

COLLECTIVE ACTION FAILURE AND ENVIRONMENTAL DEGRADATION IN COLOMBIA'S PACIFIC COAST THE CASE OF THE NAYA RIVER BASIN

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ABSTRACT:

To rein-in violent state-building, improve environmental governability and address issues of social justice, the 1991 Constitution reconfigured Colombia's territorial regimes, decentralized politics, and legalized the rights of ethnic communities to ancestral territories. However, low implementation of the rule of law means that ethnic-group governance depends on the organizational capacities of local users and their ability to hold the government accountable. This paper analyzes organizational capacities in a remote resource system located in Colombia's Pacific littoral. The multiethnic residents of the Naya River basin are losing territorial control as a result of violent uprooting and government failure to offer security and respect ancestral land rights. This paper argues that government malfeasance, overlapping legislations, and violent territorial control and rent seeking weaken local organizations and exacerbate the negative effects of elite-capture of representative institutions and inter-ethnic divisions on local governability and resource management. The paper adds to the study of ethnic territoriality and inter-ethnic relations in Latin America and collective action failure in the management natural resources.

INTRODUCTION

Territorial conflicts in Latin America are increasing in remote areas as governments and entrepreneurs seek new business opportunities from the expansion of agricultural, mining and hydrocarbon frontiers in lands held by indigenous or traditional groups (Blaser, Feit, and McRae 2004; Carruthers and Rodriguez 2009; ONIC, CECOIN, and GhK 1995; Mander and Tauli-Corpuz 2006). In Colombia, where one of the world's most aggressive state and capitalist territorial expansions continues to take shape, violent control of the country's periphery threatens cultural survival and natural resources. Ethnic groups are ever more vulnerable as oil and mining concessions increase, and palm oil and coca industries expand into ancestral territories (Ng'weno 2007; Mingorance 2006, 2008; Oslender 2007; Leech 2009). Even if ethnic groups have constitutionally guaranteed titles to ancestral lands and are considered authorities in

their territories, widespread disrespect for the rule of law and government preference for lucrative use of its territory shifts the responsibility of upholding ethnic rights to inexperienced organizations whose governance capacities depend on their faculties to oversee government actions, rally local populations, and negotiate with armed groups.

This paper argues that government malfeasance, overlapping legislations, and violent territorial control and rent seeking weaken local organizations and exacerbate the negative effects of elite-capture of representative institutions and inter-ethnic divisions on local governability and resource management. The work evaluates setbacks to local governability by focusing on the Naya River basin, an interethnic territory shared by 23,000 Afro-Colombians, peasants, and Eperaara and Nasa Indians. The river is located in the Pacific littoral, one of the world's remaining frontier forests, or relatively undisturbed areas that are big enough to maintain much of their biodiversity (Bryant, Nielsen, and Tanglely 1997). The littoral has roughly 1.3 million people, 90% of whom are Afro-Colombian and about 70,000 are Awa, Embera, Eperara-Siapidaara, Wounan and Tule Indians (Departamento Administrativo de Estadística 2005). The Pacific coast extends 78,000 km² of which about 63,000 km² are constitutionally recognized collective territories of blacks and Indians. For this reason social movements have denominated the Pacific a "region-territory of ethnic groups" (Escobar 2008). As in the rest of the Pacific, the basin's residents are failing to exercise social control and manage land and natural resources as guerrillas and paramilitaries lay violent territorial claims by overpowering local organizations and institutions, while the state fails to offer security and uphold the rule of law.

Focusing on a resource-system shared by a relatively small number of people allows me to analyze in depth the effects of violent territorial expansion on local governability and resource control. The paper adds to the study of state-building, ethnic territoriality, political organization in peripheral regions and collective action failure in the management natural resources. The analysis draws on social movement documents, newspaper sources, interviews and personal communications, and field notes from my participation in various meetings between 2007 and 2010, including meetings of Mesa Manglar (Buenaventura, February 2007 and June 2010), Interethnic School for Conflict resolution (August 2007-June 2008), and Bajamar residents (Buenaventura, Valle, June 2009).

The first part of the paper argues that local management of common pool resource systems is rooted in the politics of territoriality. The second part presents the overall geographic and settlement patterns of the Pacific coast of Colombia, as well as its context of violence and territorial uprooting. The third part expands on the Naya case. The conclusion argues that even if the Common Pool Resource literature offers appropriate policy recommendations to avoid the environmental problems associated with open access regimes, these fall short in regions facing violent change and low constitutionality. An analysis of territorial conflict however, highlights the need to look into policy alternatives involving advancing the rule of law and encouraging independent civil society associations.

ANALYTICAL FRAMEWORK

State expansion into peripheral territories involves two comprehensive goals: integrating ethnic, political or economic minorities, and exploiting frontier resources

ostensibly to benefit national development but more likely to profit domestic or foreign elites. Cultural survival, land ownership and the use of natural resources in peripheral regions are therefore embedded in the politics of territoriality (Hvalkof 2006; Hayes 2007; Finley-Brook and Offen 2009; Freire 2003; Howard 1998). Territories hold terrain, resources, and ecosystems that support natural and human activities (Kolers 2009), their boundaries let contesting parties define a group's "social, spiritual, and communal world" (Walter 2006) and allow those in power to "affect, influence, or control people, phenomena, and relationships" within a specific area (Sack 1986). Territorial disputes involve as well different conceptions of land and patterns of land use or what Kolers calls ethnogeographies (2009). At any rate, there are increasing expectations that as governments integrate territories and globalize economies, they should not achieve development at the price of cultural extermination and environmental degradation (Lertzman and Vredenburg 2005).

During struggles related to territorial expansion, rules governing people and resources are unclear resulting in open access regimes, social deterioration and environmental degradation. The literature on common pool resources demonstrates that open access regimes lead to resource deterioration and unsustainable economies. Common pool resources (CPR) are natural and human made goods characterized by the difficulty of excluding users and the subtractability of the good (Ostrom 1999, 1990), and can be overexploited if property rights are unclear or local rules poorly designed (Hardin 1968; Ostrom et al. 2002; Agrawal 2003; Ostrom 1990). Interdependent, homogeneous and clearly defined groups of users however can overcome collective action problems and manage CPRs sustainably if property is clearly defined, and the community shares norms and benefits from high social capital, legitimate leadership and central government support (Agrawal 2003, 2002).

Even though the CPR literature presents robust findings on which to base policy recommendations to prevent open access regimes, regions facing violent change and suffering the historical effects of low constitutionality would benefit from policies that emphasize conflict resolution and inter-ethnic collaboration. Examining territorial politics draws attention to the social effects of Latin America's rapacious and extractive state development process (Castro Herrera 1994), and calls for political alternatives that empower local and national judicial institutions that protect human and environmental rights in the periphery in coordination with traditional sources of authority. This requires active local support from socially accountable associations capable of overseeing government and non-governmental groups and enforcing the rule of law (Peruzzotti and Smulovitz 2006).

CONSTITUTIONAL REFORM, COMMON PROPERTY AND TERRITORIAL REGIMES

Latin American governments have long neglected or failed to penetrate peripheral territories, focusing rather on developing state capacities in the highly concentrated Andean highlands, interior valleys, or coastal regions. Little government presence in remote areas gave many communities *de-facto* autonomy (Yashar 2006) allowing self-organization and sustainable use of resources until relatively recent. In the 1980s when pressures on indigenous lands increased, Indians organized to reclaim their inalienable community rights (Yashar 2006) and to demand official recognition of indigenous territories. Similarly, Colombian blacks claimed ethnic status to secure

territorial rights in the late 1980s when economic pressures threatened cultural survival (Asociación Campesina Integral del Atrato and Consejo Comunitario Mayor del Medio Atrato, 2000?, Sánchez et al., 1993, Agudelo, 2004).

Based on the premise that indigenous communities, and local resource users in general, share sustainable environmental governability practices (Dove 2006; Shelton and Wali 1994), multilateral institutions and national elites encouraged indigenous self-determination and the demarcation of collective lands as appropriate policy solutions to address issues of sustainable development and social justice (Banco Mundial 1993; Redford 1996). Beginning in the 1990s, ethnic groups achieved politico-territorial autonomy when constitutional reforms formalized peace talks or tried to increase state legitimacy by favoring ancestral land claims (Van Cott 2001). Ethnic territorial rights, however, are not absolute. In most cases, wildlife, forests, water and air are public goods owned by government, and in all cases the subsurface is considered state property, giving governments the right to overturn indigenous land rights if significant resources are found in their territories (Chirif and García 2007). In sum, property rights in remote areas are not secure because of competing land claims, government preference for lucrative uses, disregard of indigenous rights, corruption and overlapping jurisdictions (Howard 1998).

Land conflict in Colombia's frontier is a struggle for territorial domination where the state has long acted as another "armed power over the population" (Reyes Posada 1990) thus compromising legitimacy and the rule of law. In efforts to increase legitimacy, pacify the country and place economic development on a sustainable path, Colombia's 1991 Constitution reconfigured territorial and environmental authority structures (Velásquez 2001; Ojeda and Asher 2009). The constitution lay the legal foundation for the collective property rights of Indians to 34 million and of riparian Afro-Colombian communities to 4.7 million hectares of land (Departamento Administrativo de Estadística. 2005), a significant result considering that indigenous people total about 3% and Afro-Colombians living in collective lands add up to roughly 1 to 2% of the population. Even if over 4 million Colombians self-identified as black in the 2005 census—the figure is probably closer to 9 million—only about 276,000 lived in ancestral lands (DANE, 2007; INCORA, 2003).

After 1991, ethnic social movement organizations were enabled as local authorities to oversee resources, solve conflict and adjudicate land rights in collectively-owned territories. However, as of 2007 only 18% of the country's indigenous territories were using the post-1991 legal framework (Chirif and García 2007). Article 332 of Colombia's constitution for instance claims state-ownership of subsoil and non-renewal resources, while subsequent environmental, agrarian and hydrocarbon policies have either convoluted the establishment of indigenous territories or attempted to overturn ethno-political autonomy altogether (Chirif and García 2007). Nevertheless, by limiting property and membership, Colombia's constitution legally moved large tracts of national land from open access to common property regimes (Vélez 2009) taking an important first step towards ensuring the sustainable use of CPRs.

THE PACIFIC COAST

The Pacific coast (see Map 1) is part of the Chocó Phytogeographic region, reputed to be one of the most diverse places in the world (Galeano, Cediell, and Pardo 1998; Gentry 1986, 1982). The heavily forested region is characterized by high pluviosity and endemism, is separated from the Amazon Basin by the Andes Mountains and expands over the Darien province in Panama, the departments of Chocó, Valle, Cauca, Nariño, Antioquia, Córdoba and Risaralda in Colombia and northwestern Ecuador (Hernández et al. 1992; Gentry 1982; Colectivo de Trabajo Jenzerá 2007). Colombia's share of this region extends over 115,053 km² of which about 80% is still covered by tropical rainforests (Oslender 2007). The region's hot and humid equatorial climate and its densely forested terrain contains few areas with adequate agricultural soils, promotes the spread of disease, and complicates communication and transportation (West 1957).

By the end of the 17th century and after some 150 years of failed Spanish conquest, mestizo colonizers established limited control of riparian gold placers in the region (Aprile-Gnisset 1993). The mining economy decimated and uprooted Indian communities whose labor power was replaced by African slaves (West 1957). After emancipation in 1851 black migration increased and fearful or distrusting Indians retreated further from their traditional land leaving large areas of the territory open to black settlers (West 1957). Even so, Aprile-Gnisset (1993) finds evidence of inter-ethnic solidarity between blacks and Indians who formed maroon societies in the 18th and 19th centuries to escape forced labor, and who shared knowledge and kinship relations. Specifically, black cultural regeneration depended on territorial appropriation, inter-ethnic alliances, resistance and economic adaptation to the lowland environment (Villa 1996). To survive the littoral's adverse environment, Indian and black populations mixed subsistence strategies including slash-mulch cultivation, silviculture, hunting, gold and timber extraction, harvesting mangroves, and fishing (West 1957). Traditional black societies organized collective labor and kinship systems by rivers (Friedemann 1988; Sánchez, Roldán, and Sánchez 1993). Elders, healers and spiritual authorities resolved conflict, allocated land, and organized production. Indigenous communities followed a similar social structure.

Government malfeasance, overlapping legislations, and violent territorial control

Interest in the region's resources has ebbed and flowed through the twentieth century. In the 1920s the French New Timbiquí Gold Mines for example, acquired property rights over large tracts of government-defined fallow land, enclosing communities and forcing them to obtain special permissions to live on ancestral lands, forbidding traditional mining methods, and paying workers with company-issued money (Friedemann 1988). Even so, extractive activities were mostly transitory and had minor environmental effects and until the 1950s the littoral's growing population still depended on traditional subsistence strategies (Villa 1996).

Between the 1950s and 1980s however, territorial pressures increased as it became a national government imperative to integrate peripheral areas of the country for the benefit of modernization (Asher 2009). State and capital development centered on palm oil and industrial shrimp farming, two industries that changed production strategies, transformed landscapes, and displaced entire communities (Escobar, 2008).

To develop the region, the government increased concessions, granted private property rights through the National Land Reform Institute (INCORA) and provided technical assistance to peasant producers (Hoffman 2004). Black territorial cohesion was specially threatened when bankruptcies led to embargoes and the sale of land (Hoffman 2004).

By the 1980s more aggressive entrepreneurs eager to invest drug profits in land, livestock, agro-industry and resource extraction arrived in the region quickly destabilizing local governments and economies (García and Jaramillo 2008). Many of the institutions that had historically linked the littoral to the central government such as the Catholic church, liberal party strongmen, police inspectors, peasant Community Action Boards (Agudelo 2004), as well as the corruption-prone municipal and departmental administrations were easily co-opted by emergent elites seeking isolated regions and unprotected populations (personal communication, Member of Colectivo Jenzera, March 15, 2010). Central government disregard of traditional authorities and customary property rights had thus disenfranchised and exposed defenseless communities to changes they could hardly withstand.

The current policy agenda for the region contra poses ethnic rights and environmental sustainability with neoliberal development, pacification and counter-narcotics. Ethnic rights and environmental policies such as those contemplated in the Chocó Biopacific Project that reflect international human rights and multilateral bank support for sustainable development are overshadowed by projects such as Plan Pacífico and the Initiative to Integrate South America's Regional Infrastructure (IIRSA) which are designed to connect South American markets, globalize the littoral and link Colombia to Pacific rim economies. Recent efforts to develop mining and agricultural industries are also uprooting communities and threatening environmental sustainability.

Ethnicization and New Forms of Local Organization

Between 1983 and 1987, the Integrated Peasant Association of the Atrato River in Chocó (ACIA) responded to the territorial pressures mentioned before by advancing black ethnic-territorial claims. Inspired by the indigenous movement's territoriality agenda and supported by the Catholic Church's Ecclesial Communities, ACIA mobilized to protect their traditional territory threatened by timber companies including Pizano S.A., Cartón de Colombia and Maderas del Darien (ACIA 2000?). ACIA secured 800,000 hectares of land and the community's right to manage their forests. Later, the Black Community Process (PCN) disseminated ACIA's innovative ethnic territorial agenda as a solution to the territoriality crisis facing communities across the Pacific (Agudelo 2004).

The 1991 Constitution sealed these social movement claims by embracing the country's ethnic and cultural diversity and ratifying International Labor Organization's Convention No. 169 on the rights to land and self-determination of tribal peoples. The constitutional assembly included three indigenous representatives who promoted on behalf of black communities Transitory Article 55 that recognized the customary rights of the descendants of maroon slaves. Social movements later pressed for the regulation of AT55 under Law 70/1993, which is described below. Black elites making the most of opportunities to gain political recognition as an ethnic group (Asher 2009), supported a process of ethnicization to claim cultural distinctiveness (Restrepo 2002) by

demonstrating that black traditional knowledge and practices led to conservation (Ng'weno 2007; Escobar 2008) and that black identity was shaped by spatial relations to riparian environments in the Pacific coast (Almario G. 2002; Oslender 2002; Hoffman 2004).

Law 70 established that Afro-Colombians living in collective territories organize in Community Councils, or private entities that depend on municipalities for managing fiscal resources (Fairbairn, 2005) and on regular judicial mechanisms for conflict resolution. According to the 1993 census, about 44.5% of the black population from the Pacific coast self-identified as traditional black communities, indicating that the ethnicization process had been relatively successful (Barbary, Ramírez, and Urrea 2004).

The ethnicization process did not pass without contradiction. According to an ACIA leader interviewed by the author, not all black peasants living in what were to become collective territories under Law 70 supported the social movement, and some black peasants who had property titles to individual plots manifested fear, distrust or skepticism about having their properties included in the new legislation and their rights upheld by the newly created community councils (Hoffman 2000).

Violent rent-seeking

In the decades after the new constitution was implemented however, increased armed conflict, human rights violations and government incapacity to offer justice and security, weakened territorial rights in all parts of the country. To exemplify, between 2000 and 2008, some 385,000 rural families abandoned by force 5.5 million hectares or about 11% of the country's agricultural land, losing an estimated income equivalent to 12% of the country's GNP (Consejería para los Derechos Humanos y el Desplazamiento 2009). According to the General Comptroller's Office, by 2005 irregular armed groups had violently secured 70% of the country's most productive agricultural lands (Anonymous 2005), coinciding with the forced displacement of 2.6 million people between 1997 and 2008, or about 20% of the rural population (Agencia Presidencial para la Acción Social y la Cooperación Internacional 2009). This violent counter-agrarian reform has had particularly devastating effects on indigenous authority structures (Mingorance 2008) and traditional black communities.

Until the 1980s, the Pacific coast had lingered outside the margins of armed conflict but by the middle of the 1990s its communities were under siege. Just in 2009 about 722,265 people were displaced from the Pacific departments (Anonymous 2010), and the government registered 139,097 black refugees from the Pacific coast (Agencia Presidencial para la Acción Social y la Cooperación Internacional 2009). Between 1997 and 2003 the region's life conditions index went down from 74 to 63 while Colombia's aggregate index increased from 74 to 77 (Anonymous 2006). Notorious human rights violations included the 2002 massacre of 119 people sheltered in a church in Bojayá when guerrillas and paramilitaries engaged in combat burned the building and the 2009 massacre of 12 Awa Indians attributed to racketeers retaliating against members of the community (Anonymous 2009). So as blacks obtained legal titles to ancestral lands, violent uprooting deprived them of territorial control. Such is the Baudó River case where settlers obtained legal title to their lands in May of 1996, but in June of that year the community was displaced by paramilitaries (García and Jaramillo 2008).

Illegal armed groups obtain up to 32% of their revenue through extortion, security deals, and forced taxes (Lavaux 2006/2007) and through businesses opportunities. To illustrate, a government investigation of the palm oil industry in the towns of Carmen del Darién and Belén de Bajirá (Chocó) revealed how eight companies connected to members of paramilitary groups usurped the territories of black communities in three rivers (Quevedo and Laverde 2008). The Attorney General's office questioned Codechocó (the regional environmental unit), the Colombian Institute for Rural Development (INCODER) and the Ministry of Agriculture for failing to control the activities of these companies that were operating without proper licenses or environmental permits and had in 2004 cultivated 2,723 hectares of forest land, appropriated an additional 5,654 hectares, and counted on the army for protection and on the government's Agrarian Bank for 11 billion pesos (US\$5.5 million) in credit.

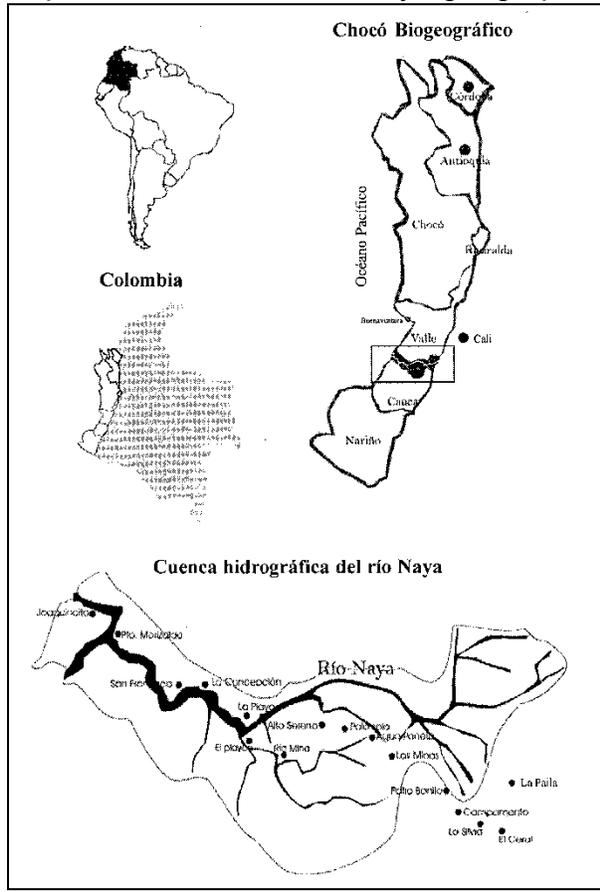
This type of government collusion with aggressive entrepreneurs linked to paramilitary forces to rein in the region's economy has been described as a process of ethnocide (García and Jaramillo 2008). The Naya case described below exemplifies in further detail the Pacific coast's territorial conflicts and the limits to collective action. The section is used to describe the processes blocking collective action—namely unclear property rights, normative complexity, violence against the civilian population, government repression, and a growing coca economy, and analyzes local strategies to organize collective action.

THE NAYA RIVER BASIN

As in the rest of the Pacific coast, the Naya region's environmental wealth has not translated into material welfare for the population, nor have government-sponsored projects jumpstarted sustainable development due to deficient funding, ill-devised policies and malfeasance (Espinosa, 1988, Castillo, 1987). The government fails to offer security and has postponed the land titling process of black and peasant territories. Additionally, recognition of peasant, Indian and Afro-Colombian rights to land through different legislations has raised barriers to interethnic collective action. Meanwhile, the region is threatened by predatory agricultural entrepreneurs, armed groups and a growing coca economy (Ñúscue and ONIC 2002; Hoffman 2004; García and Jaramillo 2008; Oslender 2007).

The Naya River is a remote system in the boundary between the departments of Valle and Cauca (See Map 1). It expands over mountainous areas starting in the slopes of the Western Cordillera of the Andes, passing through rainforests and ending in the mangroves of the Pacific Ocean. The closest Naya settlement to the port of Buenaventura is the fishing village of Chamuscao, 2.5 hours away by speedboat (slower boats take 6 hours). The River is navigable for another 2.5 hours to the Saltillo falls. A 10-hour mule trail leads to the upper Naya village of La Playa starting at a point known as Campamento, 4 hours by car from the city of Santander de Quilichao (Cauca). The Saltillo falls in the lower Naya are about 8 hours away by foot from La Playa.

Map 1: Colombia, Chocó Phytogeographic Region, and Naya River Basin



Source: García and Jaramillo, 2008: 15

The Naya is the shared territory of about 23,000 Afro-Colombians, peasants, and Eperara Siapidaara and Nasa Indians. Except for the Eperara of San Joaquinco, these groups did not have titles to their lands. An INCODER study established that ownership of 173,737 hectares in the Naya is divided as follows: about 56% of the territory is claimed by the University of Cauca which has no presence in the region but obtained titles in 1827 by presidential decree from Simón Bolívar; 16% makes part of the Farallones State Park; 28% are properties whose rights have been extinguished; and 774 hectares (or 0.44%) belong to the San Joaquinco reserve (Instituto Colombiano de Desarrollo Rural 2005). In June 2010, the Constitutional Court ended a drawn out legal battle that extinguished the University's domain, thus clearing the way for titling the black community's collective territory (Anonymous, 2010). Table 1 shows more information about the region.

Table 1: Naya River Population

Location	Group	Population	Type of settlement	Economic Activity	Organization
Upper Naya	Nasa Indians	3200	Dates back to the 1950s. Displaced during " <i>La Violencia</i> " from their Nasa communities located in the central cordillera	Coca cultivation; subsistence agriculture; forest extraction	<i>Cabildo</i>
	Black Peasants	805	Settlers who came during different waves of colonization		Community Action Boards
	Mestizo Peasants	313			
	Internal Refugees	1200	Recently displaced		None determined
Middle and Lower Naya	Riparian Afro-Colombian communities	17000	Dates back to the seventeenth Century. Descendants of maroon communities surrounding mining settlements	Forest, river and mangrove extraction; mostly subsistence, but some commercial agriculture; gold extraction	
Lower Naya	Eperara Siapidaara Indians	296	Ancestral settlement	Forest, river and mangrove extraction; subsistence agriculture	Reserve and traditional organizations
	Total	22814			

Source: Colectivo de Trabajo Jenzerá taken from García and Jaramillo, 2008.

Legal Complexity

Colombia's legislation recognizes peasant, Indian and Afro-Colombian rights to land through different legislations, giving each group incentives to negotiate separately. Afro-Colombians organize in Community Councils as established by Law 70/1993 which enables Councils to protect collective property rights and natural resources, divide land internally, choose legal representatives and settle conflicts that may be feasibly solved by the community's traditional authorities.

Laws 89/1890, 21/1991 and Resolution 025/1999 from the Ministry of the Interior cover *cabildos* and indigenous land claims. *Cabildos* are elected every two years by Indian communities to oversee land distribution, conflict resolution, rule implementation, resource management, and decentralized fiscal resources. Finally peasant Community Action Boards (JAC) are regulated by Laws 19/1958 and 743/2002 and organize voluntary urban and rural associations to build public infrastructure and lower the costs of social programs. Decree 1777 from 1996 offers the possibility of creating peasant reserves and agrarian reform Law 160/1994 encourages peasant access to private property. In sum, Indians and ethnic black communities can claim collective land ownership, but only Indian traditional authorities have legal status as public entities.

Such legal complexity with respect to property rights is convoluted by neoliberal policies to open trade and attract foreign investment, a prerequisite of which is to protect private property and guarantee access to strategic resources even if it means dismantling ethnic territorial rights (Jaramillo and Velasco 2007). Colombia's National Agency for Hydrocarbons for example is currently promoting the entire Pacific Coast

Basin, including offshore areas, as Type 2 or Newly Prospective Basins and Type 3 or Special Technical Evaluation Areas.¹

The government has also refused to recognize collective land titles in coca-growing communities. According to Justicia y Paz, an inter-ecclesiastical commission that accompanied the Council in the titling process, in 2009 the Council of State denied the lower Naya black Community Council claims arguing that coca was cultivated in black territories. The legal representative of the Naya Community Council argued that not having titles to land was motivating people to leave and transfer lands to new settlers. Meanwhile the community has been under pressure to set up a 6,000 ha. oil palm plantation (Comisión Intereclesial de Justicia y Paz 2009).

Violent Territorial Control and Rent Seeking

In the 1990s, the Naya became a strategic corridor for illegally armed groups seeking to traffic arms, find safe haven, tax coca production, and hide kidnapping victims. According to an interviewed source, the National Liberation Army (ELN) used the Naya as a corridor and the Revolutionary Armed Forces of Colombia (FARC) established a financial front to tax the growing coca trade. Occasionally these two groups would battle out territorial control (Velasco, 2010). In 2001 the upper Naya was attacked by 500 men from the Calima Block of the United Self-Defence Forces of Colombia (AUC). This paramilitary incursion left between 40 and 100 people dead and 2000 displaced (Anonymous 2001). According to a captured paramilitary leader, drug traffickers ordered the massacre to 'clean-up the area' and prevent FARC and ELN control of the drug trade (Vásquez, 2001). In informal conversations, some manifested that the massacre was punishment for the 1999 ELN kidnapping of 186 mostly upper class churchgoers held in the Naya (Velasco, 2010). Other accounts establish that there was complicity between the AUC and members of the Military's Third Brigade (Fairbairn, 2005). This version was confirmed by a 2008 Council of State investigation that blamed the army for failure to prevent the massacre and ordered government compensation of 6 billion Colombian pesos (3 million US dollars) to 100 people (Garibello 2008).

Beginning in 2005, coca production increased almost overnight in the upper Naya as fumigations in southern departments motivated coca growers to seek new areas of production. Eyewitness accounts claim that once a Peruvian variety known as *Tingo María* that adapts well to altitudes above 800 meters was introduced, production increased, and a daily count of 170 mules entered the upper Naya carrying production inputs, including alcohol, gasoline, kerosene, sulfuric acid, or sodium carbonate. Another 170 mules brought food into the region, once production of food staples was replaced by coca (Velasco, 2010).

A March 2008 police operation in the upper Naya destroyed sixteen coca laboratories owned and operated by the FARC's 30th Front. According to the police these laboratories were an infrastructure investment of 1.57 billion pesos (\$786,000 US dollars) and produced a monthly average of three tons of coca paste in the upper Naya (Anonymous 2008). If the police are right, this would be more money than the government has ever invested at once in the region. As a result of government interdiction, by 2008 coca producers moved to the lower Naya where it is easier to cultivate the crop and move inputs and outputs by sea (Velasco, 2010).

¹ See maps in Open Round Colombia 2010 www.colombiaround2010.com (accessed on 5/15/2010).

Coca and cocaine production requires 23 varieties of pesticides and 27 liquid chemicals which are later discarded in nearby waters and soils (Lavaux 2006/2007), while interdiction policies using aerial fumigations indiscriminately defoliate coca plantation, as well as forests and legal crops (Messina and Delamater 2006; Vargas 2000). In the Naya coca paste residues were dumped into the river or discarded in the land, leading to fish stock reduction and drinking-water contamination. In 2009, government anti-narcotics units began aerial fumigations in the region. Several lower Naya communities were sprayed with glyphosate on September of 2009, and on February and March of 2010. The March fumigations damaged communal gardens managed by black and Eperara women who were organizing an alternative project to regain territorial control and stop the expansion of coca.² In interviews with women whose crops were affected by the fumigations, some manifested feeling “lucky” that heavy rains after the 2-hour long fumigation washed off much of the glyphosate, reducing some of the damage (Velasco, 2010).

The coca economy increased socioeconomic and environmental problems as traditional forms of subsistence farming were exhausted, depleting the region’s food supply and increasing dependence on outside food markets.³ Coca production leads to rapid monetization, inflation, and debt forcing people who run out of alternatives to grow the cash crop (Mingorance 2008). Coca obtains a higher price than traditional crops, but buying imported food in remote regions is too costly. People talked about paying up to 1000 pesos (about \$0.50) for one egg, compared to the 100-200 pesos per egg paid in the country’s regular food markets.⁴ Naya leaders also noticed that as coca took hold, traditional forms of social control vanished, leading to prostitution, alcoholism and violence (Velasco, 2010).

Attempts to organize collective action

Traditional black and Indian social organizations based on extended family and kinship networks continue to be important sources of power and social control. Leaders include influential elders, healers, midwives, spiritual guides, shamans, and individuals who keep valuable knowhow about specific activities (fishing, music, agriculture, or gaming). Mortuary associations that help black families pay for and cope with the death of loved ones also help build community ties. Locals connected to political party bosses, education and health services, the church or commercial activities also reach leadership roles.

Currently, about 22 local organizations, including four constitutionally recognized ethnic-territorial organizations and 15 rural community associations, are supposed to represent people from the Naya in government instances. Afro-Colombians are represented by the Lower Naya Community Council; indigenous communities organize in three different *cabildos* or community councils: One Eperara Siapidaara *cabildo* in the lower Naya and two Nasa *cabildos* in el Playón and La Playa in the upper Naya; and peasants join together in one association of Community Action Boards (JAC) that groups the 14 village-level JACs in the upper Naya. There is an association of utility service users in the lower Naya villages organized around an electricity company. The Association of Naya Refugees represents 1000 people who were displaced after the

² See Sprayings in the Naya River, <http://jenzera.org/web/?p=628> (accessed May 25, 2010).

³ (Velasco 2008)

⁴ (Velasco 2008)

2001 massacre. These are all weak, underfunded organizations that as various Naya residents expressed are not recognized by regional or national government instances.

Facing violence and uprooting, Naya leaders knew that they had lost territorial control. In 2002, representatives from each ethnic group revived previous inter-ethnic conversations that between 1995 and 1997 sought agreements on inter-community boundaries and strategies to gain title to the land (Fairbairn 2005). In 2003 one hundred delegates representing all the Naya organizations founded the Interethnic Territorial Union of the Naya (UTINAYA) in an attempt to unify all the groups and negotiate common territorial governability rules.

The union was founded on principles of participation and solidarity in order to resist violence and find economic alternatives to coca and other unsustainable economic activities in the region. On August 2003, one hundred delegates from all the ethnic groups founded the Interethnic Union of the Naya River (UTINAYA). In 2005, UTINAYA represented the region's organizations and worked with INCODER in its technical visit to map and determine property rights in the Naya (INCODER, 2005). By 2006 however, UTINAYA was practically inactive as each group focused on its own organizations and strategies to gain titles to land (Colectivo de Trabajo Jenzerá 2007). On May 2010, the government's Park Division asked Naya leaders to come together as UTINAYA to talk about lands bordering the Farallones National Park. The Park official's demand, as well as increasing threats against Naya leaders, seem to be resurrecting new UTINAYA meetings as I write.

Elite Capture of Representative Institutions and Ethnic Divisions

Law 70 created the black community councils which were soon activated by local elites with social movement support to represent local interests in governmental affairs. Law 70 does not provide resources for community councils to function. To maintain a basic structure, the community councils seek outside support, often in the form of international cooperation grants or in alliance with domestic and foreign non-governmental organizations. Some people I interviewed felt that community council leaders devoted too much effort to seeking funding and very little to the "political process." By this they meant that local leaders had become too conditioned by NGOs, spent most of their time outside their communities, stopped solving local problems, or failed to mobilize contentious action when necessary. Critical members of the community, complained about council leaders' interests on securing projects to benefit supporters, elitism, exclusion of women and youths, and authoritarian practices.

Contrary to black councils, indigenous *cabildos* do receive fiscal transfers amounting to about 436,000 pesos (US\$230) per person per year according to the government (Presidencia de la República de Colombia 2006). In theory then, a local *cabildo* representing 1000 people could access as much as US\$230,000 for social investment. Most *cabildos* have to plan fiscal transfers with local municipal authorities (see law 715 of 2001), often shortchanging the communities as a result of corruption or ineptitude on both sides. Fiscal transfers have also created incentives to divide *cabildos* when those who oppose established authorities try to create their own organizations. This is frequently done in collusion with local municipal authorities in order to procure resources. From my observations, the eperara San Joaquinquito *cabildo* which represents 297 people is a reputable organization known to use fiscal transfers well. For example, it expanded running water to all the dwellings. However a breakaway *cabildo*,

organized by leaders pressured by *cocaleros* and representing as much as two extended families, is threatening the established *cabildo's* authority. *Cocaleros* want to have their own *cabildo* to secure territorial control.

In the case of the peasant JACs, which don't benefit from fiscal transfers and contrary to black councils, rarely attract the attention of foreign NGOs, people associate to organize communal labor (to clean mule trails, for example) and coordinate infrastructure projects or other social programs with the government. The upper Naya JACs were trying to monitor and control the entrance of mules into the region by establishing a road toll on the entrance of mules in order to keep and expand the trail. They also developed a Coexistence Manual that establish rules and regulations for living, working, transiting and producing in the Naya. The JACs problem has been avoiding co-optation and pressure by FARC guerrillas. According to upper Naya JAC leaders, the FARC supported the road toll, thus allowing them to enforce it, but the Coexistence Manual is another matter.

Negotiations on compensating Naya residents for the massacre also create divisions. Some NGOs favor individual economic retributions and others prefer collective retribution centered on legalizing collective property rights and securing social investment (Velasco, 2010). Here, a Bogotá-based human-rights lawyer's NGO that finances its activities by taking a share from successful retribution cases is advising Naya's displaced peasants' organization and pressed for individual claims. UTINAYA and the local organizations favor collective retribution.

The titling process whereby different legislations recognize peasant, Indian and Afro-Colombian politico-autonomy and land rights gives each group incentives to negotiate separately. The Naya's black community council advanced a separate organizing strategy with the help of Justicia y Paz. The coca economy has also increased tensions as residents begin to produce the leaf when they cannot find viable economic alternatives, and Indians accuse blacks, blacks accuse peasants, and so on and so forth, of growing coca and collaborating with guerrillas (Velasco, 2010).

Currently there are reports that the FARC is pressuring black community councils throughout the Pacific coast in an effort to control black territories, including the lower Naya. Meanwhile, the Águilas Negras, the paramilitary groups that splintered off from the demobilized groups that disbanded after peace negotiations with the government—are trying to exercise territorial control in the upper Naya. In May of 2010 they assassinated peasant leader Alexander Quintero, Upper Naya JAC president, outspoken human and ethnic rights defender, community organizer, and respected leader by peasants, Indians and blacks.

The policy outcome of competition for power and public resources is acceptable if rules are followed, budget transparency is achieved and redistributive criteria are applied. But the combination of weakness, violence and malfeasance make local organizations vulnerable, and leaders victim to what has been called the politics of "*plata o plomo*", where groups try to influence polices through bribes or the threat or death (Dal Bó, Dal Bó, and Di Tella 2006). Given organizational weakness and low institutionalization, both self-interested and community-minded elites who are trying developing their leadership trajectories, are either unrestrained by organizations or easily victimized by violent actors.

Shared governance of the Naya's common lands and resources will depend on keeping alive inter-ethnic spaces for deliberation that bring together the region's leadership and which are identified by local and national government institutions, as well as by armed actors, as convenient or legitimate entities of local interest intermediation.

CONCLUSIONS

An analysis of territorial politics in Colombia reveals that the government leaves local communities in legal limbo, denies their property rights and fails to control rogue elements within the state, while promoting foreign investment in a region that supports the economies of ethnic minorities. In this context protecting natural resources and property rights almost always depends on the organizational capacity of ethnic groups to defend their lands (Chirif and García 2007). This includes their ability to organize locally, seek international solidarity, appeal to human rights, or use international courts. Frontier forests can also be conserved if national policies support indigenous land rights and rule-making so that local communities can maintain or develop robust common property systems (Schwartzman and Zimmerman 2005; Hayes 2010).

Specifically, the Naya case demonstrates that government malfeasance, overlapping legislations, and violent territorial control and rent seeking weaken organizations and compound the negative effects of elite-capture of representative institutions and ethnic divisions on governability and resource management. In other words, the river's multiethnic population is losing territorial control, thereby governability of the resources on which their survival depends as guerrillas, paramilitaries and coca farmers invade their land, terrorize and uproot communities, change production strategies and create internal divisions. The government is denying the community's collective property rights and failing to offer security, offsetting in this manner local governance initiatives. Such government malfeasance is creating an open access regime that favors legal and illegal entrepreneurs and armed groups seeking easy to control populations and economies to invest and make profits.

Based on this study, I find that the central government could support a more sustainable process of political and economic development in the tropical frontier by engaging local organizations, entitling communal land claims, and compensating the community for the 2001 massacre. Communities that wield strategies that effectively address environmental sustainability and cultural survival can develop decision-making institutions known to advance the welfare of forest dwellers (Marquette 2006), adapt traditional resource management strategies to face new challenges (Lu 2001), and increase state legitimacy in the process. The CPR literature offers a powerful message for local communities and their allies in government to claim back collective rights to land and sustainable development. Analyzing the politics of territoriality brings up more dramatic policies to bring structural change.

REFERENCES

- Agencia Presidencial para la Acción Social y la Cooperación Internacional. 2009. *Registro único de población desplazada*. Agencia Presidencial para la Acción Social y la Cooperación Internacional, September 2009 [cited August 10 2009 2009]. Available from <http://www.accionsocial.gov.co/contenido/contenido.aspx?catID=383&conID=556>.
- . 2010. *Tabulados de población desplazada 2009* [cited May 5 2010]. Available from <http://www.accionsocial.gov.co/Estadisticas/publicacion%20diciembre%20de%202009.htm>.

- Agrawal, Arun. 2002. Common Resources and Institutional Sustainability. In *The Drama of the Commons*, edited by E. Ostrom, T. Dietz, N. Dolsak, P. Stern, S. Stonich and E. Weber. Washington, DC: National Academy Press.
- . 2003. Sustainable Governance of Common-Pool Resources: Context, Methods, and Politics. *Annual Review of Anthropology* 32:243-262.
- Agudelo, Carlos Efrén. 2004. Guapi: Sociedad local, influencias globales. In *Gente negra en Colombia: Dinámicas sociopolíticas en Cali y el Pacífico*, edited by O. Barbary and F. Urrea. Cali: CIDSE-IRD, Universidad del Valle.
- Almarío G., Oscar. 2002. Territorio, identidad, memoria colectiva y movimiento étnico de los grupos negros del Pacífico sur colombiano: Microhistoria y etnografía sobre el río Tapaje. *Journal of Latin American Anthropology* 7 (2):198-229.
- Anonymous. 2005. El narcotráfico tiene más de un millón de hectáreas de tierra, dice Contraloría. *Portafolio*, junio 10, 8.
- . 2006. Mientras la calidad de vida en gran parte de Colombia mejora, en la costa pacífica se deteriora. *El Tiempo*, Marzo 15.
- . 2008. Destruyen 16 pequeños laboratorios y un cristalizadero en zona rural de Buenos Aires (Cauca). *eltiempo.com/archivo*, March 12.
- . 2009. Un indígena señalado de la masacre de 12 integrantes de la comunidad Awá. *eltiempo.com*, September 1.
- . 2010. El año pasado, el Valle tuvo 137.718 desplazados. *El País*.
- Aprile-Gnisset, Jacques. 1993. *Poblamiento, hábitats y pueblos del Pacífico*, Colección Edición Previa, Serie Investigación. Cali: Universidad del Valle.
- Asher, Kiran. 2009. *Black and Green: Afro-Colombians, Development, and Nature in the Pacific Lowlands*. Durham and London: Duke University Press.
- Banco Mundial. 1993. Pueblos indígenas y desarrollo en América Latina: Memorias del Segundo Taller Inter-Institucional sobre Pueblos Indígenas y Desarrollo en América Latina. Paper read at Segundo Taller Inter-Institucional sobre Pueblos Indígenas y Desarrollo en América Latina.
- Barbary, Olivier, Héctor Fabio Ramírez, and Fernando Urrea. 2004. Identidad y ciudadanía afrocolombiana en el Pacífico y Cali. In *Gente negra en Colombia: Dinámicas sociopolíticas en Cali y el Pacífico*. Cali: CIDSE-IRD, Universidad del Valle.
- Blaser, Mario, Harvey A. Feit, and Glenn McRae. 2004. *In the Way of Development: Indigenous Peoples, Life Projects and Globalization*. London: Zed Books in Association with International Development Research Centre.
- Bryant, Dirk, Daniel Nielsen, and Laura Tangley. 1997. *The Last Frontier Forests: Ecosystems & Economies on the Edge. What is the Status of the World's Remaining Large, Natural Forest Ecosystems?* Washington: World Resources Institute.
- Carruthers, David, and Patricia Rodriguez. 2009. Mapuche Protest, Environmental Conflict and Social Movement Linkage in Chile. *Third World Quarterly* 30 (4):743 - 760.
- Castro Herrera, Guillermo. 1994. *Los trabajos de ajuste y combate: Naturaleza y sociedad en la historia de América Latina*. La Habana: Casa de las Américas.
- Chirif, Alberto, and Pedro García. 2007. *Marcando territorio: Progresos y limitaciones de la titulación de territorios indígenas en la Amazonía*. Copenhagen: IWGIA.
- Colectivo de Trabajo Jenzerá. 2007. Encuentro Interétnico. Centro Comunitario el Guabito, Resguardo López Adentro (Corinto, Cauca May 26-28).
- . 2007. Escuela de formación interétnica para la resolución de conflictos. Segundo taller de capacitación. Territorio, control y conflictos (IDEBIC, Florida, Valle 4-8 October).
- Comisión Intereclesial de Justicia y Paz. 2009. Afrodescendientes del río Naya solicitaron a la Corte Constitucional revisión de Tutela. (16 August 2009), <http://colombia.indymedia.org/news/2009/08/105127.php>.

- Consejería para los Derechos Humanos y el Desplazamiento. 2009. Víctimas emergentes: Desplazamiento, derechos humanos y conflicto en 2008. In *CODHES Informa*. Bogotá.
- Dal Bó, Ernesto, Pedro Dal Bó, and Rafael Di Tella. 2006. "Plata O Plomo?": Bribe and Punishment in a Theory of Political Influence. *The American Political Science Review* 100 (1):41-53.
- Departamento Administrativo de Estadística. 2005. *Censo General 2005*. Bogotá: DANE.
- Departamento Administrativo de Estadística. 2005. *Censo General 2005*. Bogotá: DANE.
- Dove, Michael R. 2006. Indigenous People and Environmental Politics. *Annual Review of Anthropology* 35 (1):191-208.
- Escobar, Arturo -. 2008. *Territories of difference place, movements, life, redes*. Durham: Duke University Press.
- Fairbairn, Bill. 2005. Human Security of "Democratic Security:" Grassroots Efforts to Build Community and Resist Displacement in Colombia's Naya Region. Canadian Consortium on Human Security. Institute of International Relations, University of British Columbia.
- Finley-Brook, Mary, and Karl Offen. 2009. Bounding the Commons: Land Demarcation in Northeastern Nicaragua. *Bulletin of Latin American Research* 28 (3):343-363.
- Freire, Germn. 2003. Tradition, Change and Land Rights: Land Use and Territorial Strategies among the Piara. *Critique of Anthropology* 23 (4):349-372.
- Friedemann, Nina S. de. 1988. *Criele criele son. Del Pacífico Negro. Arte, religión y cultura en el litoral Pacífico*. Bogotá: Planeta.
- Galeano, Gloria, Javier Cediel, and Marco Pardo. 1998. Structure and Floristic Composition of a One-Hectare Plot of Wet Forest at the Pacific Coast of Chocó, Colombia. In *Forest Biodiversity in North, Central and South America, and the Caribbean. Research and Monitoring*, edited by F. Dallmeier and J. A. Comiskey. Paris: UNESCO.
- García, Pedro, and Efraín Jaramillo. 2008. *Pacífico colombiano: El caso del Naya*. Edited by I. W. G. f. I. Affairs, *Informe IWGIA*. Bogotá: Fundación Jenzerá; Copenhagen: IWGIA.
- Garibello, Andrés. 2008. Condenan a nación por masacre del Naya. eltiempo.com/archivo, 14 October.
- Gentry, Aylwin. 1982. Phytogeographic Patterns as Evidence for a Chocó Refuge. Paper read at Fifth International Symposium of the Association for Tropical Biology, February 8-13, at Macuto Beach, Caracas, Venezuela.
- . 1986. Species Richness and Floral Composition of Chocó Region Plant Communities. *Caldasia* (15):71-91.
- Hardin, Garrett. 1968. The Tragedy of the Commons. *Science* 162:1243-1248.
- Hayes, Tanya. 2007. Does Tenure Matter? A Comparative Analysis of Agricultural Expansion in the Mosquitia Forest Corridor. *Human Ecology* 35 (6):733-747.
- . 2010. A challenge for environmental governance: institutional change in a traditional common-property forest system. *Policy Sciences* 43 (1):27-48.
- Hernández, Jorge, Rosario Ortiz, Adriana Hurtado, and Thomas Walschburger. 1992. Unidades Biogeográficas de Colombia. *La Diversidad biológica Iberoamericana. Acta Zoológica Mexicana* Volumen especial:105-151.
- Hoffman, Odile. 2000. Titling Collective Lands of the Black Communities in Colombia, Between Innovation and Tradition. In *The Challenge of Diversity: Indigenous Peoples and Reform of the State in Latin America*, edited by W. Assies, G. van der Haar and A. Hoekema. Amsterdam: Thela Thesis.
- . 2004. Espacios y región en el Pacífico sur: ¿Hacia la construcción de un sociedad regional? In *Gente negra en Colombia: Dinámicas sociopolíticas en Cali y el Pacífico*, edited by O. Barbary and F. Urrea. Cali: CIDSE-IRD, Universidad del Valle.
- . 2004. Espacios y región en el Pacífico Sur: ¿Hacia la construcción de una sociedad regional? . In *Gente negra en Colombia: Dinámicas sociopolíticas en Cali y el Pacífico*, edited by O. Barbary and F. Urrea. Cali: CIDSE-IRD, Universidad del Valle.
- Howard, Sarah M. 1998. Land Conflict and Mayangna Territorial Rights in Nicaragua's Bosawás Reserve. *Bulletin of Latin American Research* 17 (1):17-34.

- Hvalkof, Soren. 2006. Progress of the Victims: Political Ecology in the Peruvian Amazon. In *Reimagining Political Ecology*, edited by A. Biersack and J. B. Greenberg. Durham: Duke University Press.
- Instituto Colombiano de Desarrollo Rural, . 2005. Informe visita previa para el procedimiento de clarificación de la propiedad en la cuenca del Río Naya de conformidad con el Decreto 2663 de 1994. Popayán: INCODER.
- Jaramillo, Efraín, and Marcela Velasco. 2007. Las políticas públicas de Uribe contra los territorios de indígenas, negros y campesinos. *Nueva Gaceta* (13).
- Kolers, Avery. 2009. *Land, Conflict, and Justice: A Political Theory of Territory*. Cambridge: Cambridge University Press.
- Lavaux, Stéphanie. 2006/2007. Natural Resources and Conflict in Colombia: Complex Dynamics, Narrow Relationships. *International Journal* 62 (1):19-30.
- Leech, Garry. 2009. The Oil Palm Industry: A Blight on Afro-Colombia. *NACLA Report on the Americas* 42 (4):30.
- Lertzman, David A., and Harrie Vredenburg. 2005. Indigenous Peoples, Resource Extraction and Sustainable Development: An Ethical Approach. *Journal of Business Ethics* (56):239-254.
- Lu, Flora E. 2001. The Common Property Regime of the Huaorani Indians of Ecuador: Implications and Challenges to Conservation. *Human Ecology* 29 (4):425-447.
- Mander, Jerry, and Victoria Tauli-Corpuz. 2006. *Paradigm Wars Indigenous Peoples' Resistance to Globalization*. [New expanded ed.]. ed. San Francisco: Sierra Club Books
Distributed by University of California Press.
- Marquette, Catherine Mary. 2006. Settler Welfare on Tropical Forest Frontiers in Latin America. *Population and Environment* 27 (5/6):397-444.
- Messina, J.P., and P.L. Delamater. 2006. Defoliation and the War on Drugs in Putumayo, Colombia. *International Journal of Remote Sensing* 27 (1):121-128.
- Mingorance, Fidel. 2006. *The Flow of Palm Oil Colombia-Belgium/Europe: A Study from a Human Rights Perspective*. Brussels: Human Rights Everywhere.
- . 2008. *Tierra Profanada: Impacto de los megaproyectos en territorios indígenas de Colombia. Cultivos ilícitos: Megaproyecto*. Bogotá: Human Rights Everywhere, Organización Nacional Indígena de Colombia.
- Ng'weno, Bettina. 2007. *Turf Wars: Territory and Citizenship in the Contemporary State*. Stanford: Stanford University Press.
- Ñúscue, Dogibi, and ONIC. 2002. *Aspectos históricos, políticos, económicos, ambientales y culturales de la problemática de los pueblos indígenas y afrocolombianos del Pacífico*. Bogotá: SwissAid, Organización Nacional Indígena de Colombia, Equipo de Capacitación y Trabajo del Pacífico.
- Ojeda, Diana, and Kiran Asher. 2009. Producing Nature and Making the State: Ordenamiento Territorial in the Pacific Lowlands of Colombia. *Geoforum* (40):292-302.
- ONIC, CECOIN, and GhK. 1995. *Tierra profanada: Grandes proyectos en territorios indígenas de Colombia*. Bogotá: Disloque Editores.
- Oslender, Ulrich. 2002. "The Logic of the River": A Spatial Approach to Ethnic-Territorial Mobilization in the Colombian Pacific Region. *Journal of Latin American Anthropology* 7 (2):86-117.
- . 2007. Violence in development: the logic of forced displacement on Colombia's Pacific coast. *Development in Practice* 17 (6):752 - 764.
- Ostrom, Elinor. 1990. *Governing the Commons: The Evolution of Institutions for Collective Action*. Cambridge: Cambridge University Press.
- . 1999. Coping with Tragedies of the Commons. *Annual Review of Political Science* 2:493-535.
- Ostrom, Elinor, Thomas Dietz, N Dolsak, Paul Stern, S Stonich, and Edward Weber, eds. 2002. *The Drama of the Commons*. Washington, D.C.: National Academy Press.
- Peruzzotti, Enrique, and Catalina Smulovitz. 2006. Social Accountability: An Introduction. In *Enforcing the Rule of Law: Social Accountability in the New Latin American Democracies*, edited by E. Peruzzotti and C. Smulovitz. Pittsburgh: University of Pittsburgh Press.

- Presidencia de la República de Colombia. 2006. Indígenas reciben 36% más en recursos que colombianos de otras regiones. *Noticias SNE*, <http://www.presidencia.gov.co/sne/2005/septiembre/25/05252005.htm>.
- Quevedo, Norbey, and Juan David Laverde. 2008. El 'dossier' de los palmeros. *El Espectador*, Enero 27 - Febrero 2, 2.
- Redford, Kent H. 1996. Getting to Conservation. In *Traditional Peoples and Biodiversity Conservation in Large Tropical Landscapes*, edited by K. H. Redford and J. A. Mansour. Arlington, VA: America Verde Publications, The Nature Conservancy.
- Restrepo, Eduardo. 2002. Políticas de la alteridad: Etnización de "comunidad negra" en el Pacífico sur colombiano. *Journal of Latin American Anthropology* 7 (2):34-59.
- Reyes Posada, Alejandro. 1990. Conflicto y territorio en Colombia. In *Colonización del bosque húmedo tropical*, edited by C. Aracacara. Bogotá: COA, Fondo Promoción de la Cultura.
- Sack, Robert David. 1986. *Human Territoriality: Its Theory and History*. Cambridge: Cambridge University Press.
- Sánchez, Enrique, Roque Roldán, and María Fernanda Sánchez. 1993. *Derechos e identidad: Los pueblos indígenas y negros en la Constitución Política de Colombia de 1991*. Bogotá: Disloque Editores.
- Schwartzman, Stephan, and Barbara Zimmerman. 2005. Conservation Alliances with Indigenous Peoples of the Amazon. *Conservation Biology* 19 (3):721-727.
- Shelton, H. Davis, and Alaka Wali. 1994. Indigenous Land Tenure and Tropical Forest Management in Latin America. *Ambio* 23 (8):485-490.
- Van Cott, Donna Lee. 2001. Explaining Ethnic Autonomy Regimes in Latin America. *Studies in Comparative International Development* 35 (4):30-58.
- Vargas, Ricardo. 2000. Biowarfare in Colombia. *NACLA* 34 (2):20-22.
- Velasco, Marcela. 2010. Field notes, 2007-2010.
- Velásquez, Fabio. 2001. Ordenamiento territorial y descentralización: Un paso adelante, dos atrás. *Revista Foro* (41):36-52.
- Vélez, María Alejandra. 2009. Sistemas complejos de gobierno local. Reflexiones sobre la titulación colectiva en el Pacífico vallecaucano. *Revista de Estudios Sociales* (32):74-85.
- Villa, William. 1996. Ecosistema, territorio y desarrollo. In *Comunidades negras: Territorio y desarrollo. Propuestas y discusión*, edited by W. Villa. Bogotá: Swissaid.
- Walter, Barbara. 2006. Conclusion. In *Territoriality and Conflict in an Era of Globalization*, edited by B. Walter and M. Kahler. Cambridge: Cambridge University Press.
- West, Robert Cooper. 1957. *The Pacific Lowlands of Colombia: A Negroid Area of the American Tropics*. Baton Rouge: Louisiana State University Press.
- Yashar, Deborah. 2006. *Contesting Citizenship in Latin America: The Rise of Indigenous Movements and the Postliberal Challenge*. Cambridge: Cambridge University Press.