

**Big Dams Small Change: Common Property as an
Adaptation to Political and Economic Change among Afro-
Colombians in the Andes**

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In 1989 the hydroelectric dam la Salvajina was completed on the river Cauca. Displaced from their traditional livelihood of gold panning by the dam, a group of Afro-Colombian campesinos organized to make collective claims to land containing both planted and natural forest in the mountains west of the river in an area called Alsacia. They are claiming the land as an ethnic territory whose management and care should be governed by the community directly. The process of trying to form a common property regime is enabled by the new national constitution and by the changes in economic conditions that brought people together in their search for new ways of surviving. At the same time it is also limited by the structure of government institutions, legal procedures and regulations, and traditions of private property use. This paper investigates how, in the case of the community of Alsacia, macro and micro economic and political systems interact to affect the ability and success of the community to create a common property regime as a means of adapting to a changing environment.

In her seminal work “Governing the Commons: the Evolution of Institutions for Collective Action,” Elinor Ostrom (1992) challenges us to ask why some institutions seem to work in some settings and others not. What I am trying to investigate in this paper is the importance of settings on the forms that institutions can take, on the ways that people organize and on the possibility for the creation of common property regimes. These setting are both structural and historical and are thus subject to change and reflective of power relations. Peters argues that in order to understand the dynamics of change in commons we must address the “political, legal and administrative shifts in the authority exercised over land, changes in the economic and technical practices of

resource management, and struggles over the definitions and meaning of key categories” (1994:4). This paper focuses on a group of people who are trying to create certain political, legal and administrative shifts in the authority over land. They are doing this partly through struggles over the definitions and meanings of key categories, such as ethnicity or territory, and partly through their physical practice of use and occupation of the land.

While many scholars come to address common property from an interest in natural resource management, I come to the study of common property from an interest in the relationship between governing and property in general. In particular the political significance of claims to collective property at a time of neo-liberal economics and worldwide push for privatization. Why are these claims made today and to what success? I am thus interested in the historical and political context in which common property regimes arise and are maintained as well as how they are dismembered.

By common property I understand a situation in which an area or a group of resources is used in common by a defined grouping of peoples who hold some sort of claim over the resources and the relationships of users. If we consider property a social relationship, then how these groups are defined and what kinds of claims they can make to resources within the wider social and political context is fundamental to the recognition of this property as common and as property. By influencing the way groups can organize, the wider social and political context enables and restricts the possibilities of groups realizing their claims.

In the conclusion of “Dividing the Commons: Politics, Policy and Culture in Botswana” Peters (1994) emphasizes that the dividing of the commons is a process. In

other words, she stresses that shifts in property relations are a continuing history with a past, a present and a future. In this paper I focus on part of that continuing history by looking at struggles to establish a collective territory by Afro-Colombians in the Andes. At present the community in Alsacia might not be generally understood as a common property regime. Nevertheless, it is precisely the nature of the structures of ownership of land, and control over resources that are being struggled over and negotiated. The paper thus focuses on the changes that led to the formation of the group at Alsacia, the hopes and aspirations of the group and the legal and political limitations to organizing and making claims to common property.

A Community Divided by the River

Nestled beneath the cloud forests of the high Andes in the last range forming the continental divide is the small community of Alsacia. It is a community of principally Afro-Colombian coffee farmers who have organized their own school, roads, electricity and community timber company. The community today consists of seventy-three families on a total of 1800 hectares of land. The land is partially covered with natural forest, planted forests and small-scale coffee farms. The community has decided to preserve all forested areas and each farm contains some land that is considered a common reserve, along with the more extensive areas of natural forest, water sources, streams and rivers. Today the community of Alsacia would like the government to recognize their common property rights in the land by granting them ethnic territory status.

In the northern part of the department of Cauca dividing the municipality of Buenos Aires in two is the river Cauca. Huge and powerful the river carves the land in

half depositing on its banks the treasures it has accumulated from further up the mountain and taking with it the things that stand in its path. As it travels the river maintains the only flat land in the municipality offering up fertile soils for dry season planting.

Although up from both sides of the river rise mountains, forming the many vertebrae in the backbone of the cordillera occidental of the Andes, only one side of the river is referred to as “las montañas” or the mountains. The majority of the population lives on the other side in the southern half of the municipality, where the land is only slightly less steep. For generations, the people of this area, who are principally coffee farmers have used the river for the panning of gold.

The people who make up the *parceleros* of Alsacia are originally from the southern part of the municipality, although they now live on the other side of the river Cauca in la montañas. The majority of the *parceleros* are from three veredas (smallest administrative demarcation of space), Palo Blanco, Cascajero and Honduras on the southern side of the river. These three hilly areas overlook the river Cauca and face the rising other side of las montañas that have become home to them of late. Most of the *parceleros* of Alsacia retain some small, inherited, steep-sloping land under coffee or cassava cultivation on the southern side of the river and perhaps even a house.

Changing Conditions, 1989 and Beyond

Buenos Aires is a municipality of almost 30,000 people most of whom are rural and come from the lowest economic strata of Colombian society. The mining and agricultural population lives in widely dispersed houses in the hilly countryside. Afro-Colombians form the predominant group in the district with a smaller proportion of

Mestizo (or White) and Indigenous people (90%, 6% and 4% respectively). The municipality is bordered by the municipalities of Suarez and Lopez de Micay to the west, Morales to the south and Santander de Quilichau to the east and the department of Valle del Cauca to the north.

In the 1970s and early 1980s people lived principally on the southern side of the river farming small plots of inherited land where they cultivated coffee supplemented by cassava, plantains, other root crops and fruit trees. Maize and beans were planted seasonally. The communities that live facing the valley of the river Cauca and las montañas on the other side, have for some time (at least 50 years), cultivated coffee in las montañas, migrating to their farms during the week and returning home on weekends depending on the season and the demands of agricultural work. People started farms in las montañas in areas such as Agua Blanca because the virgin land is more fertile and the climate is better for coffee than the other side of the river and because of the subdivision of land by inheritance was producing the shrinking of farms.

While some men were almost full time gold miners operating small scale tunnel mines or working as share-miners in other people's mines, women and other men would supplement their income in the dry season by panning for gold on the banks of the río Cauca. The Cauca offers up a high quality type of gold that sells for a better price than that of other more distant rivers or the mines. The production of gold through panning is low input, as all that is required is a *batea* (round wooden panning bowl) and a pick for moving the sand. Panning the Cauca was a more independent occupation than tunnel mining as the gold did not require milling, nor was panning controlled in the hands of a

few people. Basically individuals could determine the extent gold played in their income and livelihood.

Environmental Change: La Salvajina

Today rising from where the Cauca river exits its narrow path of mountain travel through the Andes and enters the flat valley is the hydroelectric dam, la Salvajina. Caught at the final point before the flood plain the dam holds back the waters of the Cauca between two huge folds in the Cordillera Occidental of the Andes forming a seventy-five kilometer long reservoir. Completed in 1989, this hydroelectric dam was built to augment Colombia's extensive hydro-electricity production and to regulate the flooding of the Cauca river. The Cauca from this point flows through the municipality of Buenos Aires and on to Cali and other important cities in the department of Valle del Cauca before flowing out to other departments to join the Magdalena river and finally to travel to the Caribbean sea. Twice a year the swollen waters of this river, claim houses, roads, farms, and lives of those that live along its banks. Twice a year the poorer Black neighborhoods of Cali loose some of their inhabitants and houses to the menacing waters that flow back up through storm drains and break their embankments. Although built to regulate just such problems the dam has proved unable to control the Cauca.

The Salvajina took ten years to build and in this time many people in the local area worked as manual labor in its construction, although less than ten remain employees of the electricity firm today. It was built by the CVC, (corporación regional de Valle del Cauca) which was the main agency in charge of the environment, department parks, forest and water in the departments of Cauca and Valle del Cauca. In 1999, ten years

after its completion CVC has sold the dam to EPSA, a North American owned private electricity firm.

Economic Change: Gold, Coffee and Administration

People in Alsacia see la Salvajina as the reason for their present existence as a group. They explained to me that it was as a result of their dislocation caused by the dam that they decided to organize to obtain other property. The dam brought to the fore both their fragility as individuals to contend with change and the potential of social upheaval in their community because of the changes. The dam stands to them as the instigator of organized action to search for different, more stable self-controlled relationship to property. Nevertheless, the year 1989 was not an easy one for people in the municipality of Buenos Aires in general. Although it is easier to see this in hindsight, 1989 was the beginning of a downward economic spiral brought about by three main changes whose combined effects still haunt the economies of Buenos Aires. The three changes, one agricultural, one environmental and the last administrative have a cumulative effect since different risk sharing measures disappeared simultaneously.

The most obviously economic change was the disappearance of deposits from the Cauca river, especially deposits of gold caused by la Salvajina. Although the dammed part of the river no longer falls within the municipality of Buenos Aires its effects extend far beyond the dammed waters. In the initial agreements with the CVC, compensation was paid to people who lost land to flooding waters that formed the lake of la Salvajina. This, of course, was another typical sad story of monetary payment, relocation to cities and destitution of a rural population displaced by a dam.

Nevertheless, those who did not even figure into the consideration of the possibly affected from the environmental change, are really the actors of this story. They lived, and some still live, downstream from the dam using the deposits of the river for their sustenance. As the dam now collected at its base the gold rich silt that traveled with the river and had flooded part of the area of Ingitó where many people had mines, the gold panning also dried up. This was a devastating and immediate loss of income, with a disproportionate effect on women. Many people had to migrate out of the municipality in search of jobs in agriculture, mining or construction.

A simultaneous change in agriculture exasperated the economic decline that came with the loss of gold. This was the coffee blight of “la Broca”. La Broca is a tiny burrowing insect that enters the coffee pods when they are beginning to ripen and eats out the seed from the inside. This pest had moved across Colombia meter by meter (from Brazil) hitting Buenos Aires in 1989 reducing harvests to less than 20% of their original average. La Broca insect survives best at lower elevations and in warmer climates. Because of the expense and difficulty of combating la Broca, the National Coffee Federation (Federación Nacional de Cafeteros) decided to drop assistance to what they termed “marginal areas” and concentrate resources on high production areas. Marginal areas were those where it is difficult to combat la Broca mainly for climatic reasons and where less coffee per hectare was produced. Buenos Aires, situated at 1200 meter above sea level (around 3600 feet) and thus relatively low for coffee, fell in to this newly marginalized region and the National Coffee Federation removed their assistance, offices, coffee buyers market and recommended the destruction of existing coffee plants. In

desperation many people turned to planting cassava although they kept their coffee trees in the hope of a better harvest at a later date.

The main political change that had an economic effect was the separation of the municipality of Buenos Aires into two municipalities, that of Buenos Aires and that of Suarez which took place in 1989. Suarez had formally been the northwestern part of the municipality of Buenos Aires and a wealthy out-laying town. With the separation Buenos Aires lost the lake and dam of the Salvajina. In addition the tarmac road which had been built during the construction of the dam now connected the department of Valle with the town of Suarez while just passing through the municipality of Buenos Aires. This led to the gradual isolation of the municipal head, Buenos Aires, because of its mountain location in favor of the flat riverine rapid access Suarez as a market, trading post and agricultural center. In the time between 1989 and 1999 there was a gradual enrichment of Suarez which moved from a poorest strata (6) municipality up two ranks (4) and a gradual decline of Buenos Aires until Buenos Aires became the second poorest municipality in Cauca.

The crisis of the coffee blight and the changed administrative structure was compounded by the fact that a method of risk spreading, in the panning of gold in the Cauca river, also disappeared at the same time. The combined effect of these three changes caused many residents in the southern side of the river to migrate to other areas of the department and country in search of a new livelihood. Not all were successful nor satisfied with this result and returned to find alternatives at home once again.

Adaptations / Search for Alternatives

As coincidence and lack of jobs would have it, Jesus Emeritus Carabalí, Cenen Aponzá and Diego Carabalí returned to the municipality of Buenos Aires at the same time. They had been some of the people who migrated to other areas of the department of Cauca, and to Cali and other departments in search of work as they had lost either work (gold mining) or land because of the Salvajina. Disillusioned by attempts to find their livelihood elsewhere and because they missed their native lands, they came up with the idea of finding property within the municipality of Buenos Aires where they could farm and rebuild their community. As such, they organized a group of people with the vision of not just obtaining land on which to farm but of building a self-sustaining community where members did not have to displace themselves in search of work. The group they formed, which was originally called the *asociación de parceleros de Alsacia*, found some of its cohesive strength in preexisting relationships between the members.

Most of the members of the *asociación* had been adversely affected by the creation of la Salvajina, and were searching for alternatives at the same time. Many were miners and others depended on gold as a supplementary income to coffee. In addition many of the members are also neighbors in Agua Blanca in las montañas and their families had previously acted to obtain land parceled out from land reform. Although from three different *veredas* on the southern side of the municipality they had lived and spent considerable time in Agua Blanca as farmers. This weekly and seasonal migration across to the same area on the other side of the river united them as a group. They also had a collective experience of negotiating for land from the state under the rubric of land reform. They stressed to me that Agua Blanca itself did not provide a viable alternative

to their problems. It had been settled for at least two generations and inheritance and subdivision had shrunk the land beyond a level where a family could sustain itself or where they could provide new terrain for younger generations. Another unifying feature of the *parceleros* of Alsacia is that they are predominantly evangelical Christians, who had heard of the formation of the group through church networks and who have a united moral vision of the community they were trying to build.

Believing that land is a social right, in 1989 a group of 120 people requested land for distribution through the agrarian reform agency INCORA (Institución Nacional de Colombia de Reforma Agraria). The group was prepared to pressurize the government into providing the land through acts of defiance in order to obtain their rights as peasants. They first requested land that was owned by Cartón de Colombia, a paper making company who used the land for agro-forestry. However in 1992 when the neighboring land was offered to INCORA for sale, they requested this land instead with the backing of Cartón de Colombia. Cartón de Colombia also offered them help in the exploitation of their planted forests guaranteeing them the purchase of 100 tons of timber a month.

Constituting Property as Ethnic Territories

It was at this point that their struggles over land shifted both institutionally and categorically. Due to the nature of the land they were claiming, that is to say planted and natural forested land, their constitution as an association of land reform *parceleros* could not be legally recognized as a body who can claim such land. INCORA said it was not permitted to redistribute other than agricultural land, thus they would have to cut down the trees unless the group formed a community company (*empresa comunitaria*) as their

institutional form. The group changed from being organized as an association to being organized as a company under the influence of INCORA, because as an association they could not legally own the trees. The total number of *parceleros* was reduced to the present seventy-three families and the company came into being in 1996. Today, fifty of the *parceleros* are affiliated with the community enterprise.

The struggle shifted categorically when the new national constitution of 1991 opened up a space for the ownership of communal lands by ethnic groups. The new constitution is the first constitution to recognize the notion of ethnicity as part of the discursive framework of the nation-state. It declares Colombia an "ethnically and culturally plural society". This new declaration is intimately associated with access, use and control over land, ascribing new rights in land as it ascribes new forms of recognition and belonging. For the first time "the new Constitution creates a new category of property: ownership of communal lands by ethnic groups" (ONIC 1994:77). The constitution provided a space in which for the first time Afro-Colombians could organize and claim land as an ethnic group.

Specific recognition of Black communities in the 1991 constitution comes in the form of Transitory Article 55 which although it does not mention ethnic groups states that;

... the government will create for that purpose, a law that recognizes for the Black communities that have come to be occupying (*han venido ocupando*) vacant lands (*tierras baldias*) in the rural riverine zones of the rivers of the Pacific Basin, in accordance with their traditional practices of production, the right to collective property (*propiedad colectiva*) over the areas that will be demarcated by the same law.

This transitory article 55 is put into law through law 70 of 1993 and the decrees of 1995. These two laws stipulate how ethnic claims must be put forward and how the land

shall be recognized by the government while they also stipulate what constitutes an Afro-Colombian ethnic group.

Today the *parceleros* of Alsacia are trying to make another institutional shift to convert the community company into a “*consejo comunitario de las comunidades negras*” or a community council for Black communities. This community council is the legal body that can make claims to land as an ethnic territory. They would like the land they now farm and occupy to be recognized as an ethnic territory under the rubric of the new constitution. They see the community company as a stepping stone, the form that they have to use at the moment but not their preferred form of organization. Nevertheless this space is limited by the meanings of key categories such as ethnicity and territory in relation to Afro-Colombians. It is also limited by traditions of private property use, political limitations of the new constitution, and governing rules of land reform settlement affect how the community can and does organize itself and its property.

Problems in Claiming Common Property Rights

One August afternoon in 1999 there was a meeting with an INCORA representative in Alsacia. He had come to sort out how to value the property of the *parceleros*. They had the choice of having each individual plot surveyed and an evaluation issued to each person for the portion that they had claimed, or for the evaluations to be issued to a standard division of eight hectars per person regardless of what people actually had. The man from INCORA digressed considerably into telling people their rights and obligations as *parceleros* and was avoiding the topic until Adelmo

Carabalí, the president of the community company, lost his temper and brought him back on track.

The main point of the representative of INCORA was to instill in the *parceleros* their “role” according to INCORA as land reform recipients. He talked about individual title and the possibility of raising credit from these titles. He stressed that it was not a public title but one issued by INCORA that had restrictions to use and transferability. The land can not be sold, nor rented, it would have to be worked by the family alone, it can't be abandoned and the value that INCORA paid for it must be reimbursed (with interest) within fifteen years.

One of the difficulties of maintaining this property as common property is that the land was obtained under the rubric of land reform. The governing rules of INCORA are not always compatible with ideas of common property or collective organizing. Firstly, INCORA works with individual farmers and individual plots. The only collective organized form recognized by INCORA is a community company. The *parceleros* of Alsacia had to form a community company in order to organize collectively and to be able to exploit the timber resources collectively. In addition the community of Alsacia had to struggle for their autonomy from INCORA to pursue their goals as a community.

Political Limitations of the Constitution

The Law 70 of 1993, which elaborates on this Article, does recognize Black communities as ethnic groups in Article 2, and 7 while only saying "like ethnic groups" in Article 1. Law 70 defines Black communities to be based on ideas of ethnicity, which

are framed with four criteria in mind; culture, history, occupation and location. The law defines Black communities as;

The group of families of Afro-Colombian ascendancy that possess their own culture, share a history and have their own traditions and customs within peasant (*campo-poblano*) relations, that reveal and conserve identity consciousness that distinguish them from other ethnic groups. (Article 2.5, 1993)

In response to intense public pressure of various forms, the new Constitution was created by a national Constituent Assembly in which no political party had the absolute majority of delegates (ONIC, 1994:72), but which included Indigenous groups, Protestants and reconfigured guerrilla movements. Indigenous peoples, being well organized and capitalizing on the solidarity created by the rejection of the celebrations marking the 500th anniversary of Columbus, were able to get two delegates elected to the National Constituent Assembly by national vote (ONIC 1994). However, Blacks and Insular Natives¹, had no delegates to represent them, and used lobbying to put forward concerns. Public meetings were held in Bogota in which the image of an inclusive nation was negotiated, and "one of the preparatory steps leading up to the actual constitutional convention was an October 1990 meeting of the Subcommission on Equality and Ethnic Rights" (Arocha 1992:30). Legal categories such as ethnicity were produced in the process of negotiating a new constitution.

I argue that three concepts frame the definitions of Black communities in the new legislation. The first being the concept of the migrant /invader, the second being region or location and the last, occupation expressed as "traditional practices of production."

¹ People from the Colombian Caribbean islands of San Andres and Providencia, who are Protestant and English speaking.

This legislation specifies a temporality and spatiality to Black communities in relation to the land they live on, as well as their productive practices. Temporally, Black communities are defined as emergent and migrant, in a constant state of arrival, with a terminal limit into their past. Thus, in legislation Blacks "have come to be occupying" unowned lands (*han venido ocupando tierras baldías* Law 70 Article 1, or *vienen ocupando* Article 4) as opposed to "occupying" (*están ocupando*) these lands (Colombian Constitution, 1991, Transitory Article 55 and Law 70, 1993, Article 1, 4). Wade argues that contrary to Indigenous peoples who have "always had *original* land rights" Black people are institutionalized as invaders (Wade 1995).

Spatially Black communities are confined to the rural riverine zones of the rivers of the Pacific Basin (Colombian Constitution, 1991, Transitory Article 55 and Law 70, 1993 Article 1, 4). Yet, what allows Black communities outside of these geographic restrictions to claim territory under Law 70 is the practice of "traditional practices of production," where mining is provided for specifically in Articles 26 to 29, in *baldíos*, rural and riverine zones. Black people have long been associated with mining in Western Colombia, as the main slave labor was employed in mining rather than agriculture.

As we climbed in the growing darkness and bitter coldness up the steep hills to Alsacia, Adelmo said that limiting Law 70 to the Pacific Littoral was a strategic move on the part of Black communities during the National Constitutive Assembly. They felt that if they approached land relations in the "Valle-Interandino" zone they would be confronting the center of power in Colombia. The Pacific basin provided a winnable space in a general struggle of ethnic territories for Afro-Colombian communities.

Concentrating on the Pacific they have managed to win some communities 300,000 hectares of land in the Pacific littoral.

Modeling their access to resources on the first recognized ethnic groups in Colombia, Black communities have pushed for the goal of getting "not only equal rights before the law but special rights based on cultural difference" (Jackson 1995: 303) Discrepancy in access to resources or the moral weight of certain ethnicities in relation to others caused "some Pacific coast Black leaders to associate themselves politically with indigenas in an implicit effort to create an 'indian-like' identity in the eyes of the state" (Wade, 1995: 346).

The recognition of Afro-Colombian communities as "ethnic groups" is a process developed around the 1991 Constitution, over which there remains a considerable controversy among Afro-Colombian communities, but especially among the wider Colombian population. As explained to me by an official in the Fiscalía of Buenos Aires in 1996:

Law 70 has really changed the form of battle (*moda de la lucha*), not that it created problems but that it changed the possibilities and the actors fighting. For instance, Black communities can now act as a community, but it is one formed by the new state. They might have participated previously as Campesinos, small farmers but now it is different. The last two years has seen the creation of communities for the first time.²

The community of Alsacia is caught in a bind by the constitution in two ways. While they would like to claim ethnic territories their land is not within the Pacific littoral. The continental divide runs along the highest point of their property, the waters of which flow down to the Atlantic on their side and the Pacific on the other. The struggle today has been the extension of rights to Afro-Colombian communities outside

of the Pacific littoral. That is, to amplify law 70 outside of the Pacific. Secondly, the law 70 of 1993 and the following decrees of 1995 that make such claims possible all came into being after 1992 when the land in Alsacia was purchased by INCORA. As laws can not be retroactive the community is not legally entitled to make claims to the land as common property. Nevertheless they have formed a *consejo comunitario de las comunidades negras* to make just such claims in their continuing struggle with INCORA over the land. The community has also employed some strategic practices to maintain their claim to property as a common resource.

Strategies for Sustaining Claims to Common Property

Along side struggle over institutional and categorical shifts the community in Alsacia used practices strategically to create and produce a working common property regime. Alsacia consists of 1800 hectares of which over half is natural forest. Originally INCORA was going to give each *parcelero* three hectares but the group decided that to live and produce each *parcelero* needed a minimum of eight hectares of workable land. Around 400 hectares is to go to the community company for the production of timber. They have decided as a group to organize their use of the land in a collective manner. While each plot is “owned” by a particular *parcelero*, there is a general control over the land as a whole. This includes restriction on the use or cutting of natural forest areas, use of rivers and riverine areas or steep slopes even if within your plot. The control of these activities is managed through the community enterprise.

² Albeiro Torres August 1996

The cohesion of families is an important consideration for people in Alsacia. They were worried that women and children would have to remain on the other side of the river Cauca so that the children could attend school. They decided that they needed a school in Alsacia and other services like electricity so that families would not have to divide up between work and residence. They petitioned for electricity and for a school. They managed to get the electricity providing the labor and materials; some of which was readily available like the wood although other materials like cables had to be purchased.

The school was more difficult because at first the state said they could not justify paying a teacher for such few people. The community decided that they would pay the teacher themselves if the government could send them someone. With the resources earned from the sale of timber the community of Alsacia was able to build and staff a two-room primary school. The school has a strong agricultural focus as Nimia Aponzá, the first teacher at the school structured the curriculum to reflect the lives of the families of the students and the environment they live in. The school also has a close working relationship with parents. They are hoping to make this a center for agricultural ecological training where schools and groups could come and learn in the future. They have a plan to improve the roads and paths, to open a health point and to increase the communication so that they can provide a secure environment for the workshops.

The organizers of Afro-Colombian communities plan to make more claims on the Atlantic side of the continental divide. In Alsacia at present the community is refusing to pay INCORA for the land they received and have been living on now for almost six years for two reasons. 1) As Black communities they feel that they should obtain the land under the rubric of ethnic territories. They would not have to purchase such property similar to

how Indigenous groups obtain ethnic territories. They are requesting equal treatment to Indigenous groups as an ethnic group. 2) If that strategy fails, they are refusing to pay the total purchasing price of the land as demanded by INCORA because they feel that all the land, including that of the community company should be administered under agrarian reform laws where the peasant only pays a percentage of the total price.

These legal arguments are supported by practices of securing land surrounding the original territory. The community company in Alsacia has put in a solicitation for 2000 hectares on the Pacific side of the mountain that borders on their land. This solicitation was made in the name of the company because the land is mainly natural forest. In order to protect this forest they did not want to make individual claims as *parceleros* but rather a claim to collective property. One of the long-term goals of the company is eco-tourism in its highland rain forests. People in Alsacia were particularly adamant that they lived in an area of rare beauty and for the municipality of Buenos Aires the last area with remaining large tracts of natural forest. They are working on plans to protect these forests as a reserve.

This is strategic in two different manners: 1) They hope to be owners of the land when the government puts into action the plan of creating a protected corridor between the national parks of Munchique and los Farrallones de Cali which would include some of their present land and the new territory. 2) As the land lies within the boundaries of the Pacific littoral claims to that land as an ethnic territory are easier to realize. As Cenen the first administrator of the company told me, they are forced to talk in terms of the community company because that is the structure they have at the moment. However, they want to convert the company to a *consejo comunitario de las comunidades negras*. The additional

land can be more easily titled to them by INCORA as it is considered a *baldío* or vacant land. As such the 2000 hectares on the Pacific side of the mountain have all the requirements to be claimed as an ethnic territory. It is within the Pacific littoral and it is land that is considered a *baldío* or vacant. If successful in this claim, they will be able to use it as a land base for claims within the Valle-Interandino zones.

Conclusions

The *parceleros* of Alsacia use the actual possession of the land as a strategic place from which to fight for their rights. Based on ideas put forward about Africa, I am trying to understand the relations of states to the use and control of land as a question of authority. For, while on one hand trying to control the form and distribution of property, a state is also trying to secure law and order and construct a feasible basis for rule. The current practices of people must thus be taken into account even if weighed against both policy and law. This is especially important in a country such as Colombia where the government makes efforts not to antagonize communities on the margins of their authority but rather tries to co-opt their practices under legal parameters.

A common practice that has this effect in Colombia is land repossession or invasion, or as it is locally known, *recuperación*. This repossession of land by primarily Indigenous groups from large land holders is later legitimated by the state when the government purchases the land and deeds it to the group as an ethnic territory or part of land reform. We could use Peter's (1994:220) phrasing and say that at issue here is not a neat technical choice between traditional and modern, or private and collective systems,

but a profoundly political dilemma of competing claims among different social groups over valued resources. The state is the context of the competition.

The Afro-Colombian community of Alsacia has used and continues to use various strategies to cope with a changing environment. The political change in the form of the new Colombian constitution of 1991 opened up an innovative space through which those affected by the economic changes of 1989 and the early 1990s were able to deal with the changes. Displaced from land and community, with the loss of their traditional livelihood of gold mining by the creation of the hydroelectric dam, the Salvajina, individuals regrouped to form a new kind of organization.

Although the community of Alsacia managed to organize schools, roads, electricity and a community company for the management of planted and natural forest, they were limited in many ways of converting their property into a common property regime. Traditions of private property use, political limitation of the new constitution and the governing rules of land reform settlement affected how the community can and does organize itself and its property. As such, both macro and micro economic and political systems are closely interconnected in the community's ability and success in adapting to a changing environment.

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