage black and indigenous people. Afro Colombians are often exoticized and displayed as part of the attractions of the city. Nowadays, traditional black neighborhoods are praised as part of the colonial history of Cartagena. Black men and women perform in public spaces as dancers or traditional fruit vendors from San Basilio de Palenque. They ask tourists for money in exchange for a street show and taking pictures with them. Meanwhile, neighborhoods occupied by black people have disappeared by actions of the authorities as Chambacú, or by processes of gentrification, and the places where they moved remain purposefully neglected (Cunin, 2003; Valle, 2017).¹⁰³

Similarly, Afro Colombian people are shown in photographs and brochures as a vital part of the city and its history. Yet, black people have been displaced to its margins

and criminalized when they occupy spaces with potential interest for capital investment and production, as it happened in Chambacú. In Cartagena, narratives that sought morality and civility allowed authorities and elites to marginalize, dispossess and displace black communities. Moreover, authorities even denied Afro Colombians their spatiality by marginalizing them, rendering black people ungeographic, as McKittrick stated. She affirms that while black people in the diaspora clearly have a sense of place, black spaces have been seen as the product of confinement and uprooting, experiences that, by defect produce no sense of place beyond the suffering produced by those episodes (McKittrick, 2006: 9).¹⁰⁴ In 1971, Chambacú's evacuation started and lasted for a couple of years. The land where almost twelve hundred Afro Colombian families lived was emptied and became a *baldío*, property of the city. Politicians promised to build modern edifications that would be more appealing to tourists. However, those projects did not take place, and the plot remained empty for years because using public funds to make something there was expensive and did not guarantee enough profit for developers (Deávila Pertuz, 2015).

1.3. The growth coalition that transformed a black neighborhood into a political scandal

Chambacú exemplifies how black communities have been treated in Cartagena. Flórez and Buitrago have established a relation between Chambacú and La Boquilla. The former constitutes an important precedent for people in La Boquilla, that even after receiving their Collective Title, have experienced pressure to leave their village. But that is not the only connection between Chambacú and La Boquilla. There is also the Araujo family, that has participated in coalitions intended to develop both places. The Araujo family are known for their participation in Cartagena's economic and political life. They

own *El Universal*, the leading local newspaper and a chain of hotels that has expanded in the northern limit of the city, where La Boquilla is located. They have had conflicts with Boquilleros, but before addressing those conflicts, I will describe the Araujo family's involvement in what is now known as the Chambacú scandal.

Alberto Araujo Merlano, the head of the family, died in 2018 at the age of ninety-four. He is often portrayed as a pioneer of development in the Caribbean region and one of the most prominent people in Colombia's economic growth (Sierra Montoya, 2004).¹⁰⁵ Fernando Araujo Perdomo, one of his sons, has had a long political career in Colombia.¹⁰⁶ He campaigned to be Cartagena's mayor in 2019 with support from our current president's political party. Despite not being elected, his campaign was big enough to confirm the importance of the family in the city. He was appointed as secretary of development in 1998, working in the administration of former president Pastrana Arango, in the late nineties. However, he resigned in 1999 after a national newspaper outed his participation in the Chambacú issue.

By the early nineties, Luis Alberto Moreno, secretary of development, and Héctor and Gabriel García Romero, divided the space between a park and an urban development area. Héctor García Romero was the director of the Colombian Institute for Housing Projects and Urban Reform (INURBE), and Gabriel, his brother, was Cartagena's mayor.¹⁰⁷ The company Araujo & Segovia owned by Alberto Araujo Merlano appraised the lands in the development zone for a price considerably lower than the estimate given by an official investigation conducted almost ten years after it was sold to Fernando Araujo Perdomo's company. Since it was the family company that established the price of the plot

of land, Araujo Perdomo had the information on the appraisal beforehand. He then purchased the lands through a company named *Chambacú de Indias S.A., CHISA*.

After the purchase, they changed the composition of *CHISA*'s shareholders to involve new partners: the García Romero brothers and Luis Alberto Moreno, among others, that also participated in the setup. After concluding the operation, they built housing projects and businesses in the area of downtown Cartagena gaining a considerable profit from this move (Gómez, 1999; Semana, 1999; Molano, 2007).¹⁰⁸ Moreno is a former ambassador of Colombia in the United States and is currently the president of the Inter-American Development Bank in Washington, DC. Despite being absolved, the growth coalition formed by these people entailed unethical procedures for government officers. It had also an immense impact on Afro Colombian communities living in Cartagena.

In 2012, Molano wrote a new opinion piece referring to the history of Cartagena and the numerous complaints of native people being displaced due to the development of tourist projects. Perhaps due to the legal problems he experienced when he previously wrote about the Araujo family, he did not name them in the 2012 article. In his text, Molano remembered the first time he traveled to Cartagena and how years after the making of *Burn!*, the presence of Marlon Brando made the city more appealing for tourist enterprises. Then, he recounted for black people in Chambacú, that interest meant being displaced from the neighborhood. The journalist referred to Chambacú and the management given by Cartagena's elites as a warning of what could happen with other black communities in the city. He mentioned the neighborhood of Getsemaní¹⁰⁹ and La Boquilla. Optimistically, He also referred to the Collective Titling processes of La Boquilla as the only way that communities have found to resist the elite's actions to expel them (Molano, 2012).

2. The struggle to obtain a Collective Title for La Boquilla: The President only saw the community when Obama came to visit

As I analyzed in previous chapters, Law 70 of 1993 resulted from the struggle of the Afro Colombian movement and its allies. Despite being the first public policy designed for Afro Colombian communities, it was Pacific-oriented, mentioning specifically rural communities located in that region. However, there was enough place for interpretation in the Law to include communities from other parts of the country. The text of the Law states: “This law will also cover other rural, owned by the nation and empty lands occupied by black communities with the same characteristics.” (*Law 70 of 1993, Chapter 1. Purpose and definitions.*). Afro Colombian communities from the Caribbean region have eventually used the Law to claim their territorial rights.¹¹⁰

Don Benjamín is one of the leaders of La Boquilla. He is a middle-aged man that works as a physician and dedicates his free time to community matters. He told me that the Community Council of La Boquilla started in 2005 due to an initiative of a pastor¹¹¹ named Simón Casanova, who, along with other people, established the first board. However, Don Benjamín said they did not even register the council in any local or national government office, as they were supposed to do. There was no registration document in La Boquilla’s file of the Collective Titling process. The only reference to the registration in the file was an INCODER document that recounts a technical visit to the community before 2012. The document states that the Community Council was registered in the Municipal office in Cartagena, but it did not have a registration date. Don Benjamín told me that when he and

his allies came to institute a new Community Council board, they found opposition from the previous group. Still, they finally registered their council and made the official claim for the Collective Title.

Once they officially filed the claim, it received all kinds of opposition: From landowners who had acquired terrains recently in the area, to people that, despite self-identifying as Afro Colombian, did not want to be included in the collective title. Small hotel and restaurant owners opposed to the collective title claim due to the false impression that the community was trying to expel them from the village or to expropriate their lands. Additionally, elite families like the Araujo presented the hardest opposition to the titling process. Likewise, the Haime family, owners of approximately a thousand hectares of land next to La Boquilla, opposed to the community claims. Finally, I found the letters sent by the harbor master's office to INCODER, saying that according to their calculations, a portion of the lands claimed by the community was located in a low tide area that should remain empty and not owned by anyone. INCODER officers addressed these concerns during their technical visit. The allegations made after 2012 were denied because the collective title was granted, and the process was closed.¹¹²

Don Benjamín affirmed that the newer landowners, the people that own bodegas, small hotels, and restaurants, were paisas¹¹³. As opponents to the Collective Title, they wrote a letter included in the file of La Boquilla's process of Collective Titling. In their letter, the small business owners claimed to have ties with the community, and some of them even considered themselves Afro Colombian. However, they fought the Collective Titling process because they wanted to keep the right to negotiate with their lands like they have individual titles, which is forbidden by law once you are part of a Collective Title.

Inevitably, Collective Titling creates a form of enclosure of Afro Colombian communities in their territories. This problem becomes more difficult in peri-urban zones like La Boquilla, where black people are close to other communities. But the question of dispossession and de-spatialization of black communities outweighs the possibility of enclosure in these communities.

Collective Land Titling presents numerous problems in its functioning as a policy. Still, it has provided a strategy to resist dispossession, even though there is a permanent need to keep assessing the effectiveness of that strategy and acknowledging that it comes with supplementary procedures that must be undertaken by the local, departmental and national governments, and by black rural communities. On the other hand, communities like La Boquilla have faced the challenge of alienation from different communities. Despite the opposition to their title, they have found ways to establish their territories while coexist¹¹⁴ing with other communities.

Buitrago stated that the construction of the ring road facilitated the communication with the northern zone of Cartagena and accelerated the demographic growth of La Boquilla during the eighties. People from the departments of Bolívar, Córdoba, Sucre, and Antioquia, and even people from Cartagena that could not afford to live in the city, came and informally purchased lands in La Boquilla for a relatively low price (Buitrago, 2006). The number of new inhabitants made it challenging to have enough space in a small community on the beach. Moreover, Buitrago points out that the risk of being added to Cartagena officially as a neighborhood would mean that utilities and taxes would increase, and the place would be gentrified (Buitrago, 2006). Buitrago wrote her paper before the title of La Boquilla was granted, or even claimed. By then she could not even consider that

ultimately, even if the community were not expelled from their spaces due to gentrification, becoming a neighborhood of Cartagena would have meant not being recognized as a rural community, which would have eliminated any possibility of receiving a Collective Title in the future.

2.1. *The characterization of Boquilleros as destroyers and invaders*

Fortunately, a formal adhesion of La Boquilla to Cartagena did not happen. But the population growth generated pressure over the lands in La Boquilla, where people started using trash and beach sand to fill up the swamp and open up space for building houses. In 1998, the Maritime Director's office (DIMAR) and the regional Environmental Corporation (Regional Autonomous Corporation of the Dike Canal, *Cardique*, In Spanish) issued a statement declaring the Ciénaga de la Virgen an ecosystem of high ecological importance forbidding people from occupying it (DIMAR & Cardique, 1998). The lack of space for Boquilleros to establish their houses generated the practice of filling up the swamp and occupying the lands between La Boquilla and the Haime family's property, called *Hacienda Los Morros*. The relationship between the communities and the authorities in Cartagena suffered a twofold impact because since then communities were characterized as invaders to private property and as being harmful to the environment.

The warnings made by Cardique and DIMAR can be counted as attempts to preserve nature while privatizing it, where, as Katz puts it "poor people are thereby constituted as poachers in their own land" (Katz, [1998]2005: 48). Bocarejo and Ojeda studied how narratives of criminalization operated in national parks in Colombia under the aim of nature conservation. The authors analyzed the treatment given by authorities to

communities that occupy ecosystems selected to conduct ecotourism projects. The initiatives were presented as projects that ultimately would bring benefits to said communities and the state. However, as the authors stated: “but while carried out in the name of local communities’ development, ecotourism projects largely criminalized local populations as invaders and environmental destroyers, resulting in their eviction and the impossibility of them making a living in park limits.” (Bocarejo & Ojeda, 2016: 176).

La Boquilla’s area was not a natural park. Still, the authorities’ argument about the swamp ecosystem of ecological importance as a way to prevent people from occupying those spaces were very similar to those used in the Tayrona National Natural Park and described by Bocarejo and Ojeda. That does not entail denying the ecological impact of the filling up and the constructions in the swamp, but there were no actions towards improving people’s living conditions to prevent those actions. Again, the argument was used as an environmental rule to intervene in the landscape and the social life in specific areas, and ultimately to force people out of them (McElwee, 2016). Moreover, as Buitrago questioned before, those arguments have not been used to prevent the impact of the public works and the hotel construction in the area (Buitrago, 2006).

The lack of place also motivated Boquilleros to occupy the spaces that surrounded the village. In the southern direction, they had the hotel Las Americas and other buildings of the Araujo family along the beach, which impeded them from establishing in that area. To the east, they had the Ciénaga de la Virgen, and the Caribbean Sea in the West. The only open space was on the northern side of the village, between La Boquilla and the *Hacienda Los Morros*, the Haime’s property. Some people decided to build their houses in that area. Before the Collective Titling process started, the Haime family alleged that people that

occupied the lands that would become the hamlets of Marlinda and Villa Gloria were invaders because those lands were part of the *Hacienda Los Morros*. They had security guards and a high fence to protect their Hacienda, but they accused both communities of occupying a section of their lands before they securitized it.

Doña Soledad and Doña Gloria are leaders in Marlinda and Villa Gloria. I meet them when I first visited La Boquilla, in 2013. Both leaders recounted that they have tried to obtain a collective title for their communities but have faced obstacles, most coming from the local offices of environmental protection, and land use regulation (Interviews with Doña Soledad and Doña Gloria, July 2013). There are some mentions of Marlinda and Villa Gloria in the file of La Boquilla, but most of them make clear that they were different communities asking for a collective title. Doña Soledad maintained that the nation owned the lands between La Boquilla and the *Hacienda Los Morros*. Doña Gloria said the same, although she also stated that she occupied them illegally years ago, along with other families. INCODER's officer Silvio Garcés, stated that there were no *baldíos* in that area, and that to give Marlinda and Villa Gloria collective titles the lands had to be bought by the state from private owners (Interview with Silvio Garcés, July 2014).

Doña Soledad said that she was born to be a leader in her community. She managed to find resources to obtain a law degree right after Law 70 was launched. Then she contacted people from San Basilio de Palenque, known by their activism in favor of Afro Colombian communities, and decided to include Marlinda in La Boquilla's land claim (Interview with Doña Soledad, leader of Marlinda, July 2013). In the file of La Boquilla, there are minutes of the meetings that took place between 1997 and 1998. In the minutes, the community council of Marlinda was created, and the board selected. I also found the

rest of the documents required to file the claim for a collective territory. But Doña Soledad did not receive a response to her request for a technical visit from INCODER. There is more than one letter written by her in representation of the community, and mentioning Carlos Haime Baruch, who sued her for invading terrains that he considered his own. In those letters, she stated that Haime Baruch had a big team of lawyers and “a private army” that had harassed the community for more than 30 years.

2.2. *Great entrepreneurship comes with some dispossession*

In 2011, when Carlos Haime Baruch, head of the Haime family, died at the age of eighty-six years, a former president of Colombia wrote a eulogy for him in a national newspaper, *El Espectador*. The tribute, titled “Carlos Haime Baruch, the great entrepreneur” depicted him as a pioneer of development, and modern entrepreneurship in Colombia, like Araujo Merlano was described before. Among various businesses, he founded an industry that produced detergent, and another one that made paper and cardboard for food packaging. He also opened a company for seafood production with other partners and founded a real estate business in Bogotá. In 1950, he and his father in law Moris Gutt founded the company Grease and Chemical products, *Grasco*, in Spanish. Betancur, the ex-president, remembered how having started the grease making industry made Haime realize that the material needed to produced grease and oil could not be found in Colombia. He then started the agro-industrial enterprise Indupalma, dedicated to producing palm oil (Belisario Betancur, *El Espectador*, 2011).

In 2018, the National Center for Historical Memory (CNMH, in Spanish) published a report about the violence experienced by unionized workers of the palm oil industry since

the sixties in the Cesar department, where Indupalma had its crops. In the report, researchers of the CNMH gathered testimonies of the workers that said that the lands used for palm oil used to belong to *colonos* or settlers¹¹⁵. Some of those *colonos* left the region when the company workers intimidated them with the support of the local police. Others worked briefly for the company and were laid off. Then, without any income, they were forced to sell their lands to Indupalma for a low price. The ones who did not own any property became Indupalma workers. According to some of the testimonies:

“The company’s chief of staff was in charge of negotiating the lands. He was armed, and he used to go to those negotiations with an army sergeant whose nick name was *Mano Negra* [black hand]. That was how they took the land from people [...] That was how they established the company in San Alberto because *Grasco* functioned in Bogotá. They used capital from Bolívar Insurances [another of Haime’s companies] and other Moris Gutt’s industries. They even used Italian capital. They used every trick. After all, they [the colonos] did not have title deeds because those were *baldíos* [empty lands]. It was that easy for them; everything went smoothly. Now it is hard to buy land over there, besides no one sells it” (Centro Nacional de Memoria Histórica, 2018: 37, My translation).

Cesar’s history has been marked by soil exhaustion from large-scale crops that have worn the soil, and the violence associated with the armed conflict. In the eighties, cotton production went down and eventually disappeared from the area, leaving only palm oil production and coal mining as the only options to work for peasants (Bernal Castillo, 2004). Those lands have been subject to different processes of appropriation and dispossession, generating conflicts between landowners and workers. The confrontations between guerrillas, the army, and paramilitaries came later, adding to the initial unrest (Verdad Abierta, 2011; Centro Nacional de Memoria Histórica, 2016; Tatiana Acevedo, *El Espectador*, 2017).

According to workers' testimonies, Carlos Haime Baruch and his family benefited of the initial processes of displacement and dispossession in Cesar which contributed to establish Indupalma. The continuity of a systematic procedure used for dispossession as described by palm oil workers and the methods used later by paramilitaries seems remarkable. As researchers of the CNMH analyzed, paramilitaries described similar procedures: terrify peasants, displace them and occupy their lands, buy lands for significantly lower prices to the ones that decided to stay in their property. Gutt and Haime founded Indupalma using violent procedures of dispossession, which gave them the capital to maintain and reinforce their industries. Their closeness to political and economic local and national elites allowed them to participate in coalitions where they were known as "great entrepreneurs" and pioneers of development. Ultimately, the family built a growth coalition that would enable them to thrive without questioning the violent practices used to accumulate capital (Harvey, 2003; Hall, 2013).¹¹⁶

The marginalization of rural areas favored Haime and Gutt. They founded Indupalma in an area where the lack of regulation or supervision allowed them to use violent practices to appropriate the lands. They were aware of the capacity to conduct such practices in rural spaces characterized as neglected, which meant their actions would be deemed as unseen by regulators such as the local police, an institution most probably coopted by the entrepreneurs by that moment. Part of their capital was built in those areas and used in the city. Some of that capital fueled the Colombian armed conflict, profiting from dispossession in the rural areas to invest in Bogotá or Cartagena. We need to understand the edges of the conflict and how its different expressions move fluidly between rural and urban areas. Years later, Haime and his family tried to use similar methods in the

rural area of Cartagena, intimidating leaders to generate displacement and dispossess lands to use them in their enterprises, as doña Soledad recounted. However, the visibility given by Cartagena played in favor of black communities.

2.3. *The environmental rule works to protect them from the natural disasters where others can invest*

When I talked to Doña Soledad, she complained that Marlinda's claim was not being concluded, and the title hadn't been granted. After reading back the documents in the file, I realized that Doña Soledad had appeared as the legal representative of Marlinda and Villa Gloria. Those lands were described as a section included in La Boquilla's but with a different community council (La Boquilla official file. Folder 1 (5 out of 5)). Later I talked also with Doña Gloria, leader of Villa Gloria. She also complained about them being treated differently than La Boquilla by INCODER. I asked both of them why they separated from the community council of La Boquilla. They just said there were differences between them and Don Benjamín and also between each other about how to make their claims and manage their lands.

In La Boquilla's file, there are numerous letters from Carlos Haime Baruch's attorneys alleging that the lands claimed by Marlinda and Villa Gloria were part of his property, that were acquired legally in 1968. Attached to the letters is the title deed to the *Hacienda Los Morros*. They also affirmed dealing with an illegal trespassing problem that involved Doña Gloria and their refusal to negotiate with her. The allegations did not mention any complaint against Doña Soledad. Both leaders told me that those lands were the nation's empty lands. That is also stated in other documents in the file. Nevertheless, Doña Gloria confessed that she invaded the Hacienda Los Morros with other families; she

did not tell me when this happened. She told me that she came to the idea of invading with some of her friends, but she alone faced the police when they tried to remove them from the land. The policemen, surprised by such determination and courage in a woman, let them stay, she said (Interview with Doña Gloria, leader from Villa Gloria, July 2103).

In the file, documents show that INCODER officers visited the area between 2000 and 2001 and declared that the terrains claimed by the community were not part of Haime's lands, and could be granted to the community. Haime disputed that decision and hired a topographer to conduct a second evaluation over the area. The topographer came to the opposite conclusion, that the hamlets were inside of Haime's property. In the meantime, the harbor master's office and the regional environmental corporation (Cardique) sent a letter to Cartagena's Mayor, in which they expressed their concern about people invading and then claiming lands that were in imminent risk of flooding (La Boquilla CLT file. Folder 1 (5 out of 5). The intervention of Cardique and the Harbor's office, two local authorities with the preconceived notion of the communities as invaders and harmful to the environment, became a critical obstacle for Marlinda and Villa Gloria to obtain their Collective Title.

Despite not being part of the same Community Council, Don Benjamín was aware of the situation of Marlinda and Villa Gloria. He criticized the position of the local authorities about the hamlets being at risk of flooding. He pointed to the unfairness of declaring risk for two poor communities and not for all the luxury contractions along the beach, which he only could explain by the tendency of the local authorities to favor elites and hotel owners. He highlighted that Cartagena's entire coast is full of tourist developments and more recently, golf courses that could be at risk of flooding due to

climate change but, for some reason the authorities are only concerned about the small portion of coastal land claimed by an Afro-Colombian community.

Unfortunately, in 2010 both communities were severely affected by El Niño, a complex climate phenomenon that impacted the equatorial Pacific region, causing floods in Colombia in 2010. In 2013 I found more people in Cartagena in favor of evicting the two communities after what had happened in 2010. I interviewed an officer of the local *defensoría*, dedicated to protecting civil and human rights, who at least partially agreed with the measure, and some environmentalists were on the same page (Interview with Irina. December, 2015). Later in the files, some INCODER documents briefly mention the possibility of relocating these two communities with the collaboration of a foundation. Nothing has happened since then, communities are still there, and the authorities still think they should not be.

This time authorities used protection from natural phenomena as an environmental rule to intervene in the landscape and the social life in specific areas and ultimately to try to force people out of them (McElwee, 2016). Yet again, local officers seemed to favor elites over communities, forbidding the latter to exist in their spaces, while promoting the former to occupy those spaces with the assumption that investing capital in tourist projects was a safer way to be in those areas. In 2013 people started to bring up Serena del Mar in our conversations. They said it was massive touristic development, and Carlos Haime's latest project managed now by his son Daniel Haime Gutt.

The Araujo family, that took advantage of the disappearance of Chambacú to buy and sell the lands where the black neighborhood was located, and owned the Hotel Las Americas at the north of Cartagena, next to La Boquilla, also opposed to the Collective

Title. In the file, Rodrigo Araujo Perdomo, one of the sons, sent letters to INCODER claiming that Talamare Investments, one of the family companies, owned part of the land claimed by Boquilleros. In this case, INCODER officers solved the limits dispute in their technical visit, favoring Boquilleros by leaving their limits as requested. The Araujo family's response was to reinforce the hotel security at the beach to impede Boquilleros from working there, offering services to the tourists staying in the hotel.

According to the Colombian legislation, the beaches are considered public spaces and should be protected from any occupation. But Cartagena's office of Maritime Direction had signed a concession to Talamare Investments that gave them exclusivity to use the beach in front of the hotels. Not only was that decision questionable by law, but they also signed it without conducting a prior consent procedure with the ethnic community of La Boquilla, and having community's approval. Prior consent is a mandatory procedure since the nineties in Colombia by which any interventions that impact ethnic communities have to be consulted with them. In 2011, a Boquillero sued the Maritime Direction, alleging that they had violated his fundamental right to work and receive two negative responses. A few months later, the Constitutional Court selected the two decisions as a case where the fundamental right to work had been violated, and they also could consider ethnic rights and the mandate for prior consent. They ended up ruling in favor of the community. The Court decided that not only Boquilleros could work in the area, but any concessions should be consulted and approve by them before signing (Constitutional Court Sentence T-376/12, 2012).

2.4. Collective Property to show: The decisive visit of Barack Obama

In 2010, the Director of Ethnic Issues of INCODER was Miguel Vasquez Luna, a former activist for indigenous and Afro Colombian communities. Vásquez Luna supported a lot of claims made by community councils around the country. By then, the presidential office started to plan the 6th Summit of the Americas, to be held in Cartagena in April 2012, having former president Barack Obama as the guest of honor. Former President Juan Manuel Santos wanted to show President Obama the results of the Colombian government's efforts to attend to Afro-Colombians, aiming to gain the approval of the Free Trade Agreement with the US. As part of these efforts, in June 2011, Congress passed Law 1448 to assist victims of the armed conflict, one of President Santos' s most publicized achievements. However, the Summit was too close, and there were no results of Law 1448 to show just yet.

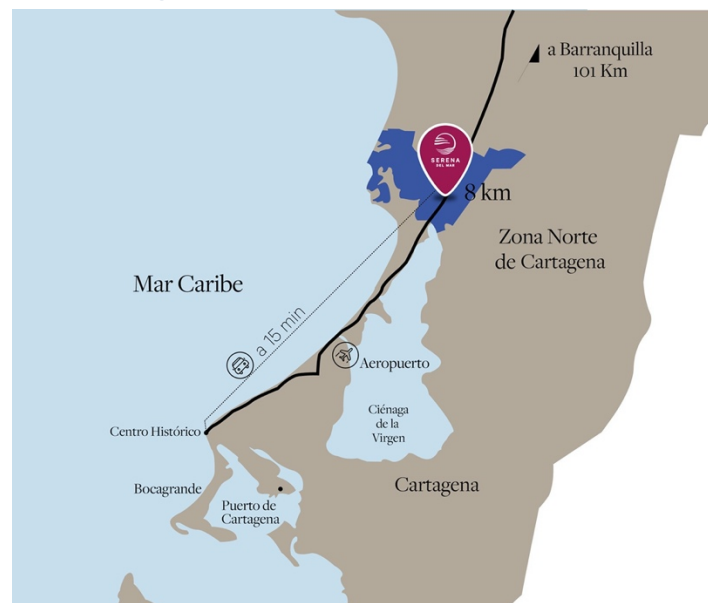
Government officers went to INCODER people to find something else to present to the US government, which generated a political context that built the perfect opportunity for Collective Land Title claims to be finally solved. Vásquez Luna found two file processes that reunited all the requirements and were almost ready to be granted. The two Collective Title resolutions were signed and issued right before the Summit of the Americas. The organizers included on the schedule a short ceremony to give communities their Collective Titles and gave President Obama two pieces of paper that represented the titles granted to the Afro Colombian leaders of San Basilio de Palenque and La Boquilla.

In his discourse during this ceremony, Colombian President Juan Manuel Santos said that these titles were granted as part of the land restitution program, created to attend victims of armed conflict. He then showed how little he knew about the situation and those

communities that did not receive their titles as restitution, but as recognition of their informal property regimes as mandated a Law that exists since the nineties. The community council of La Boquilla then received almost forty hectares of land. They knew that filing the documents and filling up the requirements had been done entirely by them, and the Collective title was entirely their accomplishment. But they also were aware that without the window of opportunity of Obama's visit, the title probably would not have happened. They received lots of attention from the government and the media at the moment, but visibility was not the only thing they needed in the challenges to come.

3. The aftermath of the Collective Title of La Boquilla

Figure 3. Serena del Mar



Source: <https://serenadelmar.com.co/>

I spoke to Don Benjamín for the first time in July of 2012. We sat in two plastic chairs in the Magdalena river bank, on the way to Mompox, a beautiful colonial town in the department of Bolívar, and talked for almost two hours. It was a sweltering day in the noisy place we chose, where people gather to take the ferry boat to come and go between the island to the other side of the river. That was the first time I heard the history of La Boquilla's title, granted on March 30th, 2012, a few months before our conversation. At the moment, the collective title of La Boquilla was the only one issued in the continental rural area of Cartagena until 2016.¹¹⁷

In 2013, I stayed in the village with a couple that, before my visit, hosted visitors from the national government, foreigners that came as volunteers, and academic researchers. The first two days, they took me for long walks and introduced me to people in La Boquilla and the adjacent villages. They introduced me to people that could be interested in talking to me about the collective titling process. Sometimes the lady came with me to interview leaders that were also her friends, but most of the time, I went to talk to people there on my own, and I would get to them walking around La Boquilla, Marlinda, or even further north in Villa Gloria.

A week before my visit ended, the woman called me to tell me that she was leaving the house because her partner was an alcoholic and had abused her increasingly in the last days. I was staying in the same room with an English woman that came as a volunteer to teach English to children. While we were sleeping that night a man opened our door, he was drunk and asked for the house owner. I told him he was not there while closing and locking the door again. In the morning, I told the man I was leaving, and I stayed for a few days in the family house of a young leader that I have met during my work there. The

English woman had paid in advance and decided to stay in the house. In my next trips, I stayed in Cartagena and commuted to the village. I decided to include this episode to clarify that the only moment when I felt unsafe in La Boquilla was when I encountered domestic violence. I am usually cautious while doing fieldwork, but it is important to say that I never felt unsafe moving around the village or going to other rural places around Cartagena.

Nowadays, people say that La Boquilla is a dangerous place. On my second visit in 2014, I stayed in Cartagena and traveled daily to the village by taxi or bus. When I talked to people on the bus or with taxi drivers, they warned me about the dangers of going there. They were referring to the possibilities of being assaulted or attacked if I stayed there after the sunset. I try to tell them I was not a tourist, and I never felt unsafe walking in the narrow alleys of La Boquilla, even at night, nor in 2013, a year after, nor in my recent visit in 2017, when I visited with Diya, a very good friend who is not Colombian. During that last visit, I saw someone from my family living in Cartagena, in one of the new developments in the northern part of the city, next to La Boquilla. When I expressed my interest in taking Diya to the village, my cousin looked very worried and told me that he had never been to La Boquilla and had no interest in going because he knew it was a dangerous place.

That knowledge was part of a growing narrative fed by everyday opinions, and local and national news from newspapers, television and radio stations. I will only include a couple of examples of this narrative that made national news. In 2014, a Colombian congressman published an opinion piece in a national journal dedicated to economic issues. In the article, titled “*Our beaches, no man land*” the politician from Bogota stated, referring specifically to La Boquilla:

“It is shameful to see how populist court judgments are irresponsibly giving rights to beach residents. By doing that, they are violating the government and justice system

obligation to, precisely in the name of justice, not to trump fundamental rights of the majority -even if they were not born in La Boquilla-. Especially to life, rights that are at risk today for many tourists and neighbors that have to pray every time they go to the beach, where alcohol, prostitution, and drugs reign.”

The author of the editorial piece, former congressman Camilo Sanchez referred to the Constitutional Court judgment issued in 2012, that protected Boquilleros from being forbidden to work on the beach and expelled from there by Las Americas Hotel, the property of the Araujo family (Sánchez, 2014).

In 2016, newspapers reported someone attempting to assault the secretary of education’s bodyguard while he protected his boss, who was jogging on the beach. The attacker stopped and ran away when the bodyguard fired his gun without hurting anyone. Some days after the incident, Dionisio Vélez, mayor of Cartagena, declared that the young man who perpetrated the attack was a Boquillero known as “El negrito” or “The little black” who police also quickly identified as a drug dealer. The information about the capture was published in *El Universal*, the newspaper owned partially by the Araujo family (*El Universal*, 2016).¹¹⁸ The article had a picture of the alleged thief that was changed for an image of the secretary of education. The image of the thief shows the back of a black person with their head inclined guarded by two policemen on each side. It indicates success for the police force. Most certainly, the person asked not to be photographed showing their face. However, the image shows a black person with no identity, almost as it did not matter, they are black, and they have been captured. As long as it reinforces the prejudice about Boquilleros, it worked.

The major also said that the community had been protecting him until the police finally captured him and put him in jail. The police chief of Cartagena then declared that

all his men were reinforcing security to prevent attacks against tourists in the beach of La Boquilla. In 2017, newspapers reported another incident in which two French tourists were assaulted after they refused to pay almost three hundred dollars for a meal delivered to them on the beach of La Boquilla where they were sunbathing (El Tiempo, 2017; El Espectador, 2017). The two french tourists declared that that kind of incident could have happened in any place of the world, and that they will keep recommending Cartagena as a destination. But that incident made national news.

Meanwhile, Doña Soledad and Doña Gloria claimed they were still trying to request their titles. They tried unsuccessfully to appeal to national authorities to mobilize their claim. Doña Gloria contacted a congressman of a Christian party and asked him to intervene in the issue. The petition captured the interest of the politician because his party was trying to pass an anti-discrimination bill. The party sought to protect their church from any government regulation attempt (Law 1482 of 2011).¹¹⁹ However, he did support some minorities, if only for a brief amount of time. The politician sent a request for information to INCODER, asking about the state of the Collective Titling process of Villa Gloria. There was an official response from INCODER highlighting the risk of flooding that became evident during the emergency they faced with *el niño*.

In 2012, there were two different resolutions from INCODER included in the file, but without number or signature. One of them denies the land claim to Marlinda and orders the technical visit to Villa Gloria. The other orders to conduct a technical visit to both communities, and to inform this decision to Carlos Haime Baruch, and the director of the Harbor office and Cardique. It is not clear why the resolutions are included in the file if they were not signed or implemented. In 2013, Doña Soledad sent a letter to Miguel

Vásquez Luna, a known ally of the communities that worked in the government, asking him to continue with the procedures to grant a Collective Title to Marlinda (La Boquilla CLT file. Folder 1). But Vásquez Luna did not respond because he passed away that year.

The characterization of a place with the same negative qualities as its people is a too familiar narrative in Cartagena. It is part of the processes of marginalization and despatialization that have taken place before and continue to take place there. Only one thing has changed: the community has a legal document as proof of their existence in that particular place. However, La Boquilla is a case that could serve as a demonstration that having a title is useful for communities. Whenever I have talked about the effectiveness of Collective Land Titling, I have to clarify that for every community it is better to be owners than not. However, some elements always take a test over their ownership, like the growth coalitions that are continuously used to promote touristic development. Hall, Hirsch, and Li have referred to the exclusionary processes caused by land conversion for tourism:

“As tourism expands, local land, livelihoods and visions of self and of the future are reoriented away from agriculture. Further, tourism, like peri-urbanization, is profoundly connected to the global economy [...] through the involvement of overseas developers, designers, managers, capital and labor [...] Tourism is promoted by a familiar combination of state actors (who rezoned land, create tourism master plans and promotional campaigns, build infrastructure, and try to deal with resistance) and powerful corporate actors, both domestic and foreign.” (Hall, Hirsch, & Li, 2011:131, 132).

In La Boquilla, fishing communities experienced what the authors describe that has happened to farmers in South East Asia. Still, Boquilleros were recognized as ethnic communities. They also obtained the Collective Title of their lands, which gave them a role as interlocutors and challenged them to manage their territories confined within touristic enclosures. For them, the closeness to Cartagena made the titling process simultaneously

possible and challenging. Most of the difficulties that Boquilleros have faced to gain recognition as owners of their lands persist and can be seen in their interactions with a massive project currently under construction: *Serena del Mar*. The dream city.

3.1. *The dream city: A history in images of a peri-urban nightmare for Afro Colombian communities*

As I mentioned before, in the file of La Boquilla, Carlos Haime Baruch appears arguing that in 1968 he had bought the lands where Marlinda and Villa Gloria were established. He, or his lawyers, attached the title deeds as proof of his transaction, leaving it to the authorities to verify the limits of the property. INCODER declared that the two hamlets were not inside Haime's lands, but did not continue with their titling process. I heard about *Serena del Mar* the first I talked to Don Benjamín, back in the Magdalena's river bank near to Mompox. He told me that investors were planning to build a luxury retirement community for Americans and Europeans in the *Hacienda Los Morros*. When I went to La Boquilla in 2013, people talked about it as well. At the moment, there were even rumors of community leaders somehow being involved in the project, but no one knew anything with certainty. Clearly, no one in the project had taken time to inform the nearby communities about it.

Serena del mar's website archives have uploaded some information about the history of the project. Its recount of the first years reaffirm the narratives about the project's founder:

"In 1968, Carlos Haime, entrepreneur and visionary from Cartagena, came up with the idea of a prominent future in the northern part of the city, with its prosperous economy, its rich cultural history, and beautiful geography, declared part of the world heritage

list by UNESCO in 1984. Carlos Haime acquired the lands to make the dream of building something wonderful as a continuation of this urban treasure, come true. Carlos Haime acquired the lands to take his dream to reality thanks to the effort of world-renowned professionals of planning, design, and architecture, who contributed to bringing Serena del Mar to life.”¹²⁰

The section “our story” states that “Serena del Mar is deeply rooted in history. Sixty years ago the land for Serena del Mar was purchased with the vision of building something great. Today, these dreams are taking shape through the efforts of some of the world’s most esteemed minds in planning, design, and architecture.” The last information in that section states that the planning of the project started between 2007 and 2008, and was adjusted to international environmental design standards by the architecture firm Wallace Roberts and Todd. Marco Larrea, from the firm Edsa, created *Serena*’s final master plan. The participation of both worldly-renowned firms has also included Brandon Haw architecture and planning,¹²¹ demonstrates the magnitude of the project and the capital invested in it.

The image in Picture 1 accompanies the quoted text. It shows Carlos Haime Baruch wearing a white shirt, beige pants, brown shoes, and a panama hat. Wearing a complete and perfectly clean outfit, Haime is on the side of a small shack made with unpolished wood slabs. Moreover, next to him are several barefoot black children wearing only shorts, a woman, who also had no shoes holding a baby in her arms. He is the depiction of the great entrepreneur invested in conducting these lands in the path of development.

Pictures 1, 2, 3 and 4. "Our Story"



<http://web.archive.org/web/20161220001056/http://serenadelmar.com.co/en/our-story/>

Picture 2 shows an aerial view of a section of the land that, according to the information on the website, was donated for the creation of a military base in 1998. That information has been downloaded now, and there is no military base anywhere around that area. Picture 3 mentions the creation of the Carlos and Sonia Haime Foundation. Sonia Haime is Carlo's wife, and the foundation information states that "In 2006, Foundation Carlos and Sonia Haime is established to promote inclusive development and improve quality of life for the communities of Manzanillo del Mar and Tierra Baja. By providing necessary support, these communities can become agents of their own development.". The image shows a group of children outside a building wearing complete uniforms and smiling. One last picture (Picture 4) in the sequence of the "our history" section, shows two hands drawing over a map with the text about the planning of the project between 2007 and 2008.

Francisco Flórez cited a newspaper of 1918 that refers to the undesirable black neighborhoods near Cartagena's colonial walls: "It is common to see little black kids in rags, covered with hideous filth" (Flórez, 2016: 113). Picture 1 appears to show the same narrative a century later, but fortunately, picture 3 shows us what happened once the foundation took care of these kids. The four pictures of the section "our history" tell a story

of development. First, what the “great entrepreneur,” encountered when he first dreamed about the project. Then the challenge of the empty lands given to the military. Then the kids after Haime’s intervention. The last image was about the technical knowledge that the visionary brought from the first world to accomplish his dream. In their analysis of *National Geographic*, Lutz and Collins have explained the construction of these narratives:

“The organization of photographs into stories about cultural evolution (couched in more modern terms of progress and development) provides a partial resolution of this contradiction [between being equal as humans and yet recognize being more developed acknowledging the hierarchy of races]. These stories tell the Euroamerican public that their race prejudice is not so wrong; that at one point people of color *were* poor, dirty, technologically backward, and superstitious — and some still are. But this is not due to intrinsic or insuperable characteristics. With guidance and support from the West, they can in fact overcome these problems, acquire the characteristics of civilized peoples, and take their place alongside them in the world. In the context of this story, the fact that bronze peoples are portrayed as slightly less poor, more technologically adept, serves as proof that progress is possible —and fatalistically links progress and skin color.” (Lutz & Collins, 1993: 164).

The pictures that appear more recently on the project’s webpage and on the marketing materials of Serena del Mar are divided into three groups that also follow the narrative signaled by Lutz and Collins. First, the images that illustrate the work of the foundation serve as evidence of their belief that providing just the necessary support to communities will make them “agents of their own development.” The tautology in those words is originally in the English version of the text. However, it is likely that under the wording “agents of their own,” underlies a strong belief that poor communities need only the right amount of support coming from the generosity of the wealthy that puts those that are less fortunate through the right path. The agency that is given to those in need then eliminates pushing for structural measures to attend these communities or any conversation about inequality, and even less about granting those communities land titles and negotiating with them any development in their lands.

Furthermore, the following pictures of the foundation extend that rationality to the adult members of the communities that have been integrated into the project by giving them the necessary support. The gallery section of the foundation's webpage has pictures of men and women working in service labor, children receiving education, cleaning the streets, and receiving gifts with a tender gesture. That group of images matches the narrative of racialized people that goes from Picture 1 to Picture 10, where they are trying to achieve development through public hygiene, education, and work. In picture 5, there is a man at the center dressed as what in the US would be called a blue-collar worker. Picture 6 shows in the center a woman working as a cleaning lady in one of the project's buildings, and picture 7 shows two women working in services and in construction. The three pictures are part of a group that also shows communal work, children and a set of images to show the benefits that the foundation has supposedly bring to these communities. As Cunin and later Flórez stated the articulation of black people to touristic projects in Cartagena happens through specific roles like blue-collar workers and cleaners, and behaviors like attentive and thankful (Cunin, 2003; Flórez, 2017).

Picture 5. Communities working with the Serena del Mar foundation



Picture 6. Communities working with the Serena del Mar foundation II



Source: <https://fundacionserenadelmar.org/galeria/page/4/>

Picture 7. Communities working with the Serena del Mar foundation III

24/7/2017

Galería - Fundación Serena Del Mar



Source: <https://fundacionserenadelmar.org/galeria/page/4/>

In the next group of pictures, the progress of the construction shows mostly aerial images of the lands. Surprisingly, most of the photographs show only empty areas, they are taking from a perspective that does not include Marlinda, Villa Gloria, or even the communities that work with the foundation: Manzanillo del Mar or Tierra Baja (Pictures 8). The rendering people ungeographic can be found by comparing the images of the foundation's work with the project's progress. While the former show various people, and some even show them in cleaning campaigns in their places, the latter rarely show humans. The narrative here is twofold: people can indeed progress with the right amount of support,

but there is no place for them as owners in the project's lands. Despite presenting the foundation as interested in working with communities, their work is undermined by the obliteration of communities' spaces. The processes of marginalization and despatialization continue (McKittrick, 2006).

Picture 8. Progress of the Dream City



Source: <https://serenadelmar.com.co/en/galeria-2/>

The third group of pictures comes in the marketing materials of the project (Pictures 9 and 10). They present the future dream city, the luxury buildings, and pools with sea sight. Besides the noticeable differences between the previous images and these, the remarkable aspect of these images is the potential consumers: All white or mestizo families, all well dressed, all clean and with a kind expression. That completes the narrative: while

poor black people need a little support, people that are not classified as black or poor can afford and enjoy the dream city. The pictures show a highly racialized story that we have seen in Cartagena before. Only now is being deployed in front of our eyes.

Picture 9. Our dreams, our city



“Serena del Mar responds to the needs of a region thinking in well being and the future of its inhabitants”

Source: <https://serenadelmar.com.co/en/galeria-2/>

Picture 10. Our dreams, our city II



Source: <https://serenadelmar.com.co/en/galeria-2/>

I had the fortune of speaking to Doña Gloria during my last visit in 2017. She said she is still working to obtain the title. She blames Villa Gloria's process failure on the corruption of state officers. In my previous visits, there was always an uncomfortable silence when I asked other people about Doña Gloria. The lady who hosted me in my first visit in 2013 finally said that there were some rumors about her receiving bribery from people working on Serena del Mar. I do not think that is true. However, in an example of cooptation from *Serena del Mar* to one of its opponents, the relationship between Doña Gloria and the Serena del Mar Foundation has grown, and her hamlet is now one of the communities that work with the foundation.

One last group of pictures shows an additional element to the narrative: nature (Picture 11). The images of the dream city as a project with a harmonious relationship with nature present an assortment of projects where: "Climate change is the starting point to

design sustainable spaces and processes. That is why Serena del Mar contributes to the prosperity of the neighboring ecosystems promoting the interaction between people and the environment, and encouraging environmental protection” (Serena del Mar, Section Projects, retrieved on March 19th, 2018). While Afro Colombian communities of La Boquilla are deemed invaders and destroyers of precious ecosystems, the project “integrates” and protects them, even facing the challenges of climate change.

The quality of stewards of nature attributed to black communities in the Pacific did not travel with the implementation of Collective Titling in the Caribbean. In la Boquilla, the growth coalitions promoted the encounter between slow mechanisms of dispossession and gentrification in the peri-urban area of Cartagena. Even the communities that have received their Collective title are now confined within an enclosure of tourist projects (Robinson, 2020). In the Pacific, there was no place for gentrification because nature there was not a popular tourist destination whose landscape could be profitable.

Picture 11. The Dreamed City



Source: <https://serenadelmar.com.co/en/galeria-2/>

Unlike it happened in La Boquilla, nature in the Pacific, was characterized as wild and untamed, and it seemed like an appropriate place for Afro Colombian communities, that were described similarly. However, the interest of people that managed agribusinesses in those spaces changed the significance of biodiversity to a narrative where the land was needed for progress, accelerating processes of dispossession. Meanwhile nature in the Caribbean was described as too precious and delicate to be invaded and destroyed by Afro Colombian communities.

Nature could only be preserved by people who could invest in it, not for communities that do not have the capital to integrate it and make it sustainable. According to authorities and entrepreneurs, those communities are more vulnerable to climate change and should be removed from those places for good for their benefit. Even though collective titles have constituted a tool for communities to build their spatialities with more security, without a more structural commitment from the authorities to guaranty the rights of rural communities, they will still be removed and despatialized from their territories.

VI. Conclusions

When I started this research, I wanted to know how, amidst an armed conflict triggered by unequal distribution of land ownership, Afro Colombian communities acquired collective titles to thousands of hectares of land. To this end, I explored the relationship between the distribution of land ownership and the designing of a policy to grant lands to Afro Colombian communities. In prior work, I had learned the history of the Afro Colombian movement, their struggle to be recognized as an ethnic minority, and the role of territorial recognition in the Afro Colombian struggle. But it was still difficult to understand how they went from cultural recognition to a territorial accomplishment. How did they manage to make ethnic recognition concrete in the form of title deeds in a violent context where land property has always been at stake in struggles between groups? While conducting the investigation, I realized that I needed to take a step back to reformulate these questions. I have organized the conclusions from my inquiries around the three arguments outlined below.

1. CLT generated a moral economy of ethnic lands and nature preservation

Afro Colombian rural communities did not receive Collective Titles as a measure to redistribute lands, which has had various implications. First, the government officials that supported communities' land claims during the 1990s and 2000s sought to repair the Colombian state's wrongdoing in obliterating Afro Colombian rural communities numerous times by declaring their lands empty or removing communities from their traditional inhabited places. That was also the case for the representatives that changed the

Constitution in 1990. Those representatives came from diverse political backgrounds and admitted some reluctance in recognizing Afro Colombian rural communities as an ethnic group. Unlike indigenous communities, black communities had not been described in scholarship and were not known for having particular cosmologies or belief systems.¹²² The discussions around the particularities of Afro Colombian identities were long and hard as Domínguez Mejía, have shown (Domínguez Mejía, 2017). However, the representatives that were opposed to ethnic recognition were willing to compromise on the point of giving them land ownership. They considered that land ownership for those communities constituted a historical debt from the Colombian state to them. In that sense, even while the topic of their ethnic identity was still unresolved, these representatives admitted that giving Afro Colombian communities title deeds was an overdue compensation.¹²³

The issue opened numerous debates registered in the minutes of the Constitutional Assembly and the Special Commission for Black Communities designated design Law 70 of 1993 (Domínguez Mejía, 2017). The point that I want to highlight here and that I refer to in chapter three, is that transferring ownership to black communities generated a transaction inscribed in a moral economy through which, as a payment for a historic debt of the Colombian state, Afro Colombian rural communities received titles of their lands. That transaction created an obligation by rural black communities to become stewards of nature¹²⁴ (Thompson, 1971; Scott, 1976; Carrier, 2018). The relationship between Afro Colombian rural communities and the state changed when Afro Colombians acquired land ownership in exchange for nature stewardship in the 1990s. Additionally, at that moment, nature in the Pacific region became a non-human actor with economic potential for the nation because of its biodiversity (McAfee, 1999; Cárdenas, 2012).

Second, approximately 10% of the Colombian population self-identified as Afro Colombians. Even though most of them are in the Pacific, and not all of them are in rural areas, many of them are in the Caribbean region. It was only a matter of time before Caribbean communities sought the same recognition received by those in the Pacific. The trajectory of Law 70 outside of the Pacific is still an under-explored topic of research. However, after studying cases in both regions, one can say that the land titling policy became problematic when the economic potential of nature changed from one region to another. The effort made to apply the policy outside of the Pacific generated a new transaction by which communities received a title deed as a payment for the historical debt of the Colombian state with them. However, communities could not deliver on their role as stewards of nature in the Caribbean because they were seen as invaders and destroyers. Furthermore, while in the Caribbean nature was presented as part of a landscape with economic potential for leisure, in the Pacific, nature constituted a stock of abundant resources that could be extracted and priced, but not necessarily a place to spend time or even a place to own land.

2. *Narratives of nature changed as the policy traveled from the Pacific to the Caribbean*

Studying a group of processes that converged in different moments led me to explore the continuities and changes of specific ideas and narratives. The construction of nature in both contexts is one of those processes. While the Caribbean became a desirable place to spend time surrounded by nature, the Pacific is hardly seen in the same way. The differences between collective titling processes in both regions reflect a long-term construction of those landscapes and, subsequently, how the communities that occupy them

were perceived and managed. The only people deemed adequate to live in the rural areas of the Pacific were black and indigenous communities, which allowed a relatively expeditious titling process for the former. However, after receiving their titles, the lands became of interest to agribusinesses, which produced violent threats to the communities that after 1996 owned those lands.

The modification that occurred after Collective Titles were granted in the Pacific, meant that black communities were again subjected to a narrative that described them as uncivilized and not prone to development, a narrative internalized also by people in the Pacific. I often saw those narratives being used in newspaper articles but it shocked me when I heard it from people that live in Chocó, who said that there should not be Community Councils or Collective Lands for Afro Colombian communities, because they were the main obstacle to development in the department. In these arguments, rural areas should be covered by oil palm which would bring the long-desired development to their region.

In both the Caribbean and the Pacific, communities have occupied their claimed spaces historically. Moreover, to obtain the title they have to describe the history of their settlements in the CLT file. One of the requirements to recognize Afro Colombian communities as ethnic minorities and then grant them Collective Titles was to characterize them as having ancestral knowledge about their ecosystems, hence a friendly relationship with nature, which made them more capable of preserving it and maintaining its resources. That is what Cárdenas conceptualized as green multiculturalism (Cárdenas, 2012). However, Afro Colombian rural communities in the Caribbean, especially those located on the coast, were not seen as capable of safeguarding the environment and the landscape, or

confronting the risks of climate change, a task for which entrepreneurs and elites seemed to be a better fit (Katz, 2005).

The highlighted differences in the treatment that rural black communities that requested collective titles received in the Caribbean and the Pacific do not mean that they were subjected to different narratives about people and nature. On the contrary, those differences show a striking continuity in the narratives. In fact, they are two sides of the same coin because Afro Colombian communities' capacities to manage nature was not the decisive factor for them to acquire the title. What was at stake was which nature they could own and manage and for what purpose.

The nature contained in the wild and untamed jungle of the Pacific was good for Afro Colombian communities, and they could even reciprocate by preserving the valuable resources that the region could give to the nation. On the other hand, the nature that could be a tourist landscape in the Caribbean, and where people want to invest capital in profiting from owning land was not a nature that could be managed by black people that have invaded it and destroyed it before. The question is always if black communities can occupy those spaces or if those spaces are proper for hegemonic forms of development. The answer to that question often goes to the detriment of black rural communities. The cases that I studied, with the conflicts and the aftermath of their titling processes, are a continuation of that same narrative according to which black communities can be obliterated, marginalized, and displaced (McKittrick, 2006; Vergara-Figueroa, 2018).

3. *Despite collective titling, violence persists*

Yet, Afro Colombian rural communities have received titles for almost five million hectares of land, which seems to contradict the narrative of marginalization. However, it does not, because the Afro Colombian movement and the communities that have requested their titles have found a few windows of opportunity to receive them, despite being inscribed in marginalization and despatialization¹²⁵ processes. Collective Land Titling as a policy has not been systematically applied to all rural Afro Colombian communities. It has depended on the mobilization of black communities and their allies, the willingness of state officers, the capacity of international organizations to intervene in the allocation of their resources, and some national events like Barak Obama's visit to Colombia in 2012.

Politicians of the right-wing party have described indigenous and Afro Colombian communities as the largest landholders in the country because of the territorial recognition and the titles granted. They have used that as an argument to challenge the policy of granting Afro Colombian communities collective titles¹²⁶. Again, there is a need to take a step back to understand that the number of hectares does not necessarily speak to its quality. According to Naranjo and others, only 7.3% of the total of hectares granted to black communities has an agricultural vocation, and 2.5% is apt for livestock. The authors affirmed that 82.2% of the lands have forestry and agroforestry vocation, and 8.1% are preserved areas. Subsequently, only close to a million hectares of all the collectively held Afro Colombian lands are productive areas (Naranjo et al., 2017).

Seeing rural land property in terms of formalization, the number of title deeds and hectares granted seems significant to those politicians. It helps them assess how, for example, land titling has had a role in winning the war on illicit crops in Colombia (Muñoz-Mora et al., 2014). Similarly, those numbers show the success in the application of specific

points of the peace accords signed with the FARC or in government programs to improve the living conditions for people in rural areas in the country. As I have affirmed before, it is better to own land than not. Collective titling reinforced the role of the Afro Colombian movement as an interlocutor with the state. Still, Collective Titles solely cannot improve the Colombian state's problematic relationship with its rural black communities.

A couple of years ago, I heard a scholar talking about race issues in a Colombian city. They complained that an evaluator demanded that they include information about the Colombian armed conflict in her paper. Yet they affirmed not having seeing or heard anything about it in the urban context that they were exploring. A year before, in an AAG session, a group of Colombianists reflected on the difficulties of researching in Colombia without tackling the armed conflict. They said that there was a need to analyze socio-spatial issues without using the armed conflict as the ultimate explanation for everything. They highlighted that there are numerous phenomena outside of the conflict that need to be interrogated in Colombia. Additionally, the persistence in over analyzing the armed conflict has covered them up. I agree with the Colombianists, and as a personal decision, I have never studied the armed conflict directly. However, I have found various instances where people talk about their own experiences with armed actors, even without asking them.

When I heard the scholar's presentation and their dissatisfaction, I found myself extremely uncomfortable. Later I understood that my discomfort had two reasons. First, there are places in Colombia where the armed conflict is not perceivable at first. The Colombian war is not a conventional war, mainly because the state is controlled by elites that have used legal and illegal armed forces to confront different guerrilla-type groups of diverse political ideologies that are not easily defeated and yet are not strong enough to win

the control of the state. It also has its dynamics and its spaces, but also it moves on deeper levels. Its dynamics go from the urban to the rural fluidly, and the capital that gives fuel to it circulates in the same way. As I explained in chapters four and five, the capital made in rural areas through dispossession and displacement has been used in development projects in areas where supposedly there is no conflict. It is possible not to see it, but it is crucial to understand why it is not visible in specific spaces.

Secondly, talking about race and trying to understand how race creates or hides unequal relations of power in a city shows us that racism in Colombia reflects the continuation of a colonial mentality. Inequality has also been the fuel to our long-lasting armed conflict. The difficulties in understanding race as a category in Colombia have also affected our understanding of its influence in the armed conflict. But there is a need to remind us to open up our sight and realize that the armed conflict is not just about armed actors confronted. Our conflict is also about the continuous strategies used to maintain inequality, and the responses from people to the violence they experience in structural inequalities. When scholars analyzed our racialized geographies, they pointed out that the majoritarian population that considers itself not ethnic is usually in the spaces not deemed forgotten or neglected. Racialized communities have often occupied those spaces. And yes, there are places where even Afro Colombian communities have not experienced the armed conflict directly. Still, their territories, characterized as abandoned, show racialized spatialities but mostly racist geographies, and racism is also violence.

Glossary and abbreviations

GLOSSARY

Baldío: Empty lands owned by the nation.

Batea: An artisanal pan used to separate materials in small scale mining.

Campesino/Campesina: Usually translated as peasant. As Sarah Koopman¹²⁷ affirms, peasant has a connotation related to pre-modern that makes it difficult for the Latin American context. Campesino includes both land owners and farm workers who do not own land. Authors like Marc Edelman use both campesino and peasant to study peasant movements in Latin America (Edelman, 2005).

Catival: A field of cativos (*Prioria copaifera*), usually exploited by the logging industries.

Colono: Bocarejo & Ojeda translated colonos as settlers that incarnated an idea of progress by constituting the labor force that opened and expanded the agricultural frontier in the twentieth century. This image changed when environmentalism and conservation dominated governmental and non governmental actions in protected areas, where *colonos* were accused of deforestation and destruction, unlike indigenous and Afro Colombian communities, that were seen as stewards of the environment, as Cárdenas explained (Cárdenas, 2012; Bocarejo Suescún & Ojeda, 2016).

For the case of Tayrona, peasants' categorization as colonos (settlers) has deepened this exclusionary categorization. Colonos historically embodied mestizo and masculinized ideals of industriousness and progress, becoming by the early 20th century the idealized labor force behind the expansion of the agricultural frontier.

Comadres: Name given to the godmother by the parents of the baptized child.

Haciendas: In colonial times, the hacienda was a group of continuous land holdings where various productive activities like mining, cattle ranching, or agriculture took place.

Damagua (*Poulsenia armata*): Tree that produces a fiber used to fabric different objects.

Department: Administrative unit that goes after the city or municipality. Departments are similar to states in the US.

Minga and mano cambiada: Minga and to exchange hands. The former refers to gathering the people from the community to work together in any work required in the

town or even needed by a family or community member. Exchange hands refers to working for a family and a community member that in turn will pay with labor in what the first person needs, usually practiced in agriculture, but it can also function to build or fix houses or other jobs.

Moridero: It is an expression to refer to a place where there is few people or activities to occupy one's time. Commonly used for a low income neighborhood, or a small town far from any city. The literal translation would be a place where one goes to die. (Morir: To die).

Nacedero (*Trichanthera gigantea*): A tree native of South America with medicinal uses and also often used to protect water springs and as living fences.

Naidí Palm: (*Euterpe Cuatrecasana* or *Euterpe Cuatracasas* or *Euterpe oleracea*): Açaí palm tree that grows wildly in the Pacific coast.

Paisa: The word paisa has multiple meanings in Colombia. It is usually the name given informally to people of the Andean region known historically for producing coffee. This region includes the departments of Antioquia, Quindío, Caldas, and Risaralda, which share a similar accent. That name carries a stereotype of hard-working people that colonized the area by defeating the harsh mountains of the region. They are also painted as good merchants and very eloquent. That stereotype has some colonial origins but was reinforced in the XIX and early XX centuries. It has racial components because those paisas are associated with white mestizos, and excluded black people from the region, who are seen as typically having Pacific and Caribbean origins and qualified as not prone to hard work and uncivilized (Arias, 2005). However, in some regions of Colombia, the word paisa has an additional meaning that has racial and geographic connotations. In this meaning, paisa is any person from the interior of the country not considered black. For example, I was repeatedly referred to as paisa when I visited Chocó, where most people are black.

Provincia: A colonial administrative regional division of the Nuevo Reino de Granada, as the territory of Colombian was known in those times.

Resguardos: The form of collective land ownership for indigenous communities is called *resguardo*. Its origin dates from colonial tradition and, different to what happens with Afro Colombian communities, it has a long history of legislation in Colombia that goes back to the origins of the Colombian republic in the XIX century.

Tagua: Tagua nut is the ivory palm seed, also known in English as vegetable ivory because its appearance is similar to ivory. It can be extracted from certain species of palm trees (*Phytelephas*) native of South America.

Tatabro (*Tayassu albirostris*): White-lipped peccary.

Zainos (*Tayassu tajacu*): A kind of wild pig.

ABBREVIATIONS

ACIA: *Asociación Campesina Integral del Medio Atrato*. Integral Peasant Association of the Atrato.

ACAPA: *Asociación Campesina del Patía*. Peasant Association of the Patía River.

ALENPAC: *Alimentos Enlatados del Pacífico*. Canned Foods of the Pacific.

ANUC: *Asociación de Usuarios Campesinos*. National Peasants Association.

ANT: *Agencia Nacional de Tierras*. National Lands Agency.

CLT: Collective Land Title

COCOMACIA. *Consejo Comunitario Mayor de la Asociación Campesina Integral del Medio Atrato*. Major Community Council of the Integral Peasant Association of Medio Atrato.

CODECHOCÓ: *Corporación Autónoma Regional para el Desarrollo Sostenible del Chocó*. Regional Autonomous Corporation for Choco's Sustainable Development.

CONIF: *Corporación Nacional de Investigación y Fomento Forestal*. National Corporation for Forestry Research and Promotion.

CORPO-URABÁ: *Corporación Autónoma Regional para el Desarrollo Sostenible de la región del Urban Antioqueño y Chocoano*. Regional Autonomous Corporation for the Urabá region of Choco and Antioquia.

DANE: *Departamento Administrativo Nacional de Estadística*. National Administrative Statistics Department.

DIAR: *Desarrollo Integral Agrícola Rural*. International cooperation project of Integral Agricultural Rural Development.

DNP: *Departamento Nacional de Planeación*. National Planning Department.

FAO: Food and Agriculture Organization of the United Nations.

FAPC: Forestry Action Plan for Colombia.

FARC: *Fuerzas Armadas Revolucionarias de Colombia*. Revolutionary Armed Forces of Colombia.

IBRD: International Bank for Reconstruction and Development. It is a part of the World Bank Group that offers loans to middle-income developing countries.

ICA: *Instituto Colombiano Agropecuario*. Colombian Institute of Agriculture and Livestock.

ICFES: *Instituto Colombiano Para la Evaluación de la Educación*. Colombian Institute for Higher Education's Evaluation.

INCODER: *Instituto Colombiano de Desarrollo Rural*. Colombian Institute of Rural Development.

INCORA: *Instituto Colombiano de Reforma Agraria*. Colombian Institute for Agrarian Reform.

INDERENA: *Instituto Nacional de los Recursos Naturales Renovables y del Ambiente*. National Institute of Renewable Natural Resources and the Environment.

JAC: *Junta de Acción Comunal*. Board of Communal Action.

NPRMP: *Plan Nacional de Manejo de Recursos Naturales*. National Program for Natural Resources Management.

PNR: *Plan Nacional de Rehabilitación*. National Rehabilitation Plan.

SENA: *Servicio Nacional de Aprendizaje*. National Training Service.

SSN: *Red de Solidaridad Social*. Social Solidarity Network.

Endnotes

¹ I use the terms black or Afro Colombian communities as equivalent, as it is used within these communities. Some community members prefer one category over the other, while some of them use both indifferently. Law 70 of 1993, refers to them as black communities. The distinction between the two categories has had extensive theoretical discussions related to identity formation. Some scholars have studied it as a process of ethnogenesis by tracing their African roots (De Friedemann & Arocha, 1986; Arocha, 1999). While other scholars have studied the dynamic construction of their identities, focusing on the historical experiences of these communities during and after being enslaved (Restrepo, 2004, 2013; Wade, 2013).

² There are advances in ruling ethno education as another mechanism of recognition for black communities (Rojas, 2011). However, there is no specific ruling for ethno education or any of the other mechanisms included in Law 70 of 1993.

³ As defined by geographer Edward Soja: "Space itself may be primordially given, but the organization, use, and meaning of space is a product of social translation, transformation, and experience. Socially produced space is a created structure comparable to other social constructions resulting from the transformation of given conditions inherent in life-on-earth, in much the same way that human history represents a social transformation of time and temporality." (Soja, 1980: 209-210). "I have deliberately chosen the term spatiality to refer specifically to socially-produced space, the created forms and relations of a broadly-defined human geography. All space is not socially produced but all spatiality (as it is used here) is. (Soja, 1985: 123)". "As socially produced space, spatiality can be distinguished from the physical space of material nature and the mental space of cognition and representation, each of which is used and incorporated into the social construction of spatiality but cannot be conceptualized as equivalent" (Soja, 1989: 120).

⁴ See glossary.

⁵ See glossary.

⁶ Indigenous groups in Colombia have a legal figure of land property called *resguardos* (see glossary). That figure exists since colonial times, and was designed to protect communities, considered minors by the spaniard authorities. After the independence, the republican government maintained only a few *resguardos* as part of the purpose to impulse a national homogeneous identity. In the last constitutional reform the recognition of a multicultural nation allowed some indigenous groups to mobilize towards the protection of their identities and claiming their traditional *resguardos* became a way to recover their territorial rights transforming their identity in a cultural asset for the nation (Bocarejo, 2015).

⁷ Meyer has analysed state actions based on cultural explanations for them. At the global level, states follow international mandates and design policies that reflect those mandates at the national level, as it happened with protection for ethnic minorities in Colombia. (Meyer, 2010)

⁸ The study of travel literature has helped to unveil imperial ideologies that underlay in the ways that writers used to describe people and nature. One of the most significant contributions to these literature was made by Mary Louise Pratt. Pratt highlighted the

disparities of colonial spaces using what she denominates a contact perspective. According to Pratt “a ‘contact’ perspective emphasizes how subjects are constituted in and by their relations to each other. It treats the relations among colonizers and colonized not in terms of separateness or apartheid, but in terms of copresence, interaction, interlocking understandings and practices, often within radically asymmetrical relations of power.” (Pratt, 2008: 7). Jill H. Casid takes the contact perspective proposed by Pratt to study plantations in the West and East Indies. Casid shows how the circulation of plants and seeds between colonies and empires defined the narratives of nation and of control over people and nature for the empire. (Casid, 2005)

⁹ My translation. In Spanish: En un intento ya tardío por mantener su hegemonía geopolítica frente a potencias como Francia, Holanda e Inglaterra, la Corona española quiso aprovechar los discursos de la ciencia moderna para ejercer un control racional sobre la población y el territorio. Lo que buscaba el Estado borbón era tomar una serie de diagnósticos ilustrados sobre procesos vitales de la población colonial (estado de salud, trabajo, alimentación, natalidad, influencia del clima, fecundidad) y convertirlos en políticas de gobierno (“gubernamentalidad”). (Castro-Gómez, 2005: 16).

¹⁰ I refer to enslaved people instead of slaves because people were forced to the condition of slavery, which was not their identity, implied in the word slave.

¹¹ See glossary.

¹² See glossary.

¹³ My translation. In Spanish: “el espacio no sólo se constituye en un escenario imprescindible para la acción humana, sino que su ordenamiento involucra un orden social y unas creencias cosmológicas” (Herrera, 2002: 305).

¹⁴ The idea of the devil as a figure to mediate this relationship was first proposed by Taussig in his book *The devil and commodity fetishism in South America*, where he explores the transition between pre-capitalist and capitalist societies in Colombia’s southern Pacific. (Taussig, 1980). Jimenez found references to the same figure in colonial documentation and he uses it to reconstruct the geographic history of the region, without referencing the work of Taussig (Jiménez, 2004).

¹⁵ My translation. In Spanish: El círculo letrado se reforzó además, como lo venía haciendo desde la colonia, en su carácter urbano, tanto por su ubicación y su forma eminentemente citadina, en contraposición con los valores, actitudes y paisajes adjudicados al campo y lo campesino, como por el cuidado riguroso y ordenado en su desenvolvimiento público y social. Los letrados insistían en el carácter urbano para imponer a ciudades como Bogotá, como centros de dominio, civilización, conocimiento y producción cultural, en un escenario en el que estas ciudades eran pequeñas, parcialmente aisladas, pobres y rodeadas de extensos campos, bosques, selvas y conflictivas parroquias. La letra, la cultura, la civilidad y la sociabilidad intentaban suplir las carencias de dominio de las ciudades y sus élites, quienes poblaron, por medio de su escritura, de barbarie, desiertos, soledad, violencia e incultura a los otros territorios y poblaciones. (Arias, 2005: 33, 34).

¹⁶ “Chorography was a term of classical origin. In early modern Europe and the Iberian world, chorography had often referred to highly pictorial maps of local cities or regions. For Codazzi, chorography provided a scientific alternative to continuous triangulation of entire kingdoms or nations, which had become the international gold standard for cartography. The new republics of Venezuela and New Granada lacked the resources and infrastructure to carry out such a comprehensive topographical survey. So

the ‘chorographers’ (as Codazzi called them) instead blended narratives, images, statistics, and cartography produced in and about regions to highlight the specificity of each province.” (Appelbaum, 2016: 2).

¹⁷ My translation. In Spanish: “De tal suerte que criterios científicos e imaginarios públicos coincidieron en el argumento de que las tierras altas eran las únicas ‘naturalmente’ aptas para el progreso pero siempre y cuando estuvieran habitadas por pobladores blancos, y en que, de cumplirse dicha premisa en el Chocó podría esperarse el anhelado y aplazado progreso de la región.” (García, Ortiz Mesa & González Gómez, 2015: 58, 59).

¹⁸ The works of Julie Runk in the Panamanian side of the Darién demonstrate that the narratives of the Darien Gap as a wild spaces crosscut the environmental history of the area justifying not only the construction of the canal, but also the entrance of other development projects like the Pan-American highway. (Runk, 2015).

¹⁹ Both Uribe and Ballvé refer to the spaces they study, Putumayo and Urabá respectively, not only as marginal territories but as frontiers. While Uribe writes a detailed revision of the concept of frontier, Ballvé describes it only briefly. The concept of frontier for both authors is more useful because they are concerned with the presence of the state and the logic of state belonging of people in both regions. As Uribe explains, frontier is a referential concept that allows them to establish where the state functions and where its functionality starts to change, which configure its frontiers. Despite being defined by their difference from what is urban and civilized, marginal spaces, on the other hand, self referential. Marginal spaces are wild, barbaric, and uncivilized in themselves, and it is assumed that the state does not reach them.

²⁰ The period known as La Violencia started in the early forties. It ended in the sixties after the political elites of both parties agreed to take turns in the presidency in exchange to stop the violent confrontations against members of each party throughout the country. That agreement created a political system where only the liberal and conservative party members could participate, closing off the participation of other political movements, which is also listed as one of the motives for the posterior armed conflict. Political actors outside the traditional parties decided to take armed action to confront the closed political system controlled by the traditional parties’ leaders. For more information about La Violencia see Roldán, 1998 and 2002.

²¹ The company is currently known as Chiquita Brands International and it controls most of the banana production and commercialization globally. According to the Business and Human Rights Resource Center: “Several lawsuits have been filed as a result of a 2007 admission by Chiquita that it made payments from 1997 to 2004 to a paramilitary organization that the US government had designated as a terrorist group. Chiquita paid a \$25 million fine to the US government and many lawsuits by Colombian nationals are still ongoing in the US and Colombia.” (Business and Human Rights Resource Center, n.d.)

²² There is no official report from the Colombian government about the number of unionized workers killed in the massacre, “but one carefree cable from the U.S. Embassy noted, “I have the honor to report that...the total number of strikers killed by the Colombian military authorities during the recent disturbance reached between five and six hundred.”” (Ballvé, 2020: 26). A Colombian Army General admitted having killed 47 workers. There are different versions written by Colombian researchers that have calculated almost two thousand workers being killed and thrown to the sea.

²³ Studying the anthropology of the state, Abrams made the analytical distinction between the state system that includes its institutions and practices; and the idea of the state as it is imagined and translated into political dominance (Abrams, 1977/2006). Gupta takes Abrams' arguments to study the Indian state. He reinforces an idea of the state not as a monolithic institution capable of homogeneous decisions and actions, but as a complex network of relationships of power that have influence in the everyday lives of citizens in failed bureaucratic procedures, or the poor quality of services offered by the state.

Gupta focuses on bureaucratic procedures where people relate to state officers as part of the same communities or even as part of their families. The relationships that they build are more complex than the relation between a state officer as the provider of services and a citizen as receiver of those services. The citizen and the state officer are often part of the same community and on occasions of the same family. However, when bureaucratic procedures occur, the relationship is simultaneously horizontal and vertical because one of them has more power than the other. For Gupta, what is commonly described as state failure to provide services to its citizens, serve as evidence of the state presence enacting structural violence when its officers neglect or ignore specific citizens. Gupta has argued that structural violence is not an anomaly of the state. Moreover, it also constitutes and produces the idea of the state (Gupta, 2012: 43).

²⁴ Similarly, Vergara-Figueroa uses the concept of deracination to analyze the Bojayá massacre, where more than a hundred civilians were killed in 2002 during a confrontation between paramilitaries and guerrillas in the middle Atrato river basin (Vergara-Figueroa, 2018). However, the author focuses on the violent occurrence, the formation of the African diaspora, and the long-term dispossession of Afro-descendants in Colombia. Vergara-Figueroa affirms that deracination serves to make a more robust analytical framework to understand forced displacement and migration.

²⁵ INCODER as an institution was founded in 2003, as a replacement of the National Institute for the Agrarian Reform (INCORA, in Spanish). In December 2015, INCODER was liquidated and replaced by the National Land Agency (ANT, in Spanish) since 2016. The main purpose of the new ANT was to have a new institution in charge of the measures regarding to land property redistribution included as one of the six elements of the peace accord, signed with the Revolutionary Armed Forces of Colombia (FARC, in Spanish). (Jaramillo, 2016). In this research, I'll refer to either INCORA or INCODER as the agencies in charge of collective land tilting between 1996 and 2015.

²⁶ Ghertner studied the characterization of ownership or the lack of it as part of a project to make a world-class city of New Delhi. According to the author: "to pursue property was to pursue a life of propriety" (Ghertner, 2015: 181). In this research, I argue that there's a specific propriety to collective property that relies less on aesthetic features and more on characteristics seen as community values.

²⁷ Stoler specifically refers to the way in which Foucault proposes to conduct archival studies. She says that despite being compelling, Foucault's approach goes back to see archives as "stable "things" with ready-made and neatly drawn boundaries". (Stoler, 2009: 51).

²⁸ I took inspiration from other authors that worked with archives, like the research of Hetherington about the notion of transparency in bureaucratic procedures; and Weld about the encounter of police documents previously hidden in Guatemala. (Hetherington, 2011; Weld, 2014).

²⁹ There are other forms to grant lands to minorities with more or less success. All of them have different names and different legal frames, such as *resguardos* for indigenous communities; and *zonas de reserva campesina* for *campesinos*. Collective Land Titles is the official name of the lands granted to Afro Colombian communities. Amongst these three figures, the preserved zones for peasants (*zonas de reserva campesina*) have encountered most obstacles in its recognition and implementation. Despite their close relationship with their lands and the cultural richness of peasant practices, it has been difficult to grasp a marker to describe their identities as ethnic minorities to receive benefits similar to those granted to ethnic communities (Alfonso Sierra, 2007; Alfonso Sierra et al, 2011; Bocarejo, 2015).

³⁰ The six titles were granted in the same date to the Community Councils of La Madre, Chicao, Clavellino, Dos Bocas, Bocas de Taparal, and La Nueva. Map 2. Collective Land Titles Granted Between 1996 and 1999.

³¹ According to one of the INCODER officers involved in the implementation and in various CLT processes, the initial goal for his team was to have approximately five and a half million and hectares of land on the Pacific titled to Afro Colombian communities 2006. The total of hectares titled by that year was five million and seventy six thousand (Figure 5).

³² See glossary.

³³ As I will explain further in the dissertation, there are some cases in which Afro Colombian communities have claimed private lands. In these cases, INCODER is supposed to intervene to determine if the limits of the property are disputed, as it happened in La Boquilla. In other cases, INCODER is able to acquire private lands to include them in the collective title.

³⁴ See glossary.

³⁵ In that region state officers had knowledge of these practices of the FARC, and it was only until the disputes over lands in the Pacific started, that the military entered in the region in alliance with paramilitary forces.

³⁶ In the chapter about the collective titling process of Medio Atrato I will describe how its origins can be traced to the national peasant association, and their initial mobilization was as *campesinos*, not as ethnic minorities.

³⁷ People in Medio Atrato call *monte* to the forest space used by the community for resource extraction. Historically, *monte* has been used to refer to jungles or uncivilized spaces. See chapter Medio Atrato.

³⁸ Unlike it has happened in other regions like the Amazon, in the Pacific cattle ranching was not within the main causes of deforestation. Leal and Van Ausdal affirmed that “The big push by ranchers into Latin America’s rainforests only began in a significant way in the 1950s. And even then, speculation and subsidies were an important early incentive given the rapid decline in soil fertility and the persistent problem of weeds. Because dry tropical forest are much easier to convert into pastures, it is no surprising that ranching developed on the Caribbean coast while collecting valuable forest products and small-scale mining remained prominent in the Pacific.” (Leal & Van Ausdal, 2013: 22,23). Valencia and Villa recounted some government initiatives to introduce cattle ranching in the lower Atrato river basin. However, those initiatives were unsuccessful and ended up in land owners holding large extensions of land that had been cleared before (Valencia & Villa, 1991; Van Ausdal, 2009).

³⁹ The Plan is a comprehensive document that every new government has to formulate to describe their proposed public policies and other strategies for development. Each elected president has to present it to Congress to obtain approval for every part and for the funds needed to put it into action. Every four years, the Plan is launched with a different slogan to distinguish each presidential mandate.

⁴⁰ Unlike the other translations in this research, this one is not made by me. The presentation of the document is written in Spanish and English. In the text in English they refer to the program using the word Tropical at first. In the rest of the document, written in Spanish, it appears as Forestry Action Plan for Colombia, FAPC. I decided to preserve the original text of the presentation in English, but I will refer to the FAPC, as is referred to in the rest of the document.

⁴¹ See glossary.

⁴² See glossary.

⁴³ See glossary.

⁴⁴ See glossary.

⁴⁵ See glossary.

⁴⁶ See Glossary.

⁴⁷ The main difference between collective lands and indigenous *resguardos* (see glossary), was that the latter was instated since colonial times and has a long history of legislation in Colombia.

⁴⁸ Biogeographic Chocó is the region that extends in the Pacific coasts of Panamá, Colombia and Ecuador. As a high biodiversity area, it has been the place of numerous conservation projects. One of them was the project Biopacifico, “the first biodiversity conservation project financed by the Global Environment Facility” (Leal, 2015: 368). The project, conducted from 1991 to 2006, was also a precedent for community participation in natural resources management, as Leal studied recounting her own experience in it. (Oslender, 2016; Leal, 2015, Asher, 2009; Escobar, 2008; for information about Project Biopacifico <https://www.thegef.org/project/conservation-biodiversity-choco-biogeographic-region>)

⁴⁹ The transitory article included in the new constitution demanding to be transformed in law by congress before 1993.

⁵⁰ When Congress approved the modification of the National Constitution, the Afro Colombian Social movement started a campaign to be recognized as an ethnic minority. They sought to elect a representative in the Constitutional Assembly, the organ in charge of the modification, and when they could not get one, they allied with one of the indigenous representatives to include their petitions. In order to obtain approval for Transitory Article 55, they used strategic mobilization to obtain attention towards their cause: They occupied churches and public institutions like the Embassy of Haiti in Bogotá, and sent a telegram that only said “Say yes to the proposals of Black communities”, to every delegate of the Constitutional Assembly, and to President. (Restrepo & Bustos, s.f.; Castillo, 2006: 267).

⁵¹ See Glossary.

⁵² SSN was the program that replaced the National Rehabilitation Plan, it intended to integrate private and public actors, non governmental organizations and communities to improve the living conditions of vulnerable communities. (Mejía, Restrepo, Gómez, Vásquez & Fiori, 1995).

⁵³ The National Rehabilitation Plan was a program dedicated to attend marginal areas of the national territory, and to guaranty state presence there. It was created initially to contribute with the rehabilitation of former guerrilla members amnestied during the government of Belisario Betancur (1982-1986). After Betancur, the program continued to attend areas impacted by the armed conflict. To work with the program, local authorities had to forma a Municipal Counsel for Rehabilitation, which would reunite and suggest what was needed to get approval and funds from the program (Mercado, 1993).

⁵⁴ The title resolution is the document that contains the final decision in the collective property claim. It is issued by INCODER, and it describes the characteristics of the community and the extension of the land granted, with its limits. It has a serial number and date for INCODER registration purposes. From this point forward, I will refer to that document as the resolution, meaning the respective final document of each collective title.

⁵⁵ A *vereda* is one of the smallest administrative unit of population in Colombia.

⁵⁶ Oslender defines refers to an aquatic spaces as those places that provided a particular sense of place “the place-based and culturally specific ways of knowing a profoundly aquatic environment” which creates a particular epistemology that “have informed political organizational processes in the Pacific region.” (Oslender, 2016: 18).

⁵⁷ See glossary.

⁵⁸ The National Center for Historical Memory, the institution created during the peace negotiation to explain episodes related to armed conflict in Colombia, have produced numerous reports in which they have tried to clarify the origins of paramilitaries and their consolidation in different periods. They identified a period between 1997 and 2005 when paramilitaries were consolidating their power using three strategies in different levels according to the regional context: support of agro-industrial projects through dispossession and displacement, increase the extension of land property for them or their landholders allies, and counter-insurgent military actions. (Centro Nacional de Memoria Histórica, 2018).

⁵⁹ Rutas del Conflicto. Cartographic database.

<http://www.rutasdelconflicto.com/geografia-del-terror/>

Retrieved on February 26, 2018.

⁶⁰ As I mentioned before, one of the resolutions of the title granted to ACIA was in Antioquia, but it corresponds to lands of the Middle Atrato river basin, which makes the landscape and communities closer to Chocó than to Antioquia.

⁶¹ See glossary

⁶² These two files are formed by almost two hundred pages of documents each, they were hardly misplaced, specially considering that they were between the digital files that I gathered for this research, which only confirms the unpredictable procedures of a national institution like INCODER.

⁶³ They refer here to the organization Palenque el Congal and Black Communities Process (PCN in Spanish), both base in Valle del Cauca and with an important role in the mobilization of Afro Colombian communities, as authors like Asher, Domínguez Mejía, and Paschel have recognized (Asher, 2009; Domínguez Mejía, 2017; Paschel, 2018).

⁶⁴ Camargo has explained that, in the case of floodplains in northern Colombia, we need to open our understanding to consider them as human-water-land systems, rather than just water-land systems. This would also be the case in many collective lands in the Pacific,

that, like those studied by Camargo, have been impacted by confrontations over ownership (Camargo, 2017).

⁶⁵ The case of the murder of Marino López became emblematic in the area. Peasants affirm that paramilitaries slit his throat and dismembered his body, showing his decapitated head to the community as a way to terrorize them, and then the paramilitary played with it in front of the community. This is part of the file in the sentence of the Inter American Court of Human Rights that favored the community. Even though the sentence states that this part has been denied by paramilitaries that gave statements during their demobilization process, it has been corroborated by numerous peasants' testimonies (Inter American Court of Human Rights, 2013).

⁶⁶ The *procuraduría* is the equivalent of the inspector general, a government office in charge of monitoring the correct functioning of other government institutions and agencies to prevent corruption practices

⁶⁷ Hiding the violence experienced by rural communities is part of the strategies of a state commonly portrayed as absent. If the state is not present in certain areas, there is less chance to assume responsibility for episodes of state or para-state violence (Ballvé, 2012). Sánchez-Moreno wrote a book about the strategies of hiding massacres of rural people in Colombia in episodes that involved paramilitaries in collusion with the army and civil authorities (Sánchez-Moreno, 2018).

⁶⁸ In 2001 Pardo compiled a series of papers about collective action in the Colombian Pacific. In one of them, Stefan R.F. Khittel reflected about the pedagogic campaigns conducted by NGO's and religious organizations in the Pacific. He is focused on the use of history and historiography to reinforce ethnicity amongst black communities. However, he does not mention the civic campaigns intended to explain the contents and procedures of the Law 70 of 1993. Khittel, 2001.

⁶⁹ "El destierro además de ser una maniobra de vaciamiento de poblaciones para consolidar territorios y corredores estratégicos, reconquistar parcelas adjudicadas por el Estado y atesorar tierras, también fue una estrategia para apropiarse de zonas ricas en recursos naturales, y/o de zonas en las que se planeaban o ejecutaban proyectos de desarrollo y de su plusvalía". (National Center for Historical Memory, 2012: 65).

⁷⁰ One of Uribe's secretary of Agriculture is currently in jail for giving funding destined to peasants to landholders that later would fund his own presidential campaign (Revista Semana, 2019).

⁷¹ See glossary.

⁷² As defined by Leal: "Thus, unlike the plantation workers examined frequently in the literature [about black people], these peasants did not have to obey a boss or oversee or compete with a plantation for land on which to build their houses or cultivate a plantain grove. It is in this sense -of rural people who relied on family labor and had access to the means of production- that I have referred to black lowlanders as peasants. This concept allows us to understand who they were in relationship to other such rural people, black or not, in Latin America and elsewhere. In this manner, their singularity can be spelled out without considering them an isolated oddity.

This singularity centered on what in the lowlands counted as a means of production, which goes well beyond land, the natural resource most commonly singled out in agrarian studies and in plantation economies. These rainforest peasants used the various niches of the lowland environment to produce most of the resources they consumed, in addition to

those they turned into commodities by selling them to white merchants who lived in town. [...] Black labor and ingenuity went a long way not just to guarantee survival but also to make a home in the lowlands by getting to know and appropriate all of its niches.” (Leal, 2018: 225)

⁷³ Tagua nut is the ivory palm seed, also known in English as vegetable ivory because its appearance is similar to ivory. It can be extracted from certain species of palm trees (*Phytelephas*) native of South America.

⁷⁴ In Colombia, legal mining requires a license granted by the government. It does not require having a title deed because ownership of the land does not give property rights over the subsoil. Hence, someone that encounters minerals to extract in their land has to request a mining license, and someone that finds minerals in lands that are not theirs can request a license and extract those minerals once the license is granted. (Agencia Nacional de Minería, n.d.)

⁷⁵ Sentence T-622/2016. The Information is in a sentence of the Constitutional Court of Colombia, that in 2016 decided to declare the Atrato river a subject of environmental rights that must be protected due to the pollution generated by the mining industry.

⁷⁶ The area known as Medio Atrato corresponds to the medium basin of the river, but there is also a municipality called Medio Atrato.

⁷⁷ Part of the internal migration was due to political violence intensified in the forties and fifties, when partisan warfare led to the formation of the first liberal and conservative guerrillas and left hundreds of thousands of dead people in the country. However, the urban growth and better working conditions also motivated people to move to Bogotá during those years: “They came in search of higher wages, immediate access to goods [...] and education for their children. They were also “pushed” out of the countryside by poverty, unequal social relations, and atrocious violence.” (Farnsworth-Alvear, Palacios & Gómez López, 2017)

⁷⁸ *Cespedecia* is a Botanical Journal published by the Institute in charge of preserving and protecting natural and cultural inheritance in the Cauca Valley department. They compiled anonymous Spanish documents and chronicles of the XVIII century that contained descriptions of nature in the Pacific area. (Muñoz Arjona in *Cespedecia*, 1983, Supplement 4, Jan-Jun 1983, p. 449)

⁷⁹ Timber grew wildly and was extracted at the end of the nineteenth century. Due to the high prices of timber at the beginning of the twentieth century, some people cultivated a different variety. However, the fall of prices in 1910 sentenced the end of timber in Chocó, with the exception of some extraction during World War II, that used the trees planted decades before (Leal, 2008).

⁸⁰ The Embera and Noanamá indigenous, present in Chocó by the XVII and XVIII centuries were belligerent towards colonizers to the point of impeding navigation through the Atrato all the way to the Caribbean coast. (Werner Cantor, 2000; Hernández Ospina, 2006)

⁸¹ In Colombia, extractive industries as gas, oil or mining pay royalties to the state after the extraction, because natural nonrenewable resources are property of the nation. Law 37 of 1931 established that the territories that were closer to the ocean should pay a bigger percentage of royalties to the state. The Constitution of 1991 changed that regime declaring the state as owner of every natural resource under soil and making industries pay royalties to the departments where they extracted resources. (Bohórquez Camargo, 2013)

⁸² West's photographic archive contains materials about the Pacific lowlands of Colombia and Ecuador taken during the fifties was collected and organized a few years ago and it is available at the website: <https://robertwest.uniandes.edu.co/inicio/>

⁸³ The National Statistics Office, (*DANE in Spanish*) presents yearly technical reports by department.

⁸⁴ Valencia and Villa, and García described settlement patterns and refer to various censuses conducted in the colonial times and after the independence (Valencia & Villa, 1991, García, 2009).

⁸⁵ Striffler's research about the United Fruit Company and the agrarian restructuring of Ecuador during the twentieth century gives a good example of the kind of enclave economies that this industry built in Latin American countries. He challenges the idea of a weak state, by stating that actually: "The state played decisive roles in United Fruit's ability to purchase land, export fruit, and control peasant workers, but the roles it played were ambiguous, contradictory, and divided because the state itself was so fragmented." (Striffler, 2002).

⁸⁶ He mentioned the state-led colonization plans when I asked about settlement patterns and the first collective titles granted to Afro Colombian communities, that took place in the low Atrato river basin. He said that, at the moment of the technical visit conducted by the INCORA as a requisite to grant the collective titles, peasants did not have title deeds as proof of private ownership. People say that those peasants came with guerrilla movements, but Garcés and other employees conducted a research in the area because it became problematic when they started to claim a collective land title, and, according to the government officers, people remembered coming to the area by INCORA's initiative not by the guerrilla's. (Silvio Garcés, Interview conducted in September, 2015.)

⁸⁷ See glossary.

⁸⁸ In Chocó as in other Afro Colombian rural areas it is common to refer to these practices. However, they have a component of secrecy for outsiders, which makes it difficult to obtain more information about them, despite seeming like common knowledge.

⁸⁹ Valencia and Villa mentioned the presence of marihuana and coca crops in the low Atrato area. Still, there is no evidence that they constituted a significant item in the rainforest peasant's economy (Valencia & Villa, 1991: 237).

⁹⁰ The price of tagua decrease rapidly in the early twentieth century, among other reasons because this material, used commonly to make buttons, was replaced by plastic.

⁹¹ Daniel Ruiz Serna and Stellio Rolland have studied the actions of JACs in the low Atrato river basin and its relationships with the ethnic organizations after the constitutional recognition and the Collective Titles granted to communities in that area. In the middle Atrato river basin there were JAC, but they were often associated with local politicians and functioned as a clientelistic network, which dismiss peasants problems (Rolland, 2010; Ruiz Serna, 2010).

⁹² Gutierrez & Restrepo mentioned this aspect in their study of the relationship between catholic missionaries and peasant organizations in Chocó. Their work is inscribed in the numerous publications of Restrepo where he has analyzed the ethnicization of black communities in Colombia (Gutierrez & Restrepo, 2017; Restrepo 2013).

⁹³ Bocarejo has analyzed the relationship between indigenous identities and spatial recognition (Bocarejo, 2015).

⁹⁴ In the book published by the Colombian Government and the peasant association about the history of the movement, they recount how the relationship between DIAR officers and catholic missionaries were not good at first but became closer when they found the common ground that allowed them to contribute to the movement. (COCMACIA et al., 2002; Restrepo, 2010; Gutierrez & Restrepo, 2017).

⁹⁵ The project ended, and it was seen as a failure because it did not reach its objectives of integral development. The production of rice was not successful, because the conditions of the soil made it low quality compared with rice produced in other regions, and also because mining was a more profitable activity for peasants. The project technicians tried to keep buying rice from peasants and maintaining production by paying it directly with cash, which was seen as them squandering money of the project (Restrepo, 2010).

⁹⁶ Bureaucratese refers to the style of speech and writing in jargon, using euphemisms, and abstractions, typical of bureaucrats (Stoler, 2010).

⁹⁷ Documented in the publication “Para la impunidad no existen fronteras”, “There are no boundaries for impunity”, recovered from the ACIA archives. Booklet, probably published in 2000.

⁹⁸ The government office in charge of monitoring the correct functioning of other government institutions and agencies to prevent corruption practices

⁹⁹ The Ombudsman office dedicated to protecting civil and human rights

¹⁰⁰ Ulman et. al studied the decrease of fish in the Caribbean islands of Turks and Caicos; Valdivia & Bruno did a similar study for some coastal places in Central America and islands in the Caribbean showing how, due to overfishing, people have to go longer distances now to fish (Ulman et al., 2016; Valdivia, Cox, & Bruno, 2017). Salas, Barragán-Paladines, and Chuenpagdee researched about small scale fisheries in Latin America and the Caribbean, reaching similar conclusions (Salas., Barragán-Paladines., & Chuenpagdee, 2019). Vermeij et al., evaluated the changes in catch and species composition throughout history. (Vermeij, et al, 2019)

¹⁰¹ According to Colombian legislation (Law 1333,1986) a municipality: 1- Must have at least twenty thousand inhabitants, and leave at least twenty five thousand inhabitants in the original settlement if there is a division; 2- Must have contributed significantly to the original municipality three fiscal years before the separation, and the new municipality and the original make individually more than certain amount of money according to yearly national growth and without national and departmental transferences; 3- Must have the institutional capacity to manage that budget; 4-The settlement designed as head of the municipality has at least three thousand inhabitants according to the National Department of Statistics (DANE), and has the adequate offices to attend them, such as a house of government, a jail, a health center, a school or the designated budget to build those offices; 5- Must be a petition signed by at least four thousand citizens and the signatures must be approved by the authorities of the original municipality; 6- Must be approved by the planning authorities of the department; 7-Must have been managed by a Local Administrative Board at least for the last year.

¹⁰² Lozano Lerma refers to processes of labor marginalization of black women in Cali, where, according to her, black women are relegated to service labor roles or prostitution. Older black women are charged with responsibilities like taking care of younger members of the family, or taking care of natural spaces as matrons, another

stereotype related to race and gender. Despite the different contexts, the phenomena is very similar in Cartagena, where, as I mentioned before, tourism relegates black women and men to certain labors. (Lozano Lerma, 2009; 2010).

¹⁰³ Both Cunin and Valle mentioned the difficulties of using racial categorization to interrogate processes of gentrification in Cartagena. For Cunin, the problem originated in the liberal policies imposed in the XIX century to homogenize citizenship without concrete actions against racism and social hierarchies associated with race that came from the colonial times and survived after the independence.

As other scholars have stated, independent movements in Latin America did not change the hierarchical social structures imposed during colonial times, just the political regimes (Konig, 1994). Subsequently, instead of fixing the structural inequality associated with racism, the prohibition to address racial differences made people believe that social inequality was not related to race. This does not mean that race was and is not a pervasive category, but as Cunin recognized it, it is used differently in different contexts. She calls the capacity of black people for moving between race categories, “competencia mestiza.” Meanwhile, Valle recognizes the capacity of attaching and detaching race in different levels of analysis of social differences (Cunin, 2003; Valle, 2017). In my research, I acknowledge race as a problematic category by acknowledging the persistence of racism in the strategies to design, implement and manage black people and their spaces. I refer to the continuity of colonial racist mechanisms to deal with black communities in rural and urban areas. I also recognize that black communities have used different strategies to resist and respond to these mechanisms.

¹⁰⁴ McKittrick refers in this section of her book to the little academic relevance given to black geographies in human geography. However, given the colonial arguments used in Cartagena to treat people of Chambacú and other black areas, that considers black people as uncivil and immoral as their spaces, McKittrick’s explanation of such logic that results in dispossession and de-spatiality results useful.

¹⁰⁵ The news website La Silla Vacía has a section dedicated to the most influential people in specific regions and topics. In the one corresponding to the department of Bolívar, they included the Araujo family: “The Araujo are partners of the newspaper El Universal, [...] the biggest most influential newspaper in the department. Araujo Merlano is also partner and co-founder of the real state company Araujo & Segovia, which was awarded in 2013 as the most important in the country; of Capilla del Mar and Las Americas Hotel and Convention Center; of Lavamejor Laundry Service; of Credinver; and of the Proboquilla Foundation.” (LSV, 2019). My translation.

¹⁰⁶ Araujo Perdomo’s son, Fernando Araujo Rumié is currently a congressman and part of the government political party. His bill initiatives seek to favor the family industries. The Araujo family has extended their entrepreneurship to Panama since 2004. They currently own thirty nine industries in Colombia and four in Panamá. They are currently accused of tax evasion after having moved most of their businesses to Panamá. (El Espectador, 2020).

¹⁰⁷ Other brothers of the García Romero family are in jail. Juan José García Romero was accused of bribing congress members. Alvaro García Romero is accused of promoting paramilitarism, and went to jail after perpetrating the Macayepo Massacre (Revista Semana, 2013). This serves as evidence of the ramifications of politics in Colombia that often reach the realm of the armed conflict.

¹⁰⁸ Journalist Ignacio Gómez published this article in February of 1999. However, the article seems to have disappeared from the newspaper archives. I retrieved it from the web archive of free press organization Press and Society Institute. In 2007, Sociologist and Journalist Alfredo Molano published the opinion piece “Araujos et al.” for which he was sued for injury by the Araujo family.

¹⁰⁹ Getsemaní is the neighborhood studied by Valle as a case of gentrification in Cartagena (Valle, 2017).

¹¹⁰ The text of the law refers to communities as black communities.

¹¹¹ Don Benjamín used the word pastor, which usually means that the person is a minister but not Catholic, which seems to be the case of Mr. Casanova.

¹¹² La Boquilla CLT file. Folder 2 (1 out of 5). Most of the opponents’ letters are in this folder. The Haime issue is also in folders 1 and 4. The technical visit is one of the requirements of the titling process as stated in the Decree 1745: INCODER officers must visit the community to confirm their existence, validate their traditional practices and verify the limits of the claimed territories. Once they do the technical visit and approved the granting of the title they must publicized that decision and give a certain amount of time to receive opponents’ claims.

¹¹³ Don Benjamín used the word to imply that those people were not black but also were dedicated to managing different businesses. See glossary.

¹¹⁴ Scholars like Cárdenas and Vélez have used the regime of commons frame to understand relationships and possibilities within Afro Colombian communities, derived from the creation of black enclosures. However, in a forthcoming paper written with Alfonso Sierra, we question such interpretation based on black communities’ lack of access and control of a common stock (Cárdenas, 2009; Vélez, 2011).

¹¹⁵ Colonos were historically the peasants that came by government initiatives or by themselves to open agrarian frontiers. Bocarejo and Ojeda add to this characterization that the notion of *colono* “historically embodied mestizo and masculinized ideals of industriousness and progress, becoming by the early 20th century

the idealized labor force behind the expansion of the agricultural frontier. This changed by the second half of the century, and their association in the official discourse with illegal crops and subversive groups led years later to their production as cocaleros (coca growers).” (Bocarejo & Ojeda, 2016)

¹¹⁶ The situation will be close to what Hall points out explaining the uses of primitive accumulation and accumulation by dispossession in the Land Grabbing literature: “Extra-economic land acquisitions involve the use of legal or political power and /or (the threat of) force. The people losing land may receive compensation, but there is no market transaction between a willing buyer and a willing seller.” (Hall, 2013: 1592).

¹¹⁷ Other CLT was granted to the community of Islas del Rosario, also considered part of the rural area of Cartagena. Similarly, to what happened in La Boquilla, the community of Islas del Rosario had to face touristic enterprises and elite families that had historically grabbed their lands. This case is well explained in Duran, C. (2007). *¿Es nuestra isla para dos? Conflicto por el desarrollo y la conservación en las Islas del Rosario, Cartagena*. Bogotá, Universidad de los Andes. Further analysis that compares the cases of Islas del Rosario and La Boquilla goes beyond the scope of this study but will be included in a future project.

¹¹⁸ The first image can be found at https://www.eluniversal.com.co/sites/default/files/201601/2016-01-05_160044.jpg retrieved on May 15th, 2017

¹¹⁹ In 2014 the director of the party would be accused of discrimination against their disabled members. (revista Semana, 2014).

¹²⁰ I retrieved this paragraph on July 11th, 2017. In Spanish the paragraph stated:

"En 1968, Carlos Haime empresario y visionario cartagenero, concibió la idea de un futuro prometedor al norte de Cartagena, una ciudad con una economía próspera, una rica historia cultural y una hermosa geografía, declarada Patrimonio de la Humanidad por la UNESCO en 1984. Carlos Haime adquirió los terrenos para hacer realidad el sueño de construir algo maravilloso como una continuación de esta joya urbana. Hoy este sueño es realidad gracias al esfuerzo de profesionales reconocidos a nivel mundial en las áreas de planeación, diseño y arquitectura que han permitido darle vida a Serena del Mar." However, I did not take the precaution of saving it in that moment, and after some months that paragraph was modified, and the images were eliminated. I found the web archive on March 19th of 2018, with the images and a shorter version of the text, in this link <https://web.archive.org/web/20161220001056/http://serenadelmar.com.co/en/our-story/>

¹²¹ Edsa: <https://www.edsaplan.com/#legacy>

Wallace Roberts & Todd: <https://www.wrtedesign.com/>

Brandon Haw: <https://www.brandonhawarch.com/>

¹²² Scholars like Friedemann and Arocha traced the identity of Afro Colombian communities through the notion of ethnogenesis. That conceptual perspective, they affirmed, gave temporal depth to the Afro Colombian culture (De Friedemann & Arocha, 1986).

¹²³ One of the representatives that hold that position towards Afro Colombian communities was sociologist Fals Borda, of the M-19 Democratic Alliance. However, Kiran Asher recounts in her research about the Afro Colombian Social movement, that he changed his mind about the ethnicity of these groups after traveling to Chocó and witnessing communities' collective forms of land management (Asher, 2009: 35, 36).

¹²⁴ I understand moral economy here as a series of transactions that generated a correspondent number of obligations between parties involved. According to Edelman, contemporary peasant movements have renewed the notion of moral economy with their transnational networks of struggle and solidarity (Thompson, 1971; Scott, 1976; Edelman, 2005; Carrier, 2018).

¹²⁵ The concept of despatialization is associated to the moments when Afro Colombians have been denied of their spatialities, as explained in the case of La Boquilla, in chapter V.

¹²⁶ Using similar arguments those politicians have opposed to policies of land restitution, as Max Counter has explained (Counter, 2019).

¹²⁷ Koopman, S. (2007). Campesino. <https://www.spanishforsocialchange.com/search?q=campesino>

References

Agudelo, C. 2005. *Retos del multiculturalismo en Colombia. Política y poblaciones negras*. Medellín, Colombia: La Carreta Editores, ICANH, IEPRI, IRPD.

Alfonso Sierra, T.; Grueso, L.; Prada, M.; Salinas, Y.; Lenaitre, J., ed. (2011). *Derechos enterrados: Comunidades étnicas y campesinas en Colombia, nueve casos de estudio*. Universidad de los Andes, Bogotá.

Anthias, P., & Radcliffe, S. (2015). The ethno-environmental fix and its limits: Indigenous land titling and the production of not-quite-neoliberal natures in Bolivia. *Geoforum*, 64.

Anthias, P. (2019). Rethinking territory and property in indigenous land claims. *Geoforum*. <https://doi.org/10.1016/j.geoforum.2019.09.008>

Appelbaum, N. (2016). *Mapping the Country of Regions. The Chorographic Commission of Nineteenth Century Colombia*. Chapel Hill, University of North Carolina Press.

Aprile-Gnisset, J. (1991). La colonización en el Chocó (apuntes). In Munévar, L., ed. *Colonización del bosque húmedo tropical*. Bogotá, Corporación Araracuara, Banco Popular, pp. 249-274.

_____. (1993). *Poblamiento, hábitats y pueblos del Pacífico*. Cali: Universidad del Valle.

Aprile-Gnisset, J. & Mosquera, G. (1987). Habitabilidad, vivienda en los caseríos del Atrato medio. *Revista CODECHOCO*.

Arias, J.A. (2005). *Nación y diferencia en el siglo XIX colombiano. Orden nacional, radicalismo y taxonomías poblacionales*. Bogotá, Ediciones Uniandes.

Arocha, J. (1992). Los negros y la Nueva Constitución Colombiana de 1991. *América Negra: A la Zaga de la América Oculta*, 3: 39-54.

Arocha, J. (1998). Inclusion of Afro-Colombians. Unreachable Goal? *Latin American Perspectives*, 100 (25): 70-89.

Arocha, J. (1999). *Ombligados de Ananse. Hilos ancestrales y modernos en el Pacífico colombiano*. Bogotá, Universidad Nacional de Colombia.

Asher, K. (2009). *Black and green: Afro-Colombians, development, and nature in the Pacific lowlands*. Durham, Duke University Press.

Ballvé, T. (2012). Everyday state formation: territory, decentralization, and the narco land grab in Colombia. *Environment and Planning: Society and Space*, 30: 603-622.

_____. (2020). *The frontier effect state formation and violence in Colombia*. Ithaca, Cornell University Press.

Barry, D. and Meinzen-Dick, R. (2014). The invisible map: Community tenure rights. In

Kathleen Morrison, Christine Padoch, and Susanna Hecht (eds.), *The Social Life of Forests: Past, Present, and Future of Woodland Resurgence*. Chicago, Ill.: University of Chicago Press.

Bergquist, C. (1999). *Café y Conflicto en Colombia (1886-1910). La Guerra de los Mil días sus antecedentes y consecuencias*. Bogotá, Banco de la República, Áncora Editores.

Bohórquez Camargo, J. (2013). Evolución del régimen de regalías en Colombia a partir de la Constitución política de 1991. *Equidad Desarrollo*, 19: 137-160.

Bocarejo Suescún, D. (2015). *Tipologías y topologías indígenas en el multiculturalismo colombiano*. Instituto Colombiano de Antropología e Historia, Universidad de los Andes, Universidad del Rosario, Bogotá.

Bocarejo Suescún, D. & Ojeda, D. (2016). Violence and Conservation: Beyond Unintended Consequences and Unfortunate Coincidences. *Geoforum* 69: 176-183.

Buitrago, A. (2006). Rodeados por las murallas. Conflictos por el territorio en la Boquilla, Cartagena. *Memorias. Revista Digital de Historia y Arqueología desde el Caribe*, 5, <http://www.redalyc.org/articulo.oa?id=85530504> Retrieved on February 13th, 2014.

Bushnell, D. (1993). *The making of modern Colombia: A nation inspite of itself*. Berkeley and Los Angeles, University of California Press.

Camacho, J. (1999). "Todos tenemos derecho a su parte": derechos de herencia, acceso y control de bienes en comunidades negras de la costa Pacífica chocoana. Camacho, & E. Restrepo (1999). *De montes, ríos y ciudades. Territorios e identidades de la gente negra en Colombia*. Bogotá, Fundación Natura, Edofondo, Instituto Colombiano de Antropología, 107-130.

Camargo, A. (2017). Land born of water: Property, stasis, and motion in the floodplains of northern Colombia. *Geoforum*. <https://doi.org/10.1016/j.geoforum.2017.11.006>

Camargo, A., Perreault, T., Huber, M., Postero, N., Sultana, F., & Wolford, W. (2016). *Disastrous waters, nascent lands: Politics and agrarian transformations in post-disaster Colombia* (ProQuest Dissertations Publishing). Retrieved from <http://search.proquest.com/docview/1823607190/>

Cárdenas, J.C. (2009). *Dilemas de lo Colectivo. Instituciones, pobreza y cooperación en el manejo local de los recursos de uso común*. Bogotá: Universidad de los Andes.

Cárdenas, R. (2012) Green multiculturalism: articulations of ethnic and environmental politics in a Colombian ‘black community’. *The Journal of Peasant Studies*, 39 (2): 309-333.

Carrier, J. (2018). Moral economy: What’s in a name. *Anthropological Theory*, 18(1): 18–35. <https://doi.org/10.1177/1463499617735259>

Casid, J. (2005). *Sowing empire: landscape and colonization*. Minneapolis: University of Minnesota Press.

Castillo Ardila, A., Leal, C. (2013). *Los letrados y la gente del río Condoto. Minería y Transformaciones Socioambientales en Chocó 1975-2013*. Master’s Thesis in Geography. Los Andes University. Bogotá.

Castillo, L. C. (2007). *Etnicidad y Nación. El desafío de la diversidad en Colombia*. Cali: Universidad del Valle.

Castro-Gómez, S. (2005). La hybris del punto cero: ciencia, raza e ilustración en la Nueva Granada (1750-1816). Bogotá, Editorial Pontificia Universidad Javeriana.

Chigbu, U., Schopf, A., de Vries, W., Masum, F., Mabikke, S., Antonio, D., & Espinoza, J. (2017). Combining land-use planning and tenure security: a tenure responsive land-use planning approach for developing countries. *Journal of Environmental Planning and Management*, 60(9): 1622–1639.

Clemmer, R. (2014). “Anthropology, the indigenous and human rights: Which billiard balls matter most?” *Anthropological Theory*, 14 (1): 92-117.

Colmenares, G. (1979). *Popayán: Una sociedad Esclavista, 1680-1800. Vol 2*. Medellín, La Carreta.

Counter, M. (2019). In Good Faith: Land Grabbing, Legal Dispossession, and Land Restitution in Colombia. *Journal of Latin American Geography*, 18(1), 169–192.

Cunin, E. (2003). *Identidades a flor de Piel. Lo “negro” etre apariencias y pertenencias: mestizaje y categorías raciales en Cartagena (Colombia)*. Bogotá, IFEA, ICANH, Uniandes, Observatorio del Caribe Colombiano.

Dagnino, E. Olvera, A. and Panfichi, A. (2006). *La disputa por la construcción democrática en América Latina*. México D.F. and Veracruz: CIESAS, Universidad Veracruzana.

De Friedemann, N. S., & Arocha, J. (1986). *De Sol a Sol. Génesis, transformación y presencia de los Negros en Colombia*. Bogotá: Planeta Editores.

Deávila Pertuz, O. (2015). Los desterrados del paraíso: turismo, desarrollo y patrimonialización en cartagena a mediados del siglo XX. In Abello Vives, A. & Flórez, F.J. *Los desterrados del paraíso. Raza, pobreza y cultura en Cartagena de Indias*. Cartagena, Maremágnum.

De Franqueville, H. (2001). *La pudrición del cogollo de la palma aceitera en América Latina*. Montpellier, Cirad-Departamento de cultivos perennes.

Dempsey, J. (2016). *Enterprising Nature. Economics, markets, and finance in Global Biodiversity Politics*. Oxford, Wiley.

Domínguez Mejía, M.I. (2017). *Territorios Colectivos. Proceso de formación del Estado en el Pacífico Colombiano (1993-2009)*. Medellín, Universidad de Antioquia.

Durán, C. (2007) *¿Es nuestra Isla para dos? Conflicto por el desarrollo y la conservación en Islas del Rosario, Cartagena*. Bogotá, Ediciones Uniandes.

Edelman, M. (2005). Bringing the Moral Economy back in ... to the Study of 21st-Century Transnational Peasant Movements. *American Anthropologist*, 107(3): 331–345. <https://doi.org/10.1525/aa.2005.107.3.331>

Erazo, J.S. 2013. *Governing Indigenous Territories. Enacting Sovereignty in the Ecuadorian Amazon*. Durham: Duke University Press.

Escobar, A. (1995). *Encountering development: the making and unmaking of the Third World*. Place of publication not identified, Princeton University Press.

Escobar, A. & Pedroza, Á. (1996). *Pacífico: ¿Desarrollo o diversidad? Estado, capital y movimientos sociales en el Pacífico colombiano*. Bogotá, Cerec- Ecofondo.

_____ (2003). Displacement, Development, and Modernity in the Colombian Pacific. *International Social Science Journal*, (175), 157–167.

_____ (2008). *Territories of difference: Place, movement, life redes*. Durham, Duke University Press.

Farnsworth-Alvear, A., Palacios, M. & Gómez López, A.M. (2017). *The Colombia Reader*. Durham, Duke University Press.

Ferro, G. (2009). Desarrollo del Estado Moderno Colombiano y la Misión Católica en el Chocó: (1904-1909). *Manuscript*.

Flórez, F.J. (2015). Culto a la piedra, desprecio a la gente: Cartagena en tres escenas. In Abello Vives, A. & Flórez, F.J. *Los desterrados del paraíso. Raza, pobreza y cultura en Cartagena de Indias*. Cartagena, Maremánum.

García, O. A. (2003). *Los renacientes y su territorio. Ensayos sobre la etnicidad negra en el Pacífico sur Colombiano*. Medellín, Universidad Pontificia Bolivariana, Concejo de Medellín. Colección pensamiento político contemporáneo No. 5.

_____ (2009). De lo regional a lo local en el pacífico sur colombiano, 1780-1930. In *Historelo. Revista de Historia Regional y Local*. Medellín, Universidad Nacional de Colombia.

García, O.A., Ortiz Mesa, J. & González Gómez, L.M. (2015). *El Chocó en el Siglo XIX: encrucijada histórica, social, territorial y conceptual: hacia un Nuevo Siglo XIX del noroccidente colombiano. Balance bibliográfico de Antioquia, Caldas y Chocó. Tomo 3*. Medellín: Universidad Nacional de Colombia.

García Reyes, P. (2011). *La paz perdida. Territorios colectivos, palma africana y conflicto armado en el Pacífico Colombiano*. Tesis para obtener el título de Doctora en Ciencias Sociales con especialización en Ciencia Política. Flacso, Mexico.

Gaviria Pérez, N. (1980). *Misioneros Claretianos en el Chocó*. Medellín, L. Vieco.

Ghertner, A. (2015). *Rule by Aesthetics. World Class City Making in Delhi*. New York, Oxford University Press.

Grajales, J. (2011). The rifle and the title: paramilitary violence, land grab and land control in Colombia. *Journal of Peasant Studies*, 38:4, 771-792.

González Escobar, L.F. (1996). Chocó en la cartografía histórica: de territorio incierto a departamento de un país llamado Colombia. *Boletín Cultural y Bibliográfico*. 33 (43): 3-72. Bogotá, Banco de la República.

González, F. E., Bolívar, I. J. & Vásquez, T. (2003). *Violencia política en Colombia: De la nación fragmentada a la construcción del Estado*. Bogotá, Cinep.

González, G. F. E. (2014). *Poder y violencia en Colombia*. Bogotá, Cinep.

Guber, R. (2001). *La etnografía. Método, campo y reflexividad*. Bogotá, Grupo Editorial Norma.

Gupta, A. (2012). *Red tape: Bureaucracy, Structural Violence, and Poverty in India*. Durham, Duke University Press.

Gutierrez, A. & Restrepo, E. (2017). *Misioneros y organizaciones campesinas en el medio Atrato*. Medellín, Uniclairetiana.

Hall, D., Hirsch, P., & Li, T. (2011). *Powers of exclusion: land dilemmas in Southeast Asia*. Honolulu: University of Hawai'i Press.

Hall, D. (2013). Primitive Accumulation, Accumulation by Dispossession and the Global Land Grab. *Third World Quarterly*, 34(9), 1582–1604. <https://doi.org/10.1080/01436597.2013.843854>

Hart, G. (2006). Denaturalizing Dispossession: Critical Ethnography in the Age of Resurgent Imperialism. *Antipode*, 38(5), 977–1004.

_____ (2018). Relational comparison revisited: Marxist postcolonial geographies in practice. *Progress in Human Geography*, 42(3), 371–394.

Harvey, D. 2003. *The New Imperialism*. Oxford: Oxford University Press.

Hernández Ospina, M. (2006). Formas de territorialidad española en la Gobernación del Chocó durante el siglo XVIII. *Historia Crítica*, 32: 12-37.

_____ (2010). De colectivo a comunitario: la convergencia entre valores católicos y propuestas de desarrollo en la configuración de lo étnico en el Medio Atrato. In: Serje, M. (2010). *Desarrollo y Conflicto: Territorios, recursos y paisajes en la historia oculta de proyectos y políticas*. Bogotá, Uniandes.

Herrera, M. (2002). *Ordenar para controlar. Ordenamiento espacial y control político en las Llanuras del Caribe y en los Andes Centrales neogranadinos, Siglo XVIII*. Bogotá, Instituto Colombiano de Antropología e Historia, Academia Colombiana de Historia.

Hetherington, K. (2011). *Guerrilla Auditors. The politics of transparency in Neoliberal Paraguay*. Durham, Duke University Press.

Hodgson, D. (2002). Introduction: Comparative Perspectives on the Indigenous Rights Movement in Africa and the Americas. *American Anthropologist*, 104(4): 1037–1049.

Hoffmann, O. 2007. *Comunidades negras en el Pacífico Colombiano: Innovaciones y dinámicas étnicas*. Lima: Instituto Francés de Estudios Andinos, ABYA-YALA, IRD.

Huezo, A. (2017). Eradication without prior consultation: the aerial fumigation of coca in the black communities of the Colombian Pacific. *Canadian Journal of Latin American and Caribbean Studies* *Revue canadienne des études latino-américaines et caraïbes*, 42(3): 375-399.

Jimenez, O. (2004). *El Chocó: Un paraíso del demonio. Novia, Citará y el Baudó, siglo XVIII*. Medellín, Editorial Universidad e Antioquia.

Katz, C. (2005) [1998]. Whose Nature, whose culture? Private productions of space and the “preservation” of nature. In Braun & Castree, editors. *Remaking reality. Nature at the millennium*. New York, Routledge.

Khittel, S.R.F. (2001). Usos de la historia y la historiografía por parte de las ONG y OB de las comunidades negras en el Chocó. In: Pardo, M. (ed.), *Acción colectiva, Estado y etnicidad en el Pacífico colombiano*. Bogotá, Instituto Colombiano de Antropología e Historia-Colciencias: 71-94.

Konig, H.J. (1994). *En el camino hacia la nación: Nacionalismo en el proceso de formación del estado y de la nación de la Nueva Granada, 1750-1856*. Santafé de Bogotá, Banco de la República.

La Rosa, M. (2000). *De la derecha a la izquierda. La Iglesia Católica en la Colombia contemporánea*, Bogotá, Planeta.

Larson, A. 2010. *Forest for People: community rights and forest tenure reform*. London, Washington: Earthscan.

Lasso, M. (2019). *Erased: The untold history of the Panama Canal*. Cambridge, Harvard University Press.

Leal, C. & Restrepo, E. (2003). Unos bosques sembrados de aserríos. Historia de la extracción maderera en el Pacífico colombiano. Medellín, Editorial Universidad de Antioquia.

Leal, C. & Van Ausdal S. (2013). Landscapes of Freedom and Inequality. Environmental Histories of the Pacific and Caribbean Coasts of Colombia. *Desigualdades.net, Working Paper Series*. Working Paper No. 58.

Leal, C. (2008). Disputas por tagua y minas: Recursos naturales y propiedad territorial en el Pacífico colombiano, 1870-1930. *Revista Colombiana de Antropología*, 44 (2): 409-438. Bogotá, ICANH.

_____ (2009). La compañía minera Chocó Pacífico y el auge del platino en Colombia, 1897-1930. *Historia Crítica*, 39E: 150-164.

_____ (2015). Conservation Memories: Vicissitudes of a Biodiversity Conservation Project in the Rainforests of Colombia, 1992–1998. *Environmental History* 20: 368–395.

_____ (2018). *Landscapes of Freedom. Building a Postemancipation Society in the Rainforest of Western Colombia*. Tucson, University of Arizona Press.

LeGrand, Catherine (1988). *Colonización y protesta campesina en Colombia, 1850-1950*. Bogotá, Universidad Nacional de Colombia.

Li, Tania (2014). *Land's end: capitalist relations on an Indigenous Frontier*. Durham & London, Duke University Press.

Losonczy, A. M. (2006). *La trama interétnica. Ritual, sociedad y figuras de intercambio entre los grupos negros y emberas del Chocó*. Bogotá, Instituto Colombiano de Antropología-Instituto Francés de Estudios Andinos.

Lozano Lerma, B. R. (2009). Género, racismo y ciudadanía. In *La manzana de la discordia*, 4(1), 7-17.

_____ (2010). Mujeres negras (sirvientas, putas, matronas): una aproximación a la mujer negra de Colombia. In *Temas De Nuestra América. Revista De Estudios Latinoamericanos*, 26(49), 135-158.

Lutz, C. & Collins, J.L. (1993). *Reading National Geographic*. Chicago, The University of Chicago Press.

Martinez Basallo, S. (2013). *Configuraciones Locales del Estado. Titulación Colectiva, economías de enclave y etnicidad en el Pacífico colombiano*. Cali: Universidad del Valle.

McAfee, K. (1999). Selling nature to save it? Biodiversity and green developmentalism. *Environment and Planning D: Society and Space*, 17: 133-154.

McElwee, P. (2016). *Forests are gold. Trees, people, and the environmental rule in Vietnam*. Seattle, University of Washington Press.

Mcsweeney, K., Richani, N., Pearson, Z., Devine, J., & Wrathall, D. (2017). Why Do Narcos Invest in Rural Land? *Journal of Latin American Geography*, 16(2), 3–29. Retrieved from <https://muse.jhu.edu/article/664385>

Meertens, D., & Zambrano, M. (2010). Citizenship deferred: the politics of victimhood, land restitution and gender justice in the Colombian (post?) conflict. *International Journal of Transitional Justice*, 4(2), 189–206.

Meyer, John W. 2010. "World Society, Institutional Theories, and the Actor." *Annual Review of Sociology*, 36:1-20.

Molotch, H. (1976). The City as a Growth Machine: Toward a Political Economy of Place. *The American Journal of Sociology*, 82(2), 309–332. <https://doi.org/10.1086/226311>

Múnera Cadavía, A. (1998). *El fracaso de la nación. Región, clase y raza en el caribe colombiano: 1717-1810*. Bogotá, Banco de la República, El Ancora Editores.

Múnera, L. (1998). Los años de la ANUC (1968-1974). *Rupturas y Continuidades: Poder y Movimiento Popular en Colombia 1968-1988*. Bogotá, IEPRI, Universidad Nacional, CEREC.

Muñoz Arjona. P. (1780 aprox.). Descripción del Gobierno del Chocó, sus pueblos de indios, el numero de estos, reales de minas, numero de negros y esclavos por su laboreo. *CESPEDECIA: Boletín Científico del departamento del Valle del Cauca*, 1983, 45-46 (4), Cali, Imprenta Departamental: 461-472.

Muñoz-Mora, J., Tobón-Zapata, S. & d'Anjou, J. (2014). Does Land Titling Matter? The Role of Land Property Rights in the War on Illicit Crops in Colombia. Universitat Autònoma de Barcelona Document de Treball núm.14/2 . Available at SSRN: <https://ssrn.com/abstract=2539032> or <http://dx.doi.org/10.2139/ssrn.2539032>

Nuijten, M. and Lorenzo, D. 2009. "¿Dueños de todo y de nada! (Owners of all and nothing): Restitution of Indian territories in the Central Andes of Peru". 185-207. In D. Fay, & D. E. James, *The Rights and Wrongs of Land Restitution. Restoring What Was Ours*. New York: Routledge, Cavendish.

Offen, K. H. (2003). The Territorial Turn: Making Black Territories in Pacific Colombia. *Journal of Latin American Geography* 2(1): 43-73.

Ojeda, D. (2016). Los paisajes del Despojo: propuestas para un análisis desde las reconfiguraciones socioespaciales. *Revista Colombiana de Antropología*, 52(2): 19-43.

Oslender, U. (2008). *Comunidades negras y espacio en el Pacífico Colombiano: Hacia un giro geográfico en el estudio de los movimientos sociales*. Bogotá: ICANH, Universidad Colegio Mayor de Cundinamarca, Universidad del Cauca.

_____. (2016). *The Geographies of Social Movements. Afro-Colombian mobilization and the aquatic space*. Durham & London, Duke University Press.

Palacios, M. (1979). *El café en Colombia (1850-1970). Una historia Económica, Social y Política*. Bogotá, Editorial Presencia.

Pardo, M. ed. (2001). *Acción colectiva, Estado y etnicidad en el Pacífico colombiano*. Bogotá, Instituto Colombiano de Antropología e Historia-Colciencias.

Paschel, T. (2018). *Becoming political subjects: Movements and ethno-racial rights in Colombia and Brazil*. Princeton, Princeton University Press.

Peluso, N. & Ribot, J. (2003). A theory of Access. *Rural Sociology*, 68(2): 153–181.

Pratt, M. (2008). *Imperial eyes: travel writing and transculturation* (2nd ed.). London, Routledge.

Ramírez, M.C. (2011). *Between the Guerrillas and the State: The Cocalero Movement, Citizenship, and Identity in the Colombian Amazon*. Durham, Duke University Press.

Rappaport, J. (1994). *Cumbe reborn: An Andean ethnography of history*. Chicago, the University of Chicago Press.

Restrepo, E. & Rojas A. (2001). *Conflicto e (in)visibilidad. Retos de los estudios de la gente negra en Colombia*. Popayán, Editorial Universidad del Cauca.

Restrepo, E. (2001). Imaginando comunidad negra: Etnografía de la etnización de las poblaciones negras en el Pacífico sur Colombiano. In: Pardo, M. (ed.), *Acción colectiva, Estado y etnicidad en el Pacífico colombiano*. Bogotá, Instituto Colombiano de Antropología e Historia-Colciencias: 41-70.

_____. (2004). Ethnicization of blackness in Colombia: Toward de-racializing theoretical and political imagination. *Cultural Studies* (18): 5: 298-715.

_____. (2010). Genealogía e impactos (no-intencionados) de las intervenciones de desarrollo en el Chocó: el Proyecto Desarrollo Integral Agrícola Rural (DIAR)”. In Vries, P. & Valencia, E, eds. *El DIAR ¿Fracaso o una promesa no cumplida?* Quibdó, Universidad Tecnológica del Chocó, pp. 9-142.

_____. (2013). *Etnización de la negritud: la invención de las ‘comunidades negras’ como grupo étnico en Colombia*. Popayán: Editorial de la Universidad del Cauca.

Rivas, N. (2001). Ley 70 y medio ambiente: El caso del Consejo Comunitario Acapa. Pacífico Nariñense. In: Pardo, M. (ed.), *Acción colectiva, Estado y etnicidad en el Pacífico colombiano*. Bogotá, Instituto Colombiano de Antropología e Historia-Colciencias: 149-170.

Rivera Cusicanqui, S. (1987). *The politics and ideology of the Colombian peasant movement : the case of ANUC (National Association of Peasant Smallholders)*. Geneva, United Nations Research Institute for Social Development.

Rodriguez, S., Stavrianakis, A., & Stern, M. (2018). Building civilian militarism: Colombia, internal war, and militarization in a mid-term perspective. *Security Dialogue*, 49(1-2), 109–122. <https://doi.org/10.1177/0967010617743201>

Roldán, M. (1998). Violencia, colonización y la geografía de la diferencia cultural en Colombia. *Análisis Político*, 35: 3-22.

_____. (2002). *Blood and Fire: La Violencia in Antioquia, Colombia, 1946-1953*. Durham: Duke University Press.

Rolland, S. (2010). Los actores étnicos en la regulación política del bajo Atrato Colombiano. In Launay-Gama, C. & González González, eds. *Gobernanza y conflicto en Colombia. Interacción entre gobernantes y gobernados en un contexto violento*. Bogotá, CINEP-Irg.

Rudel, T. (1989). How Do People Transform Landscapes? A Sociological Perspective on Suburban Sprawl and Tropical Deforestation. *American Journal of Sociology*, 115 (1): 129-154.

_____. (2000). Organizing for Sustainable Development: Conservation Organizations and the Struggle to Protect Tropical Rain Forests in Esmeraldas, Ecuador. In *AMBIO: A Journal of the Human Environment*, 29(2): 78-82.

Rudel, T. & Hernández, M. (2017). Land Tenure transitions in the Global South: Trends, Drivers, and Policy Implications. *Annual Review of Environmental Resources*, 42 (1): 489-507.

Ruiz Serna, D. (2010). Etnia, raza y cultura en la acción política: ¿nuevos retos para la gobernanza en Colombia?. In Launay-Gama, C. & González González, eds. *Gobernanza y conflicto en Colombia. Interacción entre gobernantes y gobernados en un contexto violento*. Bogotá, CINEP-Irg.

_____. (2017). El territorio como víctima. Ontología política y las leyes de víctimas para comunidades indígenas y negras en Colombia. *Revista Colombiana de Antropología*, 53(2), 85-113.

Rojas, A. (2011). Gobernar(se) en nombre de la cultura. Interculturalidad y educación para grupos étnicos en Colombia. *Revista Colombiana de Antropología*, 47(2), 173–198.

Runk, J. (2015). Creating Wild Darién: Centuries of Darién's Imaginative Geography and its Lasting Effects. *Journal of Latin American Geography*, 14(3), 127–156. <https://doi.org/10.1353/lag.2015.0032>

Salas, S., Barragán-Paladines, M., & Chuenpagdee, R. (2019). *Viability and Sustainability of Small-Scale Fisheries in Latin America and The Caribbean*. <https://doi.org/10.1007/978-3-319-76078-0>

Sánchez-Moreno, M. (2018). *There are no dead here : a story of murder and denial in Colombia* (First edition.). New York, NY: Nation Books.

Sanford, V. (2004). Contesting Displacement in Colombia: Citizenship and State Sovereignty at the Margins. In Daas & Pool, eds. *Anthropology in the margins of the State*. Santa, School of American Research, pp. 253-278.

Sawyer, S., and Terence Gomez, E. (2012). *The Politics of Resource Extraction, Indigenous Peoples, Multinational Corporations, and the State*. London: Palgrave McMillan.

Scott JC (1976). *Moral Economy of the Peasant*. New Haven: Yale University Press.

Serje, M. (2013). El mito de la Ausencia del Estado: La incorporación económica de las “zonas de frontera” en Colombia. *Cahiers des Amériques latines*, 71: 95-117.

Sharp, W (1976). *Slavery in the Spanish Frontier: The Colombian Choco, 1680-1810*. Oklahoma, University of Oklahoma Press.

Sierra Montoya, J. E. (2004). *50 Protagonistas de la Economía Colombiana*. Bogotá: Universidad Jorge Tadeo Lozano.

Soja, E. (1980). “The socio-spatial dialectic”. *Annals of the Association of American Geographers*, 70, 207-225.

_____ (1985). “The spatiality of social life: Towards a transformative retheorisation”. In Gregory, D. & Urry, J. eds. *Social relations and spatial structures*. London, McMillan.

_____ (1989). *Postmodern geographies: The reassertion of space in critical theory*. London: Verso.

Stoler, A. L. (2009). *Along the archival grain : epistemic anxieties and colonial common sense*. Princeton, Princeton University Press.

Striffler, S. (2002). *In the Shadows of State and Capital. The United Fruit Company, popular struggle, and agrarian restructuring in Ecuador*. Durham, Duke University Press.

Taussig, M. (1980). *The devil and commodity fetishism in South America*. Chapel Hill, University of North Carolina Press.

_____ (2004). *My cocaine Museum*. Chicago, University of Chicago Press.

Thompson EP (1971). The moral economy of the English crowd in the eighteenth century. *Past and Present* 50: 76–136.

Torres, G., Sarria, G., Martinez, G., Varon, F., Drenth, A., & Guest, D. (2016). Bud Rot Caused by *Phytophthora palmivora*: A Destructive Emerging Disease of Oil Palm. *Phytopathology*, 106(4), 320–329. <https://doi.org/10.1094/PHYTO-09-15-0243-RVW>

Trouillot, M.R. (1995) [2015 edition]. *Silencing the past. Power and the production of history*. Boston, Beacon Press Books.

Tubb, D. (2015). Muddy Decisions: Gold in the Chocó, Colombia. *The Extractive Industries and Society*, 2(4), 722–733.

Uribe, S. (2017). *Frontier road: power, history, and the everyday state in the Colombian Amazon*. Hoboken, Wiley Blackwell.

Valencia, E. & Villa, W. (1991). Evolución del poblamiento del Chocó en el siglo XX: El caso del Medio Atrato. In Munévar, L., ed. *Colonización del bosque húmedo tropical*. Bogotá, Corporación Araracuara, Banco Popular, pp. 229-248.

Valle, M. (2017): The discursive detachment of race from gentrification in Cartagena de Indias, Colombia. *Ethnic and Racial Studies*, DOI: 10.1080/01419870.2016.1274419

Van Ausdal, S. (2009). Pasture, profit and power: An environmental history of cattle ranching in Colombia, 1850-1950. *Geoforum*, 40, 707-719.

Velasco Jaramillo, M. (2014). The territorialization of Ethnopolitical Reforms in Colombia. Chocó as a case Study. *Latin American Research Review*, 49 (3): 126-152.

Velez, M.A. (2011). Collective Titling and the Process of Institution Building: The New Common Property Regime in the Colombian Pacific. *Human Ecology*, 39 (2), pp. 117-129.

Vélez, M.A., Robalino, J., Cardenas, J., Paz, A., & Pacay, E. (2020). Is collective titling enough to protect forests? Evidence from Afro-descendant communities in the Colombian Pacific region. *World Development*, 128. <https://doi.org/10.1016/j.worlddev.2019.104837>, retrieved on April 1st, 2020.

Vergara-Figueroa, A. (2018). *Afrodescendant Resistance to Deracination in Colombia. Massacre at Bellavista-Bojayá-Chocó*. Palgrave, McMillan.

Vermeij, M., Latijnhouwers, K., Dilrosun, F., Chamberland, V., Dubé, C., Buurt, v, & Debrot, A. (2019). Historical changes (1905-present) in catch size and composition reflect altering fisheries practices on a small Caribbean island. *PLoS ONE*, 14(6), urn:issn:1932-6203. <https://doi.org/10.1371/journal.pone.0217589>

Villa, W. (2001). La sociedad negra del Chocó: identidad y movimientos sociales. In: Pardo, M. (ed.), *Acción colectiva, Estado y etnicidad en el Pacífico colombiano*. Bogotá, Instituto Colombiano de Antropología e Historia-Colciencias: 207-228.

Villamil Chaux, C. (2015). *La reforma agraria del Frente Nacional. De la concentración Parcelaria de Jamundí al Pacto de Chicoral*. Bogotá, Universidad Jorge Tadeo Lozano.

Wade, P. (1986). Patterns of race in Colombia. *Bulletin of Latin American research*, 5(2): 1-19.

_____ (2013). Blackness, Indigeneity, Multiculturalism and Genomics in Brazil, Colombia and Mexico. *Journal of Latin American Studies*, 45(2), 205–233.

Weld, K. (2014). *Paper Cadavers. The Archives of dictatorship in Guatemala*. Durham, Duke University Press.

Werner C. E (2000). *Ni aniquilados ni vencidos. Los Embera y la gente negra del Atrato bajo el dominio español. Siglo XVIII*. Bogotá, ICAHN.

West, R. (1952). *Colonial Placer Mining in Colombia*. Baton Rouge, Louisiana State University Press.

_____ (1957). *The Pacific Lowlands of Colombia, A Negroid Area of the American Tropics*. Baton Rouge, Louisiana State University Press.

Winterbottom, R. (1995). The Tropical Forestry Action Plan: Is It Working? *NAPA Bulletin*, 15(1):60–70.

Wouters, M. (2001). Ethnic Rights Under Threat. The Black Peasant Movement against Armed Groups' Pressure in the Chocó, Colombia. *Bulletin of Latin American research*, 20(4): 498-519.

Yashar, Deborah. 2005. *Contesting Citizenship in Latin America: The Rise of Indigenous Movements and the PostLiberal Challenge*. New York: Cambridge University Press.

Zamosc, L. (1986). *The agrarian question and the peasant movement in Colombia*. New York, Cambridge University Press.

Zapata Olivella, M. (1989). *Chambacú, Black slum*. Translated by: Tittler, J. Pittsburgh, Latin American Literary Review Press.

INTERVIEWS, NEWSPAPER ARTICLES, AND OTHER DOCUMENTS

Acevedo, T. (2017). Voy a hacerte una casa en el aire. *El Espectador*. May 6th, 2017. <https://www.elespectador.com/opinion/voy-hacerte-una-casa-en-el-aire-columna-692561>

Agencia Nacional de Minería (n.d.). *El título minero*. https://www.anm.gov.co/sites/default/files/DocumentosAnm/titulo_minero.pdf retrieved on May 22nd, 2020.

Betancur, B. (2011). Carlos Haime Baruch, el gran emprendedor. *El Espectador*. March 12th, 2011. <https://www.elespectador.com/carlos-haime-baruch/carlos-haime-baruch-el-gran-emprendedor-articulo-256440>

Bernal Castillo, F. (2004). *Crisis algodona y violencia en el departamento del Cesar*. Bogotá: Cuadernos PNUD (United Nations Development Program), and Social protection Secretary.

Bermudez Liévano, A. (2015). James Robinson alebresta a los intelectuales. In *La Silla Vacía*. January 22nd, 2015. <https://lasillavacia.com/historia/james-robinson-alebresta-los-intelectuales-49426> retrieved on March 3rd, 2015.

Brooke, J. (1994). Drug Cartel Tied to Vote in Colombia. *The New York Times*. June 23rd, 1994. <https://www.nytimes.com/1994/06/23/world/drug-cartel-tied-to-vote-in-colombia.html>

Biopacific Project, Ministry of Environment (1996). *El Hilero: un rastro de hojas en la corriente*. Special publication of the Biopacific Project. PNUD -GEF.

Businesses and Human Rights Resource Center (n.d.). *Chiquita lawsuits (re Colombia)*. <https://www.business-humanrights.org/en/chiquita-lawsuits-re-colombia> retrieved on May 16th, 2020.

Centro Nacional de Memoria Histórica (2012). *Justicia y Paz. Tierras y territorios en las versiones de los paramilitares*. Bogotá, CNMH.

_____ (2016). *La maldita Tierra. Guerrilla, paramilitares y conflicto armado en el Cesar*. Bogotá, CNMH.

_____ (2018). *Y por la vida por fin daremos todo...Memorias de las y los trabajadores y ex-trabajadores de la agroindustria de la palma de aceite en el Cesar. 1950-2018*. Bogotá: CNMH.

_____ (2018). *Paramilitarismo: Balance de la contribución del Centro Nacional de Memoria Histórica al esclarecimiento histórico*. Bogotá, CNMH.

COCOMACIA, Red de Solidaridad Social, Presidencia de la República de Colombia (2002). *Medio Atrato, territorio de vida*.

Colombian Constitutional Court (2009). *Sentence C-175/09*.

Colombian Constitutional Court (2012). *Sentence T-376/12*.

DIMAR y CARDIQUE. *Carta dirigida al Alcalde Mayor de Cartagena de Cartagena, Nicolás Curi Vergara*. June 19th, 1998.

El Espectador (2017). A turistas franceses les cobraron 850.000 por una picada de mariscos en Cartagena. May 8th, 2017. <https://www.elespectador.com/noticias/nacional/bolivar/turistas-franceses-les-cobraron-850-mil-por-una-picada-de-mariscos-en-cartagena-articulo-692822> retrieved on July 24th, 2017.

El Espectador (2020). Fernando Araújo Rumié: su carrera política y la prosperidad de su círculo social. June 8th, 2020. <https://www.elespectador.com/noticias/politica/fernando-araujo-rumie-su-carrera-politica-y-la-prosperidad-de-su-circulo-social-video-923061> retrieved on June 8th, 2020.

El Tiempo (2017). A franceses les cobraron 850.000 pesos por dos pescados en Cartagena. May 9th, 2017. <https://www.eltiempo.com/colombia/otras-ciudades/atracan-a-turistas-franceses-en-playas-de-la-boquilla-85844> retrieved on July 24th, 2017.

El Universal (2016). “Capturan a hombre que atacó a escolta de la ministra Gina Parody en Cartagena”. January 5^{ht}, 2016. <https://www.eluniversal.com.co/sucesos/capturan-hombre-que-ataco-escolta-de-la-ministra-gina-parody-en-cartagena-215663-NSEU319361> retrieved on March 26th, 2016.

Garcés Mosquera, S. (1999 & 2000). *Tierras de Comunidades Negras I & II. Manual de Procedimientos para el trámite de las solicitudes de Titulación Colectiva de las “Tierras de las Comunidades Negras”, en el marco de la Ley 70 de 1993 y el Decreto 1745 de 1995.* INCORA.

Gómez, I. (1999). El caso Chambacú: Corral de empresarios. *El Espectador*.
<https://web.archive.org/web/20090301173653/http://colombia.indymedia.org/news/2005/08/29176.php>,
<https://web.archive.org/web/20070227193943/http://www.ipys.org/investigaciones/investigacion.php?id=68>

INCODER (2005). Los cultivos de palma de aceite en los Territorios Colectivos de las comunidades negras de los ríos Curvaradó y Jiguamiandó, en el departamento del Chocó. Technical report coordinated by Silvio Garcés. Bogotá.

INCODER, Collective Land Titling File-Alto Guapi.

INCODER, Collective Land Titling File-Cacarica River Basin.

INCODER, Collective Land Titling File-Cocomacia.

INCODER, Collective Land Titling File-Curvaradó.

INCODER, Collective Land Titling File-Jiguamiandó.

INCODER, Collective Land Titling File-Guadualito.

INCODER, Collective Land Titling File-Unidad Comunera del Gobierno Rural de La Boquilla.

INCODER, Collective Land Titling File-Makankamaná of San Basilio de Palenque.

INCODER, Collective Land Titling File-Río Napi.

INCODER, Collective Land Titling File-San Francisco.

INCODER, Resolution 1082 of 1998.

INCODER, Resolution 0158 of 1998.

Inter American Court of Human Rights (2013). *Caso de las comunidades afro descendientes desplazadas de la cuenca del río Cacarica (operación Génesis) Vs. Colombia*. http://www.corteidh.or.cr/docs/casos/articulos/seriec_270_esp.pdf

Jaramillo, S. (2016). *Nuevo acuerdo final para la terminación del conflicto y la construcción de la paz estable y duradera*. Oficina del Alto Comisionado para la paz. <http://www.altocomisionadopalapaz.gov.co/procesos-y-conversaciones/Documentos%20compartidos/Cartilla-Cambios-Nuevo-Acuerdo-web.pdf>

Junieles, J.J. (2018). “Vida y milagros de Marlon Brando en Cartagena de Indias”. *Temporales Magazine online*. Retrieved on July 10th, 2019. <https://wp.nyu.edu/gsas-revistatemporales/vida-y-milagros-de-marlon-brando-en-cartagena-de-indias/>

La Silla Vacía (2017). Rosa Solís Grueso profile. <https://lasillavacia.com/quienesquien/perfilquien/rosa-solis-grueso>, retrieved on February 25th, 2017.

La Silla Vacía (2019). Los superpoderosos de Bolívar. <https://lasillavacia.com/silla-caribe/los-superpoderosos-de-bolivar-69774> retrieved on July 31st, 2019.

Lynch, O. (1991). *Community-based tenurial strategies for promoting forest conservation and development in South and Southeast Asia*. Manuscript of a Consultant of the World Resources Institute, Presented at the second annual International Association for the Study of Common Property (IASCP) Conference. Winnipeg, September 28th, 1991.

Mejía, C.H.; Restrepo, M.; Gómez, C.; Vásquez, M. & Fiori, L. (1995). *Documento de avance Convenio Interadministrativo Marco para el desarrollo del componente de Comités Regionales, Programa de Manejo de Recursos Naturales, DNP, Minambiente, RED, PNR*.

Mercado, B. (1993). En qué anda el PNR. *El Tiempo*. October 17th, 1993. <https://www.eltiempo.com/archivo/documento/MAM-243600>

Mercado, B.M. (1993). En qué anda el PNR. In *El Tiempo*. October 17th, 1993. <https://www.eltiempo.com/archivo/documento/MAM-243600> retrieved on September 28th, 2019.

Mercado Vega, A.J. (2017). La Crisis de Gobernabilidad en Cartagena. *Razón Pública*. July 31st, 2017. <https://razonpublica.com/la-crisis-de-gobernabilidad-en-cartagena/> Retrieved on May 22nd, 2018.

Ministry of Environment, INCORA, 1999. *Training and Collective Titling in Afro Colombian Territories*.

Ministry of Interior (2011). Minutes of the meeting in the Augusta Hotel in preparation of the second community census of Curvaradó and Jiguamiandó. Bogotá.

Molano, A. (2007). Araujos et al. *El Espectador*. February 25th, 2007. <https://www.elespectador.com/noticias/judicial/articulo184553-nuevo-capitulo-de-pelea-entre-alfredo-molano-y-los-araujo> retrieved on July 18th, 2016.

_____ (2012). Destierro de Nativos en Cartagena. *El Espectador*. March 10th, 2012. <https://www.elespectador.com/impreso/nacional/articulo-331626-destierro-de-nativos-cartagena> retrieved on November 30th, 2016.

Naranjo, S.; Sandoval, J.P.; Suescún, C. & Vargas, F. (2017). Mitos y realidades de los derechos territoriales de las comunidades étnicas en Colombia. In *Razón Pública*, August 7th, 2017. <https://razonpublica.com/mitos-y-realidades-de-los-derechos-territoriales-de-las-comunidades-etnicas-en-colombia/>

National Planning Department (NPD) (1992). *Forestry Action Plan for Colombia 1989-1992*.

National Planning Department (NPD) (1994). *Forestry Action Plan for Colombia 1992-1994*.

National Administrative Statistics Department (2018). *Large Household Survey. Technical report*.

Osorio, C. (2014). "La moderna élite urbana desprecia al campo". In *El Espectador*, December 18th, 2014.

Restrepo, M. & Bustos, A. (S.f). *Comunidades Negras. Territorio, identidad y desarrollo*. Bogotá, P.N.R., P.N.U.D., ICAN.

Revista Semana (1999). El Caso Moreno. <https://www.semana.com/Buscador?query=el%20caso%20moreno&post=semana&limit=10&offset=30&sort=older> retrieved on November 28th, 2016.

Revista Semana (2013), "La tenaza de los García Romero". December 1st, 2013. <https://www.semana.com/nacion/articulo/la-tenaza-garcia-romero/329344-3> retrieved on August 27th, 2016.

Revista Semana (2014). "La insólita prohibición de la señora Piraquive ". January 15th, 2014. <https://www.semana.com/nacion/articulo/polemica-por-discriminacion-de-piraquive-en-iglesia-del-mira/370954-3> retrieved on November 23rd, 2016.

Revista Semana (2019). "Agro Ingreso Seguro fue una pésima política agraria": Jorge Enrique Robledo. July 12th, 2019. <https://www.semana.com/nacion/articulo/agro->

ingreso-seguro-fue-una-pesima-politica-agraria-jorge-enrique-robledo/623331 retrieved on August 31st, 2019.

Robinson, J. (2014). ¿Cómo modernizar a Colombia?. *El Espectador*, December 13th, 2014.

Robinson, A. (2020). “Barcelona de indias no quiere afrocolombianos”. February 9th, 2020. *La Vanguardia*. https://www.lavanguardia.com/internacional/20200209/473375500508/colombia-cartagena-de-indias-barcelona-de-indias-urbanizacion-lujo-la-boquilla-barranquilla-serena-de-mar.html?utm_campaign=botones_sociales&utm_medium=social&utm_source=whatsapp retrieved on February 9th, 2020.

Sánchez, C. (2014). “Nuestras playas, tierra de nadie”. January 9th, 2014. *Portafolio*. <https://www.portafolio.co/opinion/camilo-sanchez/playas-tierra-nadie-52222> retrieved on September 3rd, 2016.

Sánchez López, S. (2020). “El discurso del trópico nos ha robado la historia a los latinoamericanos: Marixa Lasso.” *Revista Arcadia*, online edition retrieved on February 20th, 2020. <https://www.revistaarcadia.com/ultimas-ediciones/>

Robinson, J. (2014). ¿Cómo modernizar a Colombia?. *El Espectador*. December 13th, 2014. <https://www.elespectador.com/noticias/elmundo/modernizar-colombia-articulo-532967>

VerdadAbierta.com (2010). Doce paramilitares fueron guías del ejército en la Operación Génesis: ‘el Alemán’. <https://verdadabierta.com/doce-paramilitares-fueron-guias-del-ejercito-en-la-operacion-genesis/> retrieved on June 6th, 2018.

VerdadAbierta.com (2011). El genocidio no contado del Cesar. <https://verdadabierta.com/el-genocidio-no-contado-del-cesar/> retrieved on June 6th, 2018.

World Bank. 1989. *Tropical Forestry Action Plan (TFAP)* (English). Technical note ; no. 9. Washington DC ; World Bank. <http://documents.worldbank.org/curated/en/160311468329071868/Tropical-Forestry-Action-Plan-TFAP>

World Bank, 1993. *Colombia- Natural Resources Management Program*. Report No: 12250 CO. Country Department III. Latin America and the Caribbean Regional Office. <http://documents.worldbank.org/curated/en/811431468026999052/pdf/multi-page.pdf>