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Delivering Collective Afrodescendant Land Rights: Mutual Empowerment in Colombian State-Society Coalitions 1995–2003

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Accountability Research Center

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Contents

Introduction

The Sandwich Strategy framework identifies a pattern of mutually reinforcing empowerment between pro-reform actors in state and society: an opening from above meets mobilization from below, which in turn creates the political leverage for state actors to advance progressive change (Fox, Hossain and Robinson 2022). This pattern offers an analytical framework to explain the remarkable success of one of the most ambitious contemporary land reforms in the Western Hemisphere, the collective titling of Black communities in the Colombian Pacific. From 1996 through 2003, Black activists from both civil society and the state sought to maximize a brief, unique window of opportunity to advance territorial rights following the passage of the new Colombian Constitution in 1991. Today, that legacy is maintained by the 210 community councils in Colombia, which have permanent territorial rights over millions of acres in the Colombian Pacific.[1] While the Constitution established the legal groundwork for recognition of Afro-Colombian territorial rights, the actual implementation of these rights faced steep challenges. This paper uses the analytical framework of the Sandwich Strategy to explore how state-society partnerships in the wake of the 1991 Constitution delivered collective territorial rights for hundreds of thousands of people, even in the face of overt and often violent resistance.

In the late 1980s, Colombia was in crisis, driven by the rapid expansion of cocaine exports, infighting between the cartels and resurgent guerrilla and paramilitary movements. A wide swath of popular society as well as reformist political elites saw a new Constitution as a vital step towards peace (Ballvé 2013; Rampf & Chavarro 2014). As a result, in 1991, the National Constituent Assembly (*Asamblea Nacional Constituyente*, ANC) was convened to draft a new Colombian Constitution. In reflection of the popular political sentiment of the time, leftist and non-traditional political parties won a majority of the seats on an explicit mandate to rectify the exclusionary political culture that had long dominated Colombia. The burgeoning Afro-Colombian movement mobilized to advance a bold, innovative idea: that the Colombian government recognize Black people in Colombia as an ethnic group, with the rights to a broad set of cultural and territorial legal protections. One of the proposals in particular had the potential to forever change rural Afro-Colombian land tenureship and political representation, by granting rural black communities the right to create collective property titles.[2]

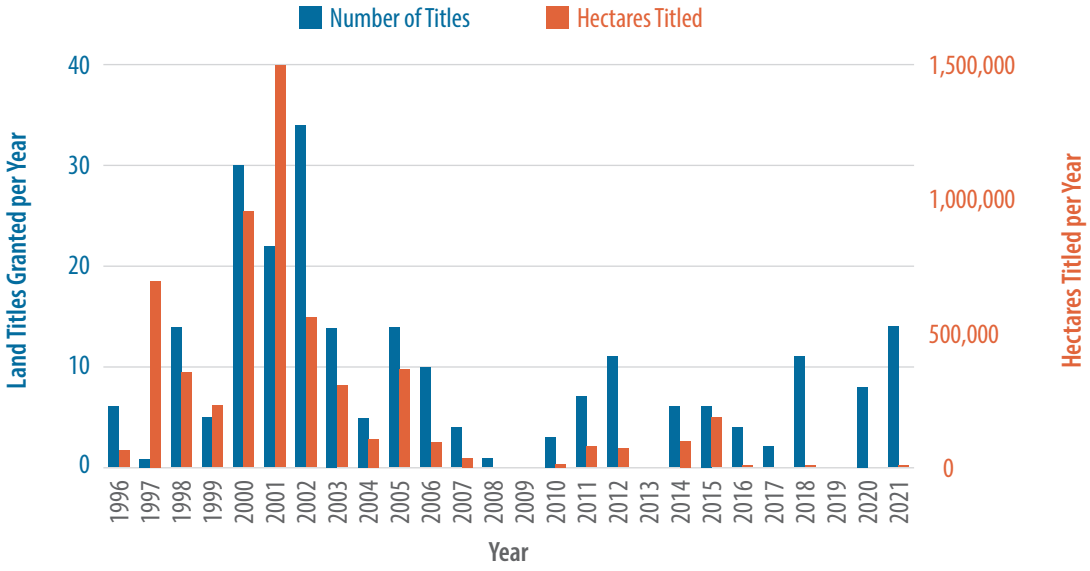
In order to push the proposal through, the movement built alliances with Indigenous leaders inside the Constitutional rewrite process, staged marches, occupied government buildings in Chocó as well as the Haitian Embassy in Bogotá and sent thousands of telegrams to the architects of the new Constitution demanding that they recognize Afro-Colombian political rights.[3] Their efforts paid off: in June 1991, the delegates approved the Transitional Article 55 (AT-55), requiring the state to pass within two years a law granting Black communities living on state lands in the Pacific region the right to collective properties, among other rights (Castro & Meza 2017; Pardo 2002). The passage of the law would require another round of protest and negotiation, eventually resulting in the Ley 70 of 1993 granting Afro-Colombian people a broad set of official recognitions and protections as an ethnic group, including the right to collective territory.

The Law 70 thus was a massive victory, a turning point in the relationship between the Colombian state and Afro-Colombian peoples. Collective titles offered a robust set of protections for the communities by making the titled lands "inalienable, unattachable and imprescriptible" (*inalienable, inembargable e imprescriptibles*). Put simply, the titled lands cannot be bought or sold outside of the community, guaranteeing that it belongs to the community into perpetuity (Moreno & Palacios Blandón, 2016). From 1996 through 2003, the Colombian government titled 102 black territories, totaling over a thousand communities and four million hectares, a land mass bigger than over fifty different countries. It is the largest collective titling project for Black communities in the Western Hemisphere. This period proved to be the high-water mark of the titling process: since 2004, the government has only issued 106 new titles, covering just over one million hectares (see: Figure 1; Agencia Nacional de Tierras 2021).

This paper sets out to explain how Colombia was able to implement this landmark advance in Black collective territorial rights, even in the midst of a rapidly worsening armed conflict and formal and informal attempts to undermine the letter and spirit of much of the 1991 Constitution, including the AT-55 that made collective titling possible. This analysis shows that the enduring power shifts of collective titling were made possible through a *sandwich strategy* process: mutually reinforcing collaboration between reformers and broad-based citizen action driving tangible state policy changes. This is a puzzle not only because of the unprecedented scope of titling to Black communities within such a brief period of time, but also because the Colombian state has a long track record of not implementing its own land reform programs (Albertus and Kaplan 2013; Arango Restrepo 2014).

This paper proceeds by offering an overview of the sandwich strategy, and then describes the key drivers of the 'opening' that preceded titling, the 1991 Constitution and a World Bank natural resource management loan. Next, it describes in detail the collective titling process, focusing on how alliances between key state and social movement actors made the vast scope and unprecedented speed of titling possible. It then examines the challenging obstacles that titling faced, the work of state and society actors to overcome those obstacles, and the eventual end of the titling process brought on by the armed conflict and the efforts of the far-right wing Uribe Administration. As illustrated by figure 1 (below), the vast majority of collective titling was undertaken during the presidencies of Samper (1994-1998) and Pastrana (1998–2002). While collective titling still advanced at a reduced pace during Uribe's first term in office (2002–2006), the vast majority of these were titles that had been in process prior to the Uribe administration and were sustained by bureaucratic momentum and the efforts of Black bureaucrats still in positions of power.[4] Under his second term, only six titles were issued for less than forty thousand hectares.

Figure 1. **Afro-Colombian Collective Land Titling 1996–2021**



Source: Agencia Nacional de Tierras 2021

Applying the Sandwich Strategy

At the heart of the sandwich strategy is an attempt to break down the traditional academic divides between state and society and the tendency to treat both as monolithic. This approach illustrates both the blurred boundaries between state and society, for example, as activists move into and out of the state bureaucracy. It also reflects the heterogenous forces within the state, as diverse political interests and their non-state allies competed to advance or undermine policy. Thus, the sandwich strategy framework transcends down the traditional social movement framing of progressive civil society attempting to overcome the actions of an implicitly monolithic, closed state. Instead, the sandwich strategy points to the fundamentally co-constitutive nature of enduring political change, in which progressive state bureaucrats and civil society actors work to mutually empower each other to address opposition from vested interests within both the state and society (Fox, Hossain and Robinson 2022).

However, the sandwich strategy does not completely collapse the distinctions between state and society; while it recognizes the fluid boundaries, it also emphasizes the distinct, mutually reinforcing roles that each actor plays in driving "virtuous circles". The social movement literature has long recognized the catalytic role of "political opportunities" in which the state creates openings for mobilization through the availability of political allies, the accessibility of the policy-making process, the stability of elite bargains and/or changes in the state's capacity for repression (McAdam, Tarrow, and Tilly 2009; Tarrow 2011). However, the usage of political opportunity as a broad umbrella concept to cover very diverse state actions complicates comparative analysis (Meyer and Minkoff 2004; Fox 2020).

The Sandwich Strategy framework develops a more bounded definition of openings from above, focusing on the specific, tangible actions state actors take to reduce the costs or risks of mobilization. Openings that directly change the enabling environment for action can take the form of new laws, within-state advocacy, directing resources or creating access to information or decision-making spaces. This contrasts with promises of change, consultations limited to the national capital or policies that remain on paper. The sandwich strategy framework builds on the political opportunity concept by emphasizing its iterative character, in which political openings may be responses to previous cycles of civil society mobilization, and that new openings in turn may require fresh rounds of bottom-up mobilization from civil society to enable reformers within the state to overcome obstacles from state and non-state actors (Fox, Hossain and Robinson 2022). This dynamic is explored in Figure 2, below.

Figure 2. Sandwich Strategy Dynamics

Source: Fox, Hossain and Robinson 2022

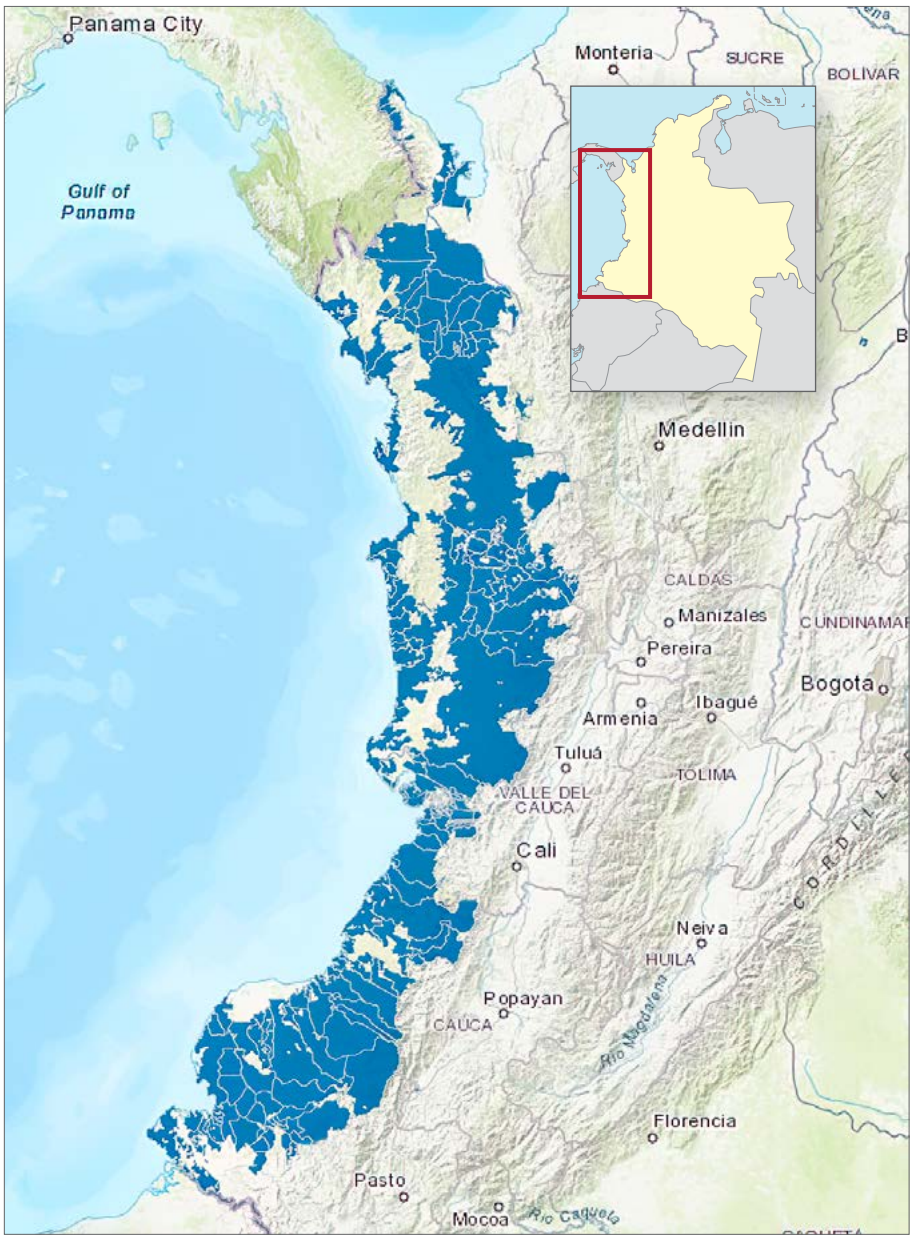
The Law 70 collective titling process illustrates the dynamics of the sandwich strategy process, both with its blurred lines between state and society and the iterative relationship between state and civil society actors in advancing tangible state actions and power shifts.

The trigger for this case of large-scale land titling was the constitutional process of 1991, which was driven both by the bottom-up pressure of social movements and by the initiatives of reformers within the state. In turn, the new constitution and its subsequent reforms created a window of opportunity that both allowed Black movement activists and their allies to move into state institutional positions and catalyzed a wave of mobilization from rural Afro-Colombian communities. Activists within key state bureaucratic positions worked in partnership with movement leaders to channel resources and political support towards a concentrated titling effort within the communities. These insider reformers' leverage within the Colombian state was bolstered by both funding and direct political support from World Bank advocates of ethnic inclusion – who had recently been emboldened by international civil society advocacy (Ng'weno 2000; Offen 2003; Fox 2022). The wave of grassroots organizing for titling in turn empowered state bureaucrats to rapidly push through numerous, large-scale collective land titles under the imminent threats of increasing violence and opposition from agri-business and other interests in the late 1990s and early 2000s.

This opening for mass land titling ended after the 2002 elections brought a right-wing opponent of ethnic rights to the presidency. Just as the logic of the sandwich strategy underscores virtuous circles of mutual empowerment between pro-reform actors in the state and society, the same framework suggests that they will encounter opposition from anti-reform coalitions grounded in both state and society (Fox 1996).

ANC 1991: A Unique Political Opening

Figure 3. **Consejos Comunitarios of the Colombian Pacific**



Source: Agencia de Tierras 2022

The constitutional re-write of 1991 generated two processes that made possible the Afro-Colombian titling process. At the national level, the political and social opening opened space for institutionalization of Black political actors, both from the rural social movements and from within the traditional political parties, into key positions in the Colombian bureaucracy. In parallel with this national-level process, the passage of the legal provision known as Transitional Article 55 (AT-55) kicked off an extraordinary bloom of grassroots community organizing throughout the

Colombian Pacific region. The AT-55 was a provision within the new Constitution that required the Colombian government to pass a law within two years establishing the right of Black communities in the Colombian Pacific to collectively title their lands; that law passed two years later, in 1993, as the Law 70 mandating collective ethnic titling (See Figure 3 for a map of the titled community councils in the Pacific).

Yet the passage of the enabling legislation was not a forgone conclusion. Claudia Mejía[5] observed, just because the AT-55 had been passed, there was no guarantee that it would become law; many of the provisions of the 1991 Constitution never became law.[6] After a year passed without government action on the AT-55, grassroots movement pressure from Black organizations in the Pacific succeeded in restarting the process, resulting in the Presidential Decree 1332 of 1992 convening a *Comisión Especial* to write the Law 70 (Domínguez Mejía 2009). This Special Commission included both elected citizen representatives and representatives of government agencies involved in environmental, planning and land issues—a state-society hybrid structure that resonates with other cases of sandwich strategy initiatives around the world. The Decree created department-level consultative spaces in each of the four Pacific departments (Chocó, Valle del Cauca, Cauca, Nariño), which each elected three representatives to serve in the commission. The role of these elected community representatives was to link the communities with the commission, articulating the proposals of the communities and disseminating information about the progress of the law in the region (Domínguez Mejía 2009).

From the state side, the commission included a vice-minister, a technical secretary composed of representatives from the Colombian Institute for Anthropology and History (ICANH)[7], representatives from INCORA (Colombian Institute for Agrarian Reform) and the Geographic Institute Agustín Codazzi (IGAC)[8], National Planning Department (DNP) and Inderena, the precursor to the Ministry of the Environment. The decree also specifically named a group of academics, Black state bureaucrats and elected representatives to accompany the process. The institutional structure of the Special Commission was innovative and emblematic of a sandwich strategy opening, combining locally grounded subnational representation in national policymaking with government officials from the agencies that would be responsible for policy implementation. This multi-stakeholder space became a deliberative body that was responsible for translating the general provisions of the AT-55 from the Constitution into a law, the eventual Law 70.

The process of passing the Law 70 required extensive partnerships with Black political actors, in particular Piedad Córdoba, who were able to help push through the law when it was at the brink of failure (Castro and Meza 2017). The final law, passed in August 1993, included a wide-ranging set of recognitions of the rights of Black people as an ethnic group, including protections for Black culture and history and commitments to support their economic and social development. The centerpiece of the law was an affirmation that Black communities[9] living on state-owned lands in the Pacific and other "similar areas" had collective rights to the lands they lived on and, to a degree, its resources (Agudelo 2005).[10]

The more than one year process of building the Law 70 was often tense and at times openly conflictual between state and society commissioners over issues of representation, definitions of a Black ethnicity, and specifying control over natural resources. However, the intensive deliberations among a relatively small group of people generated a policy-making partnership that shaped the perspectives of government actors on issues of Black territorial rights and deepened the relationships between bureaucrats and activists. Claudia Mejía, former advisor to the National Rehabilitation Plan (*Plan Nacional de Rehabilitación*, PNR), explains the real personal transformation that many bureaucrats underwent over the course of the special commission:

> Here in the special commission the job was to discuss the issues, get to know each other, recognize each other beyond the stereotypes and stigmatizations that predominated at the time… [The state representatives] began to realize [the diversity of Colombians], that there were Afro-professional people here, that there were also Afro-peasant people who had been historically marginalized.[11]

Reflecting the sandwich strategy's emphasis on iterative, mutually reinforcing processes, the process of developing the Law 70 created space to build both the relationships and the expertise that placed Black political and social movement leaders as the best-positioned to assume the bureaucratic roles in the commissions and directorates that this new ethnic policy apparatus had created. Non-Black bureaucrats tended to see these positions as outside of their expertise and offering very few benefits to channel resources or advance their careers. Meanwhile the activists and bureaucrats who had been directly involved in the Law 70 process had been acquiring rich professional experience and deep personal interest that positioned them as the best candidates to assume these positions (Domínguez Mejía 2009).[12]

The success of Black bureaucrats in entering new positions within the state also can be explained by the support given to them by a new generation of Black Congresspeople who gained their positions as part of the Law 70 process. The Law 70 mandated two seats in congress for Black leaders, known as the special constituency of black communities. As part of the first election of the special constituency, Zulia Mena, a long-term Chocoan leader who had also been closely working on the Law 70 process, was elected. Pastor Murillo, the eventual Director of Affairs for Black Communities of the Ministry of the Interior, recalls that Mena played an integral role in helping him attain that position:

> So when Zulia arrived at the Congress of the Republic…the government gave her the option of proposing candidates for the Director of Affairs for Black Communities. My name was highly supported by the leaders of the Special Commission. At the request of Zulia Mena, I was offered the [position].[13]

Another vital source of support from within Congress was Piedad Córdoba, who was not part of the special constituency but nonetheless entered Congress in 1992 as part of the same political wave. Claudia Mejía, a public servant who closely accompanied the Law 70 process argues that although Córdoba represented a political position more aligned with the traditional Liberal party rather than the emergent Black social movements, her support allowed many of the key Afro-Colombian actors to enter state positions. One example was Silvio Garces, a legal expert who went on to become the Director of the Office of Black Communities of INCORA and played a key role in some of the trickiest titling issues, including the titles in the mangrove zones in Nariño and resolving disputes over overlapping land claims with the University of Cauca.[14]

Jesús Grueso, who worked with INCORA on Afro-Colombian titling, argues that the political pressure of political actors such as Córdoba and Mena was especially effective because of the vulnerable political position that then-president Samper found himself in; because Samper was counting on the alliance of the Black congresspeople, they had the political leverage to demand positions for Black bureaucrats, including placing Otilia Dueñas as the head of INCORA.[15] These appointments represent crucial turning points in the history of the collective titling process, placing committed allies at the forefront of the government bureaucracy. Jesús Grueso, an INCORA bureaucrat, argues that,

> If you look at the numbers, the process began with Otilia. Otilia was the person who, in her capacity in INCORA, put her heart into the process of collective titling…She was like a mother of the collective process…who understood the opportunity of that historical moment.

At the same time, these national-level processes of the Transitional Article 55 and the Law 70 were having a seismic impact on collective organizing throughout the Pacific. The sandwich strategy typically emphasizes the role of state actors in reducing the costs or risks of grassroots mobilization as a key trigger. The Law 70 collective titling case illustrates that the risk estimation of movements can also be significantly shifted by the potential to receive a valuable benefit, in this case, the potential for permanent ownership of lands in the Colombian Pacific.

For movements that had already been fairly well-consolidated, such as the organizations in the Atrato and San Juan regions of Chocó, the Law 70 process validated the work of ethnic leaders, pushing them to redouble their efforts towards a vital new goal: collective titles to their territories.[16] In the lower Atrato, the potential of collective titles served as sufficient motivation for the organizations OCABA and ACAMURI to overcome a long-running conflict and cooperate to inform communities about the new titling process. An OCABA leader involved in the process explains the long days of travel, intense work and support of the communities:

> Immediately after the AT55, with the help of the Riosucio parish we went to all the tributaries and communities of our municipality to inform our people about the future importance of this article of the new Constitution; there were days when we endured a lot of hunger, sun and rain, because you know that the villages and towns of Riosucio are very far apart, however, not one of the communities was left without visiting and people gave us plantains, hunted animals, and provided us with food (Valencia 2011, pg. 24).

Villa (1998, 444–445) vividly recounts a massive expedition along the San Juan river in 1992, as 600 members of ACADESAN traveled the river in 1992:

> Hundreds of the Peasant Association of the River San Juan embark in their boats and stop in each village, getting off with their chirimía (a traditional music style of the Pacific), and from the beach they put color into the meeting with jotas and contradanzas. The journey is a geographical recognition of a territory, which they now understand as theirs.

In parts of Nariño and the Pacific coast of Cauca, where the movements were less consolidated before the 1991 Constitutional process, the AT-55 in many cases spurred an explosion of new collective organizing practically overnight. Restrepo (2013, 98) explains that in Nariño, the AT-55 catalyzed, "the emergence of a new type of social organizations of a specifically ethnic nature".

The NRMP World Bank Program

Despite this surging activity from the Afro-Colombian movement, the 1991 Constitution and the Law 70 potentially would not have been sufficient to advance the rapid, large-scale implementation of collective land titling in the absence of another external opportunity, a World Bank environmental resources program known as the Natural Resources Management Program (NRMP). The program emerged as a continuation of the Forest Action Plan for Colombia (PAFC) from the mid-1980s; it sought to improve domestic capacity for sustainable resource management in key forest regions of Colombia (Sanchez Gutierrez and Roldán Ortega 2002).

The NRMP should not be understood as an opening separate from the 1991 Constitution. The fact the NRMP served as a key driver for titling was intimately shaped by the advances in the ethnic recognition in the 1991 Constitution. Bettina Ng'weno (2001, 20), an external consultant for the NRMP program, argues that the participatory approach built into the NRMP is directly attributable to the political space created by the new constitution, which establishes Colombia as an "ethnically and culturally plural society". She goes on to argue that the ethnic recognitions for Afro-Colombian people defined by the 1991 Constitution allowed the World Bank to define them as indigenous peoples for the purpose of granting standing in the NRMP process (Ng'weno 2001).

Reflecting the sandwich strategy's emphasis on top-down opportunities met by bottom-up actions, the NRMP would have generated few tangible benefits for Afro-Colombian titling without the committed advocacy work of Black activists. Most notably, Black leaders forced a complete recalibration of the NRMP's design and goals in a 1992 World Bank meeting in Yanaconas, in which the Bank presented their proposals for the NRMP program. While black leaders were invited to participate in the review, the initial proposals of the NRMP did not mention black territories or titling despite the recent announcement of the AT-55. The meeting came shortly after the first National Assembly of Black Communities meeting in Tumaco, in which Black leaders committed to a united effort to advance the AT-55 and land titling; the Yanaconas meeting thus served as a platform to publicly advance this goal (Offen 2003). Claudia Mejía recalls the response of Black leaders to learning that the NRMP plan did not include specific provisions for Afro-Colombian land titling:

> The people, they did not keep quiet, they started to put pressure and say, "No, we do not want a second phase of the PAFC in which [you outsiders] have to come and take care of the forests, to take advantage of the forests as if we didn't exist…if there isn't within [the plan] the real possibility of putting into action [Afro-Colombian collective titling], with us as the formal owners of the territories, we are not going to participate.[17]

In response, the World Bank significantly altered the design of the NRMP to center community territorial rights, with explicit support for collective titling for both Black and indigenous communities (Sanchez Gutierrez and Roldán Ortega 2002). Following the new constitution and the Yanaconas meeting, the World Bank leaders responsible for the NRMP project in Colombia became advocates of collective land titling for Black and indigenous communities. A global advocacy campaign against the World Bank demanding accountability and inclusion was shifting internal Bank policy in favor of recognizing ethnic rights, reinforced by a new forestry policy informed by environmental advocacy pressure (Gray, 1998; Fox 2020). The changing international context, driven forward by

the new ILO Convention 169 granting international recognition to tribal and ethnic land rights also played a significant role. World Bank insiders, spearheaded by anthropologist and ethnic rights advocate Shelton Davis, advocated for recognition of the crucial linkages between community control over natural resources and sustainable conservation (Ng'weno 2001; Restrepo 2013).

Participants in the process concur that the NRMP's financial and institutional support for government agencies to implement collective titling was absolutely vital. The program allocated two million dollars directly to Black Community titling, with support going towards technical training, state-society coordination, and direct support for INCORA, the government institution in charge of titling. Much of this money was allocated directly to rural black movements, funding efforts to inform communities of the new titling legislation and prepare them for the titling process and to build capacity within the movements themselves (Sanchez Gutierrez and Roldán Ortega 2002).

Furthermore, another $1.3 million of NRMP funds were allocated to support the Regional Committees, a deliberative space made up of representatives from government and civil society. The committees were established to monitor NRMP implementation, coordinate collective land titling and serve as an opportunity for problem-solving between the state and ethnic representatives (Ng'weno 2001). The regional committees in many ways spearheaded the titling effort; their work is described in significantly more detail in the following paragraphs.

However, the financial resources the Bank provided don't capture the full extent of its support. The World Bank played an outsized and often explicitly political role in pressuring for the advancement of collective land titles in Colombia that went beyond merely providing resources for the NRMP program. Diomedes Londoño, the Colombian government's technical coordinator for the NRMP program, recalls that, "the Bank has been a major pressure factor for compliance with titling for black and indigenous communities. When plans are delayed, the World Bank calls the ministry to account" (Agudelo 2005, 79). This remarkable level of commitment is largely attributable to a group of dedicated bank staff, led by Shelton Davis. Jesús Grueso, who worked in INCORA during the titling process, describes Davis as such:

> The guy was stubbornly committed to (*tenía una obstinación por*) collective titling, [and from that] he supported everything that had to do with collective titling, with resources from the coordinating unit, with cooperation resources, with whatever, but he was committed to it.[18]

The role of the Regional Committees is worth exploring in greater depth. These were not permanent standing committees, but rather flexible spaces of convergence between government officials and the representatives of the ethnic communities, held in different locations across the Pacific. The conceptual framework for the Regional Committees stems from the National Rehabilitation Plan (PNR),[19] a policy initiated under president Betancur in the mid-1980s to address the political and economic causes of violence in conflict zones. Within the program, social movement organizations and their government partners created regional committees as platforms to bridge the state/society divide and shape shared visions for local development (Bernal 1994). The government agency Social Solidarity Network (*Red de Solidaridad Social*, RSS), a successor to the PNR, helped to introduce the concept of the Regional Committees to the NRMP planners.[20] The structure of the committees was adopted by the NRMP methodology to "guarantee community participation in the planning, execution and follow up of the NRMP". While decisions made in the committee were not legally binding, they did establish "benchmarks from which to claim rights and compliance on the part of the state" (Ng'weno 2001, 44).

In 1994, the Social Solidarity Network (RSS), took over administration of the Regional Committees. World Bank reviews of the Regional Committees program were notably impressed by the RSS's emphasis on broad-based participation of Afro and Indigenous grassroots organizations and their co-creation with ethnic groups of valuable pedagogical materials on the Law 70 and land titling (Ng'weno 2001). From the government side, institutions including the Ministry of the Environment, Ministry of the Interior, INCORA and the Office of the Inspector General (*Procuraduría*)[21] also participated. Claudia Mejía argues that the Procuraduría played a key oversight role, and went on to become institutional "guarantors" of the titling process.[22] Many of the leaders of the emergent Black movement participated as well: Carlos Rosero, a widely-recognized activist from the organization Process of Black Communities (PCN) specifically recalls the incisive and meticulously organized leadership of Black women such as Leyla Andrea Arroyo Muñoz, who led PCN's titling strategy in the late 1990s.[23]

The Regional Committees advanced titling by developing the titling methodology, prioritizing communities for titling and directing funds to the community-level organizations that made the applications. Many within INCORA were not inclined towards this partnership approach and preferred to conduct titling in the manner that INCORA had historically operated, by simply subcontracting out the process. Claudia Mejía argues that a convergence between allies within the agency and the Regional Committees made a partnership approach possible and allowed it to continue.[24]

The Committee played a key role in determining the criteria for prioritizing collective titling. This prioritization criteria evolved over time in response to the rapidly accelerating conflict in the Pacific region in the late 1990s, as Carlos Rosero explains:

> At first, larger titles were privileged. Later…the whole matter was becoming more complex due to the armed conflict, due to displacement, the first thing that had to be given priority were the titles that had the greatest risk of displacement.[25]

Furthermore, the Regional Committees directed World Bank and government resources to the communities to advance the titling process. The process of collective titling was fairly resource-intensive: it required bringing together dispersed communities in areas with very limited road infrastructure for repeated meetings. The issue of resource allocation was an unsurprisingly delicate subject, but the Regional Committees, led by PCN activists, fought to ensure that the titling money was controlled by the communities themselves. Carlos Rosero explains:

> Our opposition [focused on]: 'The money goes to the communities. The money goes to the organizations because it is the only option we have to obtain titles, educate and organize people without intermediaries'.

He goes on to explain that PCN used their vantage points from inside the Regional Committees to offer direct support to the communities in putting together their titling proposals and securing funding:

> Each community that wanted to title….were helped to elaborate a project, and they were offered support from a common pool [of money], each [government] entity said "For that project I have COP $10 million or COP $20 million, however many millions". From there we operated and if we had to adjust the allocations based on what we had, that's what we did.[26]

Once the process of titling was in motion, the Regional Committees also played an accountability role, exercising oversight over the disbursement of funds and pressuring INCORA to accelerate the pace of titling. INCORA had to present budgets and spending reports to the activists and government officials in the Regional Committee.[27] Jesús Grueso reports that activists from the Committees continually went to INCORA representatives to say, "this is our situation, this is our plan and we need your support because we need our territories to be titled".[28] RSS played a support role, ensuring transparency in government communications to the Regional Committee (Sanchez Gutierrez and Roldán Ortega 2002).

Decree 1745 and the Titling Process

While the Law 70 of 1993 established the right of Black communities to apply for collective titles, it was not until 1995, with the Decree 1745, that the process of applying for titles was spelled out and codified into law. Like the Law 70 itself, there were no guarantees that the Decree providing for titling would be established; in fact, collective titling is the only one of the five main chapters of the Law 70 that is fully codified as of 2022. Reflecting the central hypothesis of the sandwich strategy, the Decree was only codified because of mutually reinforcing relationships between community leaders, state bureaucrats and their international supporters in the World Bank. Pastor Murillo, who helped advance the Decree 1745 from his position as the head of the Directorate of Black Communities in the Ministry of the Interior, recalls that they were able to push the Decree through because, "the organizations of the community were still very cohesive" and with the help of Zulia Mena, then a member of Congress, he was able to find ample support from the Ministry of Government.[29]

Pastor Murrillo found further support when INCORA formed their internal titling office, led by Jesús Grueso, who held meetings to promote the codification of Law 70 by advancing the Decree 1745. Claudia Mejía recalls that other allied bureaucrats further supported the process by passing key information to community leaders and finding resources from the National Investment Projects Bank to support meetings in INCORA and elsewhere on codifying the Law 70.[30] Further support came from the World Bank's NRMP project, as the funding for the regional committee financed much of the work of the consultative commission that generated the Decree 1745 (Ng'weno 2001). The organizations of the Afro movement were no less essential in advancing this process; Claudia Mejía argues that PCN leaders worked "shoulder to shoulder" with INCORA to elaborate the rules of the Decree.[31]

The actors involved realized they had to move fast to reduce the ability of counter-reform actors to halt the process of land titling. Pastor Murillo argues that the collective titling of Black communities had received fairly little attention from right-wing actors when it first passed with the 1991 Constitution, but that it was slowly attracting more and more focused attention to halt it: "We adopted as a central strategy to regulate [Decree 1745] as soon as possible, because we saw clearly that the people opposed to those rights were just waking up…we didn't give them enough time to neutralize the process".[32] His analysis clearly reflects a political understanding in which he and other like-minded bureaucrats were allied with the communities in a race to push forward titling against reactionary forces within and outside of the state.

The Decree 1745 of 1995 was a huge victory for Black communities because it made possible the implementation of the collective territorial rights encoded in the Law 70. It defined the institutional structure of the collective title-holders — the community councils — and created the legal process to apply for the titles. Perhaps just as importantly, it reaffirmed the criteria required for communities to qualify as "Black communities" eligible for a collective title. Communities would have to demonstrate a shared Black culture, with a set of traditional productive and cultural practices in harmony with the natural environment (Agudelo 2005). The next section examines in depth the process of applying for and winning a title to illustrate the dense, complex interactions between a range of state and civil society actors that were required for a title to be granted under often difficult circumstances. The process began with the initial application, followed by INCORA's technical visit and an inter-institutional problem-solving process, ending with final evaluations from the Technical Committee.

Creating the titling applications

The first step in the titling process was for the community, or communities, to put together an application. The application consisted of three key elements. First, the community formally declared itself a community council and authorized the elected legal representative to act on its behalf. Second, the community had to delimit the proposed territory through a social mapping process. The most extensive part of the application was the socio-cultural diagnostic, which provided evidence that the community's collective living patterns fit within the required definitions for collective tenancy with distinctly Afro-Colombian cultural and economic patterns, as set out by the Decree 1745. This part of the application included a detailed history of the community, collective land and resource use patterns, demographics and collective cultural practices (Domínguez Mejía 2009).

As this description of the process implies, putting together the application involved a significant effort from the communities: it required capacity-building workshops to inform the community members of the process of titling as well as extensive training to prepare the community for the work of governing the collective lands. Leaders had to move throughout the territories to document resource use, how traditional usu-rights were divided among families living within the proposed territory and what lands might be contested or have private ownership.[33] Ng'weno (2001) describes the arduous process that ACIA and its partners in the Quibdó Diocese faced in putting together its application, which were developed from 139 community workshops, along with an uncounted number of pre-trainings, meetings with the government, and negotiations with indigenous neighbors.

The dynamics of this community-level process of building an application and forming the groundwork of the community councils were heavily determined by the internal organizational capacity of the communities as well as their relationships with neighboring communities and other partners. In areas that lacked much formal organizing, the Regional Committees often assumed a greater role in stimulating local titling processes. Carlos Rosero, an organizer with PCN, recalls that in such cases, members of the regional committees would arrive to share information about the titling process and help the community to select a representative for titling.[34]

In the parts of Buenaventura where the regional organization PCN was influential, the organization itself coordinated the application process, organizing the assemblies, putting together workshops and offering ongoing consultation (Domínguez Mejía 2009). Similarly, in the Medio Atrato region, where the communities had already been building the highly consolidated organization ACIA,

community leaders led the process. Nevaldo Perea (2012, 55) recalls that among the leaders of ACIA, "We divided up the tasks, and commissions went out to all the areas [of ACIA territory] to collect information on the traditional ways of administering the territory, the type of authority that had been exercised".

Often, communities were able to coordinate, sharing information and strategies for developing the titling petition even across communities seeking separate titles. In Baudó, a region of Chocó, the more consolidated organization ACABA offered guidance to communities in neighboring Bajo Baudó who had less organizational experience. An ACABA leader narrates that the community councils in the region were, "advised on and built by us [ACABA]. We were the only process in the region, so they looked to us for advice and support".[35] Furthermore, communities sometimes were able to share resources in order to advance the titling effort. Carlos Rosero recalls the story of the Rio Mayorquín titling process. The company BNP was going to put up the resources to support the titling process, but wanted to own the intellectual property of the information in the application process. The community refused, and was left without the money to pay for the transportation and meetings necessary to put together the application. "The money was obtained in common agreement with all the communities of the other titles [in Buenaventura] and a small fund was made to title Mayorquín".[36]

However, other times, the relationships between and within the communities were more conflicted. Communities were not always in agreement as to how they wanted to construct their collective titles. In the Anchicayá river, communities were deeply divided over whether to align themselves as a single title organized under PCN or as a series of individual titles for each community, led by the influential political leader Rosa Solís. At times, these conflicts played out within individual communities; Domínguez Mejía (2009) documents that in the community Llanobajo in the Anchicayá river, a group of community members formally presented protests to INCORA against the community's title, demonstrating their long-running connections with PCN and their desire to join a wider Anchicayá community council. The titling process dragged on for years after much of the rest of Buenaventura had received their titles; eventually the river was split into a larger Consejo Comunitario Mayor de Anchicayá and seven other individual community-level titles (Domínguez Mejía 2009).

Communities diverged significantly in their titling strategies depending on the broader political constellations they were linked to. Communities organized under PCN prioritized territorial integrity as part of a broader strategy to build a new locus of rural grassroots power. As such, PCN communities sought titles for larger collective territories that integrated entire river basins. They also tended to take a slower, more deliberate approach to constructing their titling applications, reflecting the fact that they saw these initial meetings and deliberations as essential movement-building work. In contrast, communities organized under local leader and political operator Rosa Solís had an alternate political vision that put emphasis on community-level autonomy and continuity of pre-existing forms of political organization, such as the Community Action Boards (JACs).[37] These communities sought smaller, independent titles and moved through the application process much more rapidly. Domínguez Mejía (2009) documents multiple cases in which the applications of these communities simply copied whole portions from other titling applications.[38]

INCORA's technical visit

After the communities submitted their applications, the next step was a technical visit from an INCORA team. The function of this stage of the titling process was both to initiate a detailed GPS mapping of the proposed collective territory and to undertake an initial survey of potential

problems that might interfere with the proposed title, namely disagreements over territorial boundaries and overlapping land claims (Domínguez Mejía 2009). Jesús Grueso, one of the leaders of collective titling within INCORA, argues that their job went way beyond a simple mapping and assessment process.

> We were permanently in the territory, spending sleepless nights with the people, talking to them about the importance of being able to title the territory for the future generations... What we did was strengthen that organization of the community council, it was done with a lot of commitment and that was what finally allowed [the titling] to be possible.[39]

Grueso recalls, for example, visiting schoolchildren to explain to them what the new process of collective titling meant, and working directly with the leaders of the communities to develop pedagogical materials which served as guides for other communities in the process of building their own community councils.[40]

Following the technical visit, INCORA offered a report with an initial authorization of the titling application, verifying that the community met the legal requirements of a "black community", defined by a distinctive culture, territory and traditional forms of production. Domínguez Mejía (2009) notes that in these initial reports, INCORA teams tended to systematically homogenize local culture and economies, minimizing any information that possibly contradicted the definition of an idealized "black community" that existed in perfect harmony with their environment, as defined in the Decree 1745.

> In all cases, the role of the technicians was not to be strict in the face of the mismatch between the law and the reality of the communities. The technical reports tended to downplay these situations and present the characteristics that did coincide with the idea of the black community presented by the law…when the communities spoke of the near depletion of the forest resource due to overexploitation or the use of motorized pumps for gold extraction, they tended to be ignored in the INCORA technicians' reports (Domínguez Mejía 2009, 106).

Jesús Grueso argues that his team in INCORA was extremely committed to the titling process and were constantly searching for ways to advance the titling process as rapidly as possible.

> The people who were supporting the collective titling process from the institutional framework, particularly from INCORA, were one hundred percent people from the territory or socially linked to the territory…Our team was one hundred percent committed to collective titling, our team had no time off, it was a full-time team with total dedication.[41]

Other government bureaucrats allied with the Afro movement, such as Pastor Murillo, also argue that despite enormous political pressure, the Afro bureaucrats within INCORA were committed to advancing collective titling.[42] One possible explanation for this homogenization of the titling applications and the systematic minimization of environmentally unsustainable or exploitative practices within the communities is that INCORA bureaucrats sought to rush through titling to defend it. Indeed, Grueso argues that INCORA pushed for rapid titling specifically in order to block the expansion of 'Afro-palm frontier': "We at INCORA wanted those territories to be titled quickly, because there were interests in expanding the agricultural frontier of Afro Palm into the territories of the black communities that were claiming their collective titles to protect themselves".[43]

Either during the technical visit or directly after, the INCORA team also led a process of *concertación de linderos*, or negotiated agreements on territorial boundaries. In this process, INCORA sought to

resolve any disputes or overlapping claims over the boundaries of the collective territory, with neighboring community councils, indigenous *resguardos*, national parks, mining titles, military land concessions and others. In cases in which a rapid resolution couldn't be arrived at, the process became more formalized, shifting to official meetings in urban areas with a wider range of government officials and designated Afro leaders from the *Consultivas de Alto Nivel* present (Domínguez Mejía 2009). This mediation process frequently took place within the Regional Committees themselves, an innovative example of a hybrid state-society institution reducing the risks of collective action.

Final evaluations by the Technical Committee

The final evaluations before the title was approved were conducted by a group of government representatives known as the Technical Committee (*Comité Técnica*), which included delegates from INCORA, the Geographic Institute Agustín Codazzi (IGAC), the Ministry of the Environment, Ministry of the Interior, and the Colombian Institute for Anthropology and History (ICANH). The technical committee included a number of bureaucrats openly aligned with the Afro-Colombian movement, including Jesús Grueso, Silvio Garces (Director of the Office of Black Communities of INCORA) and others. The final evaluations consisted of verifying eligibility, that the community met the legal definitions of a Black community living in state-owned land. The committee was also responsible for offering final resolutions to any outstanding disputes over ownership or boundaries. These included opposition from non-Black people who were either members of the community or held lands within the proposed territory or state institutions who had claims on the land within the territory.

What could have been a highly contested process within the Technical Committee in most cases saw the bureaucrats within the committee pushing through the titles as rapidly as possible. Claudía Mejía makes clear both the power and political orientation of the Committee: "If the Technical Commission had not given their approval, not a single title would have come out. [But] they always gave approval.[44] As Domínguez Mejía (2009) describes, this is captured by the even further standardization of language involving the new community councils in the final reports of the Technical Committee. All of the reports emphasized the collective productive practices of the Black communities in harmony with the critically important ecosystem of the Colombian Pacific, and cut out mentions of possible resource use problems that might contradict the requirements for titling.

Domínguez Mejía (2009, 143) argues that the approach of the Technical Committee to strategically overlook possible contradictions or issues within the communities receiving the titles in order to expedite new titles as much as possible was driven by the motivations of individual bureaucrats within the Committee, who were committed to the project of collective titles for Black communities:

> Technicians and officials acted strategically to expedite titling, acting for reasons that went beyond compliance with the law and the execution of policies. These officials felt that it was time to collectively title the lands of the communities and ensure their permanence in the territory.

Her perspective aligns with the recollections of bureaucrats and movement leaders who worked with the Committee, who argue that the drive of the Technical Committee to advance the titling process as much as possible was driven by committed individuals in key positions within the Committee. Jesús Grueso describes that the Commission was made up, at least partially, by, "people of the [Pacific] region committed to the process of collective titling"; their presence generated

internal controls within the Commission to steer it in favor of the movement's goals.[45] Carlos Rosero similarly argues that the institutions themselves weren't necessarily committed to titling, it was the specific bureaucrats who had accompanied the process since the Comisión Especial was formed to codify the Law 70, who had, "a personal commitment to advance these issues".[46] This partnership reflects the dynamics of the sandwich strategy, in which committed activists in key positions within the state collaborate with movements to drive forward movement victories.

Titling Obstacles

The sandwich strategy framework suggests that just as alliances between state and society can enable mutual empowerment for progressive reform, counter-reforms are also rooted in mutually reinforcing state-society coalitions. Despite the strong momentum behind titling, major obstacles quickly arose. Some of them, including political competition within the Afro-Colombian movement and inter-ethnic conflict over the borders of the collective territories, could be, if not fully resolved, at least minimized. However, other obstacles loomed even larger: the expansion of Colombia's long standing armed conflict in the Pacific in the late 1990s increased the risks of collective action, made access to the communities extremely difficult, and presented activists engaged with the titling process with a much more imminent challenge that required their attention. The end of the World Bank loan in 2001 ended the funding stream and international political support that had consistently pushed forward titling. The beginning of the new Uribe Administration in 2002 brought to power a political agenda that was fundamentally hostile to grassroots ethnic movements and land redistribution, ending the period of massive advances in collective titling. A wave of titling proposals that were already far along in the administrative process in 2002 managed to get approved in the first year of the incoming government, but by 2004, a powerful alliance of a conservative President and agribusiness economic interests were able to halt collective titling.

Inter-ethnic conflict

Colombia's ethnic land provisions did not take into account historic patterns of overlapping land use between different ethnic groups, which created risks of conflict between overlapping claims. Much of the Pacific had no clearly designated boundaries between Black, indigenous and mestizo campesino people; many communities were fully multi-ethnic and had been so for decades, if not longer. Historically, riverine/lowland Afrodescendant communities and upland indigenous communities shared the use of intermediate zones. By the time of the Law 70, many indigenous titles had already been constituted in the Colombian Pacific, creating tensions over strong legal imbalances over land access. However, in the short term the Law 70 heightened those tensions, given that under the new law 70, even indigenous and mestizo campesino people who were deemed to be "good faith" holders of properties within Afro territories were to become "third party occupants", with no voting or decision-making rights within the community councils. Within officially recognized indigenous reserves (*resguardos*), the government's rules about membership and residence were even stricter.

The laws themselves were extremely vague on the exact political and land rights of the "third party occupants" within the community councils (Restrepo 2013). These unclarities were further compounded by the difficulty of rural communities to access reliable information given the poor communication infrastructure in the region, creating an environment ripe for misinformation and rumors: "[Law 70] brought a wave of confrontations between the populations of the lower Atrato... Many mentioned that the law was unique and exclusive to blacks and that those who were not black had to leave the territory" (Restrepo 2013, 287). As such, the beginning of the collective titling process undermined multiethnic rural organizing, such as ACADESAN in the San Juan or OCABA in the Bajo Atrato, generated severe tensions for mestizo people, whose future in the territories was on uncertain legal grounds, and set off almost immediately a competition for land with Indigenous resguardos.

These tensions were arguably further inflamed by the actions of INCORA. For over two years during the NRMP process, INCORA did not issue a single new title to indigenous communities, creating a deep-seated sense among Indigenous leaders that INCORA was politically motivated in favor of Black land claims. Indigenous leaders were able to convince World Bank leaders of this perspective; the leadership of the NRMP felt "a great irony, as we would have titled Afro-Colombian land but at the price of the progress of the Indians" (Ng'weno 2001, 69). And while a 1997 World Bank review did find that titling for Black communities was moving faster than Indigenous titling, which had virtually halted, it was still unacceptably slow: the report found that for most of 1997, INCORA made no progress towards legalizing new Black territories.

Ethnic leaders lobbied extensively to World Bank officials to support their demands for major changes in the titling approach. Claudia Mejía explains: "the Regional Committees and the community organizations sought [World Bank] intermediation and pressure to support community strategies [for changes] to the PMRN program and INCORA".[47] Following demands from ethnic leaders in the Regional Committees, the World Bank project officials took serious steps to push forward a balanced, coordinated approach to indigenous and Afro titling.[48] They leaned on multiple branches of the Colombian government, threatened to withhold loan money if INCORA didn't improve, and directly interceded in INCORA hirings and firings. In 1998, combined World Bank and community pressure led to the removal of nine of the twenty-five regional directors in INCORA for lack of progress on ethnic titling, including two from the Pacific region. A 1998 letter cited by Ng'weno (2001, 75) illustrates the intensity of this political pressure: the World Bank threatened that the Program Chief for Indigenous Affairs at INCORA must be removed for the loan to continue.

In addition to this political pressure, the World Bank issued an action plan in 1997 with a proposal to reshape the methodology of the Regional Committees with an explicit focus on inter-ethnic conflict resolution. These spaces went on to play a key role in calming the tensions between Indigenous and Ethnic land claimants. Reflecting on the Sandwich Strategy model, the Regional Committees offer an innovative example of a state-society hybrid institution that was able to significantly reduce the risks involved in collective action by reducing the possibility of conflict between grassroots movements. The first such Inter-Ethnic Regional Committee was held in 1997 in the municipality of Puerto Tejada, Cauca, and brought in the participation of key Black and Indigenous leaders as well as national and regional government representatives. The meeting produced an agreement that acknowledged the role of outside armed groups in inflaming tensions and violence, and spotlighted long-standing inter-ethnic conflict resolution mechanisms that should be supported and strengthened. It also demanded improvements from government agencies in coordinating and sharing information between Black and Indigenous titling processes (Sanchez Gutierrez and Roldán Ortega 2002).

A key example of the success of the Inter-Ethnic Regional Committees is the work it did to generate agreements in the Medio Atrato on the boundaries of the proposed territory of ACIA, which would sit between the lands of indigenous *resguardos* organized within the Indigenous associations OREWA and OIA. The Committee was able to determine the borders of ACIA's territory and facilitated the recognition of sixteen *resguardos* along ACIA's border. The agreement included land swaps and areas of shared territorial management, building from traditional conflict resolution mechanisms and long-term relationships between the parties (Ng'weno 2001).

Despite these successes, the relationship between the World Bank and INCORA continued to be tense, as the World Bank project officials judged that INCORA bureaucrats continued to incite ethnic tensions and undermine their work in the inter-ethnic committees. Ng'weno (2001, 68) argues that INCORA continually circumvented agreements made in the Regional Committee spaces and sought to minimize the powers of the Regional Committees in general. She writes that the important agreements made in the Medio Atrato, discussed above, "have not been respected by INCORA and the Indigenous territories of the Medio Atrato have been ignored" (Ng'weno 2001, 84). Ng'weno's (2001) interpretation is backed by Carlos Rosero, who describes the Puerto Tejada meeting as an "awful storm" because of the refusal of Otilia Dueñas, then head of INCORA, and her allies to commit to the inter-ethnic agreement.[49] Despite these ongoing tensions, Offen (2003) argues that the inter-ethnic regional committees were an undeniable success. He cites the fact that 95 of the 122 black territories titled between 1996 and 2003 came after the implementation of the World Bank Action Plan, which initiated the inter-ethnic conflict resolution process.

Competing political and economic interests

Another important challenge to titling was the emerging political competition within the Afro movement, especially present in the Buenaventura district, between two political strategies, encapsulated in the rivalry between PCN and Rosa Solís. PCN, as discussed earlier, was more oriented towards grassroots movement-building as a new source of rural ethnic political power, favored a more deliberate titling strategy that integrated entire river basins, was more closely aligned with the World Bank project staff and other international supporters and more inclined to conflict resolution processes with their Indigenous counterparts. In contrast, the movement led by the activist and political operator Rosa Solís adopted a more instrumental service delivery approach, working within established political channels and favoring a more rapid titling strategy that focused on individual rural communities, or *veredas*. This political current was more closely aligned with the INCORA leadership, particularly Otilia Dueñas and Silvio Garces, and took a more hardline approach in negotiations with Indigenous land claimants.

While the competition for influence between the two factions did create real fractures within the movement, the two were eventually able to settle on a relatively stable geographic division of territories that allowed titling to proceed. However, the divergences in this approach have created long-term consequences for the community land councils. The more instrumental, localized approach to titling undeniably succeeded in rapidly delivering titles to communities. However, there were also consequences to this approach at the local level: the rapid pace of titling in many places failed to build a solid base of political consciousness at the community level, leaving them vulnerable to capture by elite interests. Valencia (2011) notes that the collection of individual *vereda* titles in the Bajo Atrato — the first Afro collective titles awarded in Colombia, in December 1996 — happened to coincide with a massive "community forestry management" project proposed by the logging giant Maderas del Darién in those same river basins (Ramírez unpublished, cited in Valencia 2011, 27). He cites a quote from the then-leader of OCABA, the

campesino organization influential in the region, explaining the *quid pro quo* of technical, financial and political support for the new title petitions in exchange for the rights to continue logging in the territories:

> "The Maderas del Darién company approached us, OCABA, and they told us: 'well, we understand that you have a right to the territory and we are interested in continuing the exploitation of forest resources...So the proposal of the company was let's define a plan, a proposal, so that the company could support obtaining the titles but under a commitment to continue exploiting the forest resources." (Valencia 2011, 26)

Oslender (2016) describes a similar story taking place for the community council UNICOSTA, the first community council to receive a collective territory in the department of Nariño, in February 1998. The titling effort for UNICOSTA was funded by a company, ALENPAC, who harvested and canned palm hearts in its territory. Whereas before the Law 70, the government's regional development corporation issued the exploitation permit, following collective titling, the community council would have that right. In order to pre-empt any issues, the owner of the company funded workshops on the Law 70 and offered support in setting up the application for the land title. As of publication in 2016, the president of the community council was a contractor for ALENPAC, which continued to harvest palm there.

Jesús Grueso, who led INCORA's titling team, offers a different interpretation of INCORA's hurried approach to titling: in the face of an imminent threat from agro-Industry partnered with terrifyingly violent paramilitaries,

> There it was necessary to use a strategy that is, "Look, let's not stop here, let's go as far as we can and title this as quickly as possible", that was a big problem because there were organizations that wanted these processes to have a lot more of a foundation.[50]

War: an agrarian counter-revolution

In many other cases, the landowning and agri-business elites saw Afrodescendant collective titling as an overt threat, and sought to block or destroy, rather than co-opt, the titles. In Putumayo, where Afro collective titling was never able to get off the ground, Jesús Grueso argues that titling, "would have advanced more…but African palm was a problem, it was a huge brake resisting collective titling". In Tumaco, Nariño, cacao grower interests, "did not welcome collective titling, they saw it as backwards and collectivist…a way of taking property off the market". He reported that elsewhere in Nariño, black communities allied with shrimp farming opposed titling "from a development perspective." Instead, they wanted an industrialized agricultural model with individual property owners.[51]

Despite these efforts of agricultural interests to halt collective titling, the titling process continued to advance throughout the 1990s and early 2000s. This set the stage for a brutally violent clash between the two forces in the Colombian Pacific region. What was once a "haven of peace" in the midst of the already multi-decade Colombian civil war was transformed in the late 1990s into one of the central battlegrounds. The violence has continued almost unabated throughout the region until the present: tens of thousands of people killed, hundreds of thousands of people forcibly displaced from their homes, and incalculable damage done to entire cultures and the fragile ecosystems those ways of life were built from in the Pacific — a brutal and intentional destruction that observers have dubbed an "ethnocide" (Oslender 2009).

The violence was intimately connected with the collective titling process and the threat that it represented to agri-business interests, who sought to control the immense wealth of resources in the region: rich (though fragile) lands, timber, gold and other minerals. The 1997 *Operación Génesis*, a paramilitary takeover of the lower Atrato region, began just weeks after the first titles were issued to the region. The timing of the paramilitary takeover of the lower Atrato is hardly seen as a coincidence by local leaders: rather, the violence is understood as a strategy of Colombia's political and economic elites to reimpose control over an emergent social movement (Valencia 2011). And this timing was hardly unique: for example, in June 2001, government-backed paramilitaries cleared out the entire municipality of Alto Baudó of people just three weeks after ACABA received its land title (Perea 2012). A prominent Black leader explained to Oslender (2009, 191):

> The displacement in the Pacific coast region is not a consequence of the armed conflict, the way in which the government wants to portray it to international public opinion. No. The displacement is a strategy of the conflict. The armed conflict uses the strategy of displacement to empty those lands that are needed to develop their megaprojects.

An especially well-known case illustrating the nexus of military and paramilitary violence and agribusiness interests in opposition to titling are the Jiguamiandó and Curvaradó rivers. A March 2003 ruling from the Inter-American Court of Human Rights established that the Colombian Army was actively colluding with the paramilitaries to intimidate displaced communities in order to allow the Urapalma corporation to continue to illegally farm African oil palm on stolen land (Inter-American Court of Human Rights 2003). The state-society counter-reform nexus is captured most damningly by the fact that Urapalma was receiving credits from the Ministry of Agriculture. Claudia Mejía argues that this illustrates how this case of land theft functioned as a vast counter-reform effort against the collective titles, connecting various actors within the bureaucracy with commercial interests and nonstate armed actors in opposition to Black communities' control over the land.

> This whole issue of Palma in Bajo Atrato, you have to connect it with an attack on collective ownership…Because there were credits from Finagro for [Urapalma]. In addition, it was known that people were displaced, it was known that the titles existed and none of that mattered.[52]

These attacks on the collective titling process by a network of powerful state and society actors opposed to reform succeeded in undermining the process in complex and devastating ways. On the one hand, the conflict created huge logistical and political challenges for titling. Jesús Grueso describes the challenges for his INCORA team to gain access to the communities to undertake the required technical visits:

> We had to seek out the International Red Cross to talk to the drug addict [armed group commander] who had control over Baudó, to go there to those guys and tell them, "Look, we have this purpose [of collective titling], we want to do this in Baudó".[53]

Even if and when INCORA managed to make it to the territories, there was no guarantee that they could undertake their work. When the INCORA team arrived to do the technical visit in Aguaclara, a community in Buenaventura, they found that more than half the community was displaced from the region (Domínguez Mejía 2009). Meanwhile, from the perspective of activists within the Black movement, the war in many cases replaced titling as the focus, as they were forced to try and solve life or death humanitarian crises on an everyday basis.

> After 1995, 1996, 1997, all this escalation of the internal armed conflict began to take over all the territories. That agenda of collective rights, titling and that, became a second priority. We found ourselves no longer thinking in terms of titling, but of displacement, confinement, of communities, protecting leaders, providing food, the killings, assassinations, denunciations…[54]

At times, violence galvanized the drive of community leaders to demand advances for collective titles. For example, the communities of the Bajo Atrato continued to fight for titling following their mass displacement in 1997. The communities formed titling committees from the makeshift refugee camps in the soccer fields and schools of Pavarandó and Turbo, found support from the World Bank, ICRC and UNHCR to support their demands for the collective titles as part of their conditions for return to the communities, and took legal action against INCORA to force faster resolutions to their title petitions. In May 2001, Andrés Pastrana, the then-president of Colombia, came to Riosucio to personally deliver the remaining collective titles (Valencia 2011; Villa 2013).

However, in many other cases, the conflict devastated the drive and capacity of Black grassroots movements linked to collective titling. Even among the communities that succeeded in gaining a collective title, the war systematically weakened the power of the community councils. The armed groups that took control of the Pacific region expelled and killed many local leaders and created a pervasive climate of fear and mistrust among those who remained. The same armed groups attacked the customs and cultural practices that gave life to the collective governance practices that animate the community councils. They cultivated community dependence as the sole source of economic opportunity and governance. As a result, in many cases, while the letter of the Law 70 was implemented, its intent to generate community control over their lands and resources was destroyed.

This review of different patterns of state-society relations emphasized different approaches within the main agency involved in collective titling, with some elements more open to partnership with social organizations than others - as well as different preferences in terms of which community organizing strategies to support. Yet all of their efforts were overshadowed by the eruption of the armed conflict in the region. This dramatic weakening of the capacity of state actors to reduce the risk of collective action in the region was further reinforced by a shift in the political balance of power at the national level.

Uribe administration: pro-reform actors lose power

While the war undermined the transformative potential of the Law 70, it did not stop the process of collective titling, which continued at a brisk pace throughout the peak of the war in the late 1990s and early 2000s. The sharp decline in new collective titles from 2004 onward is attributable to two additional factors: the end of the World Bank loan in 2001 and the political changes implemented by the presidency of Álvaro Uribe, who came to power in 2002.

The president that preceded Uribe, Andrés Pastrana, was also a conservative and not an overt supporter of collective titling. Yet the titling process was able to continue because of the bureaucratic momentum behind titling and support from key points within the government bureaucracy.[55] Pastrana's term in office, from 1998-2002, represents by far the greatest peak of the titling process: eighty-one collective titles, a total of over three million hectares permanently placed under the control of Black communities in the Colombian Pacific.

The end of the World Bank NRMP program was an enormous initial blow to the titling process. Ng'weno (2001, 43) argues that the World Bank program had served as a "stabilizing factor" that maintained the momentum of titling across three government administrations. Without the resources from the World Bank, the government balked at assuming the costs of collective titling: "the loan [World Bank] credits ran out, and when the government had to take on the bill, that's when [titling stopped]".[56] Reflecting this lack of commitment, the government dropped the highly effective Regional Committees, which had essentially been created and funded entirely by the World Bank (Ng'weno 2001). While the support of the NRMP played a key role in titling much of the Pacific, the titling processes in the Caribbean and Inter-Andean valleys were in their infancy when the World Bank project ended and have barely advanced in the two decades since.[57] Pastor Murillo argued that this story would have been different if the World Bank project had continued:

> If the resources of the World Bank had been extended to other areas [of Colombia]... without a doubt the response and the evolution of the collective titling process would have been greater…Because it's not just the economic resources, if an entity like the World Bank is involved, [the government] has to be accountable in terms of results, etc. That makes a difference. [58]

Meanwhile, the Uribe administration, which came to power in 2003, was able to steadily chip away at the institutional infrastructure that supported collective titling. Claudia Mejía argues that Uribe was openly hostile to the titling process because of his alignment with the agribusiness and landowning elite of Colombia:

> Between the first and the second term of Uribe is when [his administration] realized that all of this land was titled, that it was outside of the market, that meant they couldn't just do whatever they wanted with the land, so that was very inconvenient for the economic vision they had.[59]

One of the most visible manifestations of the new institutional order under Uribe was that in 2003, INCORA was replaced by a new institution, INCODER (Colombian Institute of Rural Development). Jesús Grueso argues that the replacement of INCORA with INCODER "completely worsened the processes of collective titling".[60] INCODER still kept some of titling's most important allies, like Silvio Garcés, who tried to continue the titling process despite the ongoing war and political pressure. However, the institutional context had changed. As Jesús Grueso argues, "the numbers speak for themselves".[61] Following the Pastrana Administration, which issued eighty-one collective titles covering over three million hectares, the first term of the Uribe Administration issued forty titles covering nine hundred thousand hectares. The vast majority of these were titles that had been in process prior to the Uribe administration and were sustained by institutional momentum and the efforts of Black bureaucrats still in positions of power.[62] Under his second term, only six titles were issued for less than forty thousand hectares.

Conclusion: Enduring Results and Lingering Disappointments

The 1993 Law 70 set in motion a virtually unprecedented land reform: from 1996 through 2003, the Colombian government formally titled 122 collective territories of Black communities in the Pacific region, a total area of four and half million hectares, 1250 different communities, and nearly three hundred thousand people at the time of titling. It is the largest collective titling program for Black communities in the Western Hemisphere, covering an area larger than over fifty different countries, an initiative Offen (2003, 44) describes as "among the most ambitious and radical territorial re-orderings ever attempted in Latin America".

We argue that this large-scale, very tangible power shift in favor of marginalized rural Black communities directly reflects the central dynamic of the sandwich strategy: the iterative and co-constitutive nature of enduring political change, in which activists, bureaucrats and leaders from civil society cooperate to overcome the challenges presented by anti-reform interests from both the state and civil society. In this case, the Constitutional process of 1991 both set off a wave of grassroots mobilizations among Black communities and created opportunities for activists to move into the state, allowing for a partnership capable of rapidly distributing hundreds of titles for millions of hectares of land in the face of extreme pressure from state and non-state forces.

Key actors from the collective titling process, both movement leaders and bureaucrats, were acutely aware of the mutually reinforcing relationship between actors in the state and society that pushed the titling process forward. Jesús Grueso, the former INCORA bureaucrat, argues that the titling process couldn't have advanced without the activists who found their way into the Colombian bureaucracy, who deeply understood the Pacific region, who "knew the territory, who knew how to form the community councils that did not yet exist, who understood the dynamics and the logic of the rivers". However, he argues that while there was a political opening, a powerful new law, and allies within the government, the titling wouldn't have been possible without bottom-up pressure from the communities:

> The laws were there, but laws alone can't do anything. And there was an intentionality to implement those laws on the part of the governments of the time…But [the collective titles] were no gift. It came from the pressure of the communities, rooted in their efforts at the time to materialize those rights.[63]

Carlos Rosero, longtime social leader with PCN, makes a similar argument: titling could advance as rapidly as it did because there were resources, international commitments and allies in the bureaucracy. However, the presence of these allies in the state was no accident: "It's not that the movement found allies…the activists were inside and had the ability to themselves push [for the advance of titling]."[64]

Nevertheless, the legacy of the Law 70 and the collective titling effort is ultimately a mixed one. Shortcomings in the designs of the collective titling law have hamstrung the communities' ability to effectively administer their territories. Specifically, there is an "inherent contradiction" in their design: they were formed to defend the territories, its people and its resources, but no funding mechanism was ever provided to offer the resources required to actually do the work of

governance. Beyond the few community councils who have secured (relatively) stable international support, most community councils are either immobilized, without the money even to pay for gasoline and motors to move through their vast territories, or are entirely dependent on funds from legal or illegal economic interests.[65] The relationship and division of responsibilities between the community councils and the municipalities they are located within are vaguely defined and subject to debate, causing often bitter competition between the two political entities over issues of taxation, authority and allocation of resources.[66]

Compounding these legal limitations, political obstruction has almost completely blocked the implementation of the rest of the Law 70 beyond collective titling, which would have secured community control over their resources and offered ethnic educational funds, one solution to the persistent information gaps and lack of knowledge at the community level about the rights enshrined in the Law 70 and the operations of a community council. Furthermore, while titling advanced rapidly in the Pacific region, due to legal complications and issues of political will, it has hardly advanced in the rest of the country, leaving rural Black communities in the rest of Colombia extremely vulnerable. Finally, another extremely pressing issue is that while the communities with collective titles may have *de facto* control over the territories, in many cases throughout the Colombian Pacific, it is the armed groups who have the real control, as a leader from the Bajo Atrato explains:

> As community councils, we do not have control of the territories. To preserve life, it is no secret that we cannot do certain things. There are groups in the territory that, although the community council does not want to, they impose their rules, they override our rules. They have taken away from us our authority.[67]

However, the collective titles have generated enduring, long-term power shifts towards the communities that fought for and won the right to collectively own their lands. Beyond the total area titled, the community councils became key new representative bodies for Black communities that continue to serve as the cornerstone of rural Afro-Colombian civil society, particularly in the Pacific region. These new forms of grassroots representation have had a significant positive impact on local development. A groundbreaking study from Peña et al. (2017) found that in contrast to conservative criticisms that the collective titles are "impediments to development", the secure resource bases and longer time horizons provided for by the collective titles has led Afro-Colombian households within the collective territories have greater household income, better school attendance, and better living conditions within their homes compared to rural Afro-Colombian people living in untitled communities. Likewise, a study by Vélez et al. (2020, 1) finds that both the legal regime of collective titles and the grassroots governance mechanisms it generated have had a strong protective effect on the unique natural resources of the Pacific region, "significantly reducing deforestation rates".

A leader from Bajo Atrato explained that "the Law 70 protects the territory – If an outsider wants to take it, we have the law, which says that our territories are inalienable, unattachable and imprescriptible".[68] Thus, the collective titles have succeeded both in increasing the standard of living for people within the territories while also protecting the ecosystems of the Pacific regions. This has vindicated the Black leaders who argued for collective titling on the grounds that the well-being of the communities and the territories they lived in are deeply interconnected.

Furthermore, titling has succeeded in providing some measure of protection for the communities against the armed groups working in partnership with agribusiness interests and some elements of the state to expel them from the land and steal their resources. This is reflected both by rulings

from the Colombian Constitutional Court, the Auto 005 of 2009, and the Decree 4635 linked to the 2011 Victims Law, which have enshrined the right of communities in the community councils to holistic reparation ensuring their permanence in their ancestral lands. A study from Rosen (2022) notes that despite the overt attack on community autonomy, the community councils endured the war and continue to serve as an important driver of local peace following the 2016 FARC peace deal; throughout the conflict, the community councils have been a vital source of support for the communities in generating a fragile but nevertheless real layer of security for the communities, delivering humanitarian aid and in demanding human rights accountability from the government and the armed groups.[69] During the peak of the violence, in 2001, Ng'weno (2001, 45) argued that, "in spite of the insecurity and upheaval, land titles lend a specific long-term stability and permanence to communities...Thus, in a less violent future the titles facilitate the return of these people to their territories and traditional ways of life."

The Black communities in the Colombian Pacific are still waiting on that less violent future. However, "our strength is that we still resist, and that we have the law 70".[70] That strength is the legacy of a generation of activists from within the state and society pushing ahead a unique land reform in the face of a sustained effort from state and non-state reactionaries to stop it. On the eve of the thirty-year anniversary of the Law 70, it awaits a new generation of activists within the state and in the movement to fully realize the potential of that law.

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Notes

1 It is worth noting that while the large majority of Afro-Colombian territories in the Pacific have received formal recognition, Afro-Colombian territorial rights have advanced at a far slower pace in the inter-andino and Caribbean regions of the country. H/t Claudia Mejía.

2 Despite the ancestral connection of Afro-Colombian people to the lands they have traditionally lived in the Colombian Pacific, before the 1991 Constitution, the Colombian government treated the vast majority of the Pacific region as *baldios*, or empty lands belonging to the state. This legal framework allowed logging, mining and agro-industrial companies to profit from the wealth of resources in the region with little in return for the communities who lived there. However, this legal precedent shifted dramatically with the Buchado Accord of 1987, in which the state recognized the organization ACIA in the Medio Atrato region as a collective black political subject, granting the organization the right to manage the natural resources in the region (Restrepo 2013; Villa 2013).

3 In keeping with historical patterns of structural exclusion of Afro-descendants in Colombia, the Afro movement had no direct representation in the ANC constitutional assembly. The indigenous movement had two leaders elected into the ANC; hence the need for the Afro movement to channel their claims indirectly through social mobilization and alliances with indigenous leaders.

4 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

5 Claudia Mejía is a former government official who served as advisor to the National Rehabilitation Plan (PNR), which funded in part the collective titling process. From that position, she worked directly on the PMRN World Bank grant, discussed below.

6 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

7 ICAHN offered support on the ethnohistorical analysis required to issue the titles.

8 IGAC is responsible for producing and maintaining the official maps of Colombia.

9 The legal definition under the Law 70 of a black community is a "set of families of Afro-Colombian descent that have their own culture, share a history and have their own traditions and customs in relation to the lands they live in, and which conserve an identity consciousness that distinguishes them from other ethnic groups" (Article 2, numeral 5 of Law 70 of 1993).

10 While the Transitory Article 55 explicitly limited the application of collective titling to the Colombian Pacific, Black activists outside of the Pacific sought a more expansive definition of Black ethnicity that would include urban Black people and Black people living in other parts of the country. A compromise position won out that applied this broader definition of Blackness to the non-titling components of the Law 70, and vaguely alluded that places "similar" to the Pacific could also be titled (Agudelo 2005).

11 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

12 In this way, Black leaders filled bureaucratic positions throughout the state: Gabino Hernández moved on from the Special Commission to become the Director of Affairs for Black Communities of the Ministry of the Interior; Pastor Murillo, also from the Special Commission, succeeded him in that same post. Silvio Garces, another participant in the Commission, went on to serve in multiple roles directly tied to Afro-Colombian titling, including as Director of the Office of Black Communities of INCORA.

13 Murillo Martínez, Pastor Elías, interview, August 28, 2020.

14 Mejía Fernandez, Claudia Helena, interview, May 19, 2020. Mejía describes Silvio Garces as, "the legal and institutional expert who from within INCORA developed the administrative procedures for the titling of collective lands and articulated these processes within the framework of the other land processes operated by INCORA, and later by INCODER. In addition [Silvio was] the architect in resolving of the challenges of including areas such as mangroves to the title of ACAPA, not to mention the legal and political struggle to annul the claims of the University of Cauca and the department of Cauca to the areas sought by the Naya community council, [or his work on] reports on the usurpation of the lands of the councils of Jiguamiandó and Curvaradó by Afro-palm growers.

15 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

16 The organizations in the Atrato, in particular COCOMACIA, were by then significantly experienced in negotiating with the government. In fact, the "Acuerdo 20" of 1988 that COCOMACIA negotiated with the Colombian government was the key precedent for the Law 70. The Acuerdo 20 recognized COCOMACIA's right to collectively manage 800,000 hectares of land in the Atrato region. This land would become the collective property of the organization ten years later (Restrepo 2013).

17 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

18 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

19 The PNR was an initiative that sought to connect civil society leaders with resources and support from the state in order to overcome localized drivers of persistent underdevelopment and violence in rural Colombia. As such, it represents an important earlier attempt at developing a sandwich strategy in Colombia. See: (Bernal C. 1994).

20 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

21 For more on the Office of the Inspector General (PGN), see: Roberts, Charles H. 2021. "Top-down Accountability vs. Electoral Democracy: The Case of Colombia's Inspector General." *Accountability Research Center*, March 1, 2021. Accessed August 28, 2022. https://accountabilityresearch.org/top-down-accountability-vs-electoral-democracy-the-case-of-colombias-inspector-general/.

22 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022

23 Rosero, Carlos Alfonso, interview, May 22, 2020.

24 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

25 Rosero, Carlos Alfonso, interview, May 22, 2020.

26 Rosero, Carlos Alfonso, interview, May 22, 2020.

27 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

28 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

29 Murillo Martínez, Pastor Elías, interview, August 28, 2020.

30 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

31 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

32 Murillo Martínez, Pastor Elías, interview, August 28, 2020.

33 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

34 Rosero, Carlos Alfonso, interview, May 22, 2020.

35 ACABA former junta directiva leader 2, personal communication, March 2020

36 Rosero, Carlos Alfonso, interview, May 22, 2020.

37 These institutions of sub-municipal rural governance dated from the early 1960s and were more associated with clientelism than with rights-based approaches. See Bagley and Edel (1980).

38 A number of actors within the movement regard this approach to titling as "A short-term view that did not take into account the population growth of the communities, nor the potential limitations in cultural, environmental and economic planning and ordering and the impact this could have on their traditional productive practices". Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

39 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

40 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

41 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

42 Murillo Martínez, Pastor Elías, interview, August 28, 2020.

43 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

44 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

45 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

46 Rosero, Carlos Alfonso, interview, May 22, 2020.

47 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

48 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

49 Rosero, Carlos Alfonso, interview, May 22, 2020.

50 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

51 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

52 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

53 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

54 Rosero, Carlos Alfonso, interview, May 22, 2020.

55 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020; Rosero, Carlos Alfonso, interview, May 22, 2020.

56 Rosero, Carlos Alfonso, interview, May 22, 2020.

57 For more on titling claims outside of the Pacific, see: "Mapeando Invisible Sistema de Información Como estrategia de Protección de Los Territoriales En Colombia." 2022. Numero 3: *Aprendizajes Y Buenas Prácticas En Tenencia Colectiva*. Proceso de Comunidades Negras, Observatorio de Territorios Étnicos, Universidad Javeriana, Tenure Facility. https://etnoterritorios.org/apc-aa-files/92335f7b3cf47708a7c984a309402be7/puj_3-sig-afro-resumen-libro-120222.pdf.

58 Murillo Martínez, Pastor Elías, interview, August 28, 2020.

59 Mejía Fernandez, Claudia Helena, interview, May 19, 2020.

60 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

61 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

62 Mejía Fernandez, Claudia Helena, email communication, August 22, 2022.

63 Grueso Zuñiga, Jesús Alberto, interview, February 11, 2020.

64 Rosero, Carlos Alfonso, interview, May 22, 2020.

65 ICANH Professor, interview, June 2019.

66 Mejía Fernandez, Claudia Helena, email communication, August 25, 2022. Claudia explains that: "Although the [collective titles] were territories with authorities – community councils…they were not granted political authority separate from the municipalities and therefore had to be included in the municipal planning processes and in the investment budgets of the municipalities, which the municipalities have not complied with…Another thing, the municipal administrations blamed the community councils for lost property tax revenue, from which these territories were exempt, but the national government has not solved this issue, as it did with direct compensations for indigenous reservations."

67 Bajo Atrato Community Council Leader 1, interview, October 15, 2021, Riosucio, Chocó

68 Bajo Atrato Community Council Leader 2, interview, October 18, 2021, Riosucio, Chocó

69 Mejía Fernandez, Claudia Helena, email communication, August 25, 2022.

70 Bajo Atrato Community Council Leader 1, interview, October 15, 2021, Riosucio, Chocó

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