


THE TIGER AND THE TURBINE:
Indigenous Rights and Resource Management in the Naso Territory of Panama

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Abstract

Anthropologists have long recognized the central role of social systems in enhancing environmental sustainability, but few have attempted to accurately assess the conditions under which traditional social institutions can equitably and effectively manage access to natural resources for the purposes of their use and conservation. By failing to look closely at how resource management practices are shaped both by local-level cultural institutions and the political and economic forces of government policies and markets, anthropologists have compounded the confusion surrounding the functions and capacities of traditional resource management institutions.

This dissertation examines the connections between institutional and economic incentives and resource use and management decisions among the Naso indigenous people in Bocas del Toro, Panama. The study incorporates insights from development anthropology, common property systems and political ecology to develop a multi-sited approach that uses multiple research methods. A detailed household survey (n=54 or 18% of Naso households located within the eight villages surveyed in 2004) was used to obtain socio-demographic data and to establish patterns of land tenure and resource use. Preliminary and follow-up interviews were also conducted with community leaders, government officials and representatives of various national and international organizations with a stake in the conservation and/or development of the Naso region.

As a group, the Naso were found to use both indigenous and imported technologies to manage a wide range of natural resources towards ensuring the economic, cultural and ecological viability of their communities. However, recent legislation intended to recognize Naso land rights and a hydroelectric project nearing construction on Naso lands have sought to modify the formal rules and organizations that have traditionally served to order local resource tenure and management practices. This thesis analyses the guidelines and criteria invoked by the various stakeholders involved with these projects in order to assess the equity of the distribution of their social and environmental impacts. It highlights the need to become more sceptical and sophisticated when assessing the objectives and justifications provided by the academics, government agencies, local authorities and private companies involved in the conservation and development of indigenous peoples' territorial resources.

Résumé

Depuis longtemps, les anthropologues reconnaissent l'importance des facteurs sociaux pour assurer la durabilité environnementale. Pourtant, peu ont essayé d'évaluer de façon systématique les conditions favorables à une gestion efficace et équitable des ressources naturelles par les institutions sociales traditionnelles. Par défaut d'analyse adéquate de ces institutions locales, ou bien des dynamiques politiques et économiques régionales et internationales qui les affectent, les anthropologues ont souvent contribués à accroître la confusion quand à leurs capacités de fonctionnement dans la gestion des ressources naturelles.

Cette thèse examine les liens entre les incitatifs économiques et institutionnelles et la gestion des ressources naturelles du territoire du peuple autochtone Naso au Panama. La recherche est fondée sur une réflexion provenant des domaines de l'anthropologie du développement, l'étude des régimes fonciers communautaires et l'écologie politique. La méthodologie est qualitative, même si un sondage domestique (n=54 ou 18% des résidences comprises parmi les huit villages Naso sondés en 2004) a permis de quantifier plusieurs des tendances socio-économiques et foncières observées. Des entrevus ont aussi été réalisés auprès de diverses autorités locales, fonctionnaires et représentants d'organisations non gouvernementales, du secteur privé, et des institutions internationales engagés dans le développement et la conservation des ressources naturelles et culturelles de la région Naso.

Ceci a permis de constater que les Naso emploient une gamme de technologies autochtones et adoptés pour s'assurer de la viabilité socio-économique et environnementale de leurs familles et communautés. Cependant, une nouvelle loi destinée à reconnaître leurs droits ancestraux, plusieurs initiatives de conservation de la biodiversité, et un projet de barrage hydroélectrique prévu sur leur territoire proposent de modifier les règles de fonctionnement des organisations traditionnelles Naso présentement impliqués dans la gestion social et environnementale. Cette thèse analyse également les normes et les critères invoqués par les parties prenantes associés à ces initiatives pour évaluer l'équité de la distribution de leurs impacts sociaux et environnementaux. Elle souligne la nécessité d'entreprendre des études plus rigoureuses et critiques des objectifs et des impacts des projets de développement et de conservation des ressources territoriaux des peuples autochtones.

Resumen

Por largo tiempo, los antropólogos han reconocido el papel central que han jugado los sistemas sociales en el manejo sostenible de los recursos naturales, pero pocos han procurado precisar las condiciones – por ejemplo: características del recurso y del grupo, incentivos económicos e institucionales, etc. – bajo las cuales comunidades locales pueden efectivamente implementar medidas de conservación. Esta negligencia disciplinaria es responsable por la laguna substancial con que nos encontramos hoy sobre el funcionamiento y las capacidades de las instituciones tradicionales involucradas en el manejo de los recursos naturales. Dicha falta de una adecuada comprensión sigue permitiendo que una concepción errónea sea la más influyente en el diseño de las innovaciones institucionales y organizativas en proyectos de desarrollo y conservación tales como los contemplados para el territorio Naso de Bocas del Toro, Panamá.

La región Naso de Bocas del Toro en Panamá resulta muy interesante para estudiar la dinámica institucional correspondiente al acceso y manejo de los recursos naturales porque en el año 2005 existieron tres grandes proyectos de desarrollo y conservación que plantearon medidas para reordenar el territorio. De hecho, aunque los tres proyectos contemplados para el área Naso difieren bastante entre sí en cuanto a sus objetivos fundamentales: 1) producir y vender energía hidroeléctrica, 2) reconocer y delimitar una nueva jurisdicción territorial, y 3) respaldar el desarrollo sostenible en las comunidades indígenas de la zona, los promotores de cada iniciativa sostienen querer facilitar la recuperación de los valores culturales de las poblaciones indígenas y propiciar sus prácticas tradicionales de uso sostenible de la tierra.

Esta tesis presenta un análisis de los conflictos relacionados con las diversas representaciones sociales, culturales y ambientales desarrolladas en torno a estas tres propuestas para evaluar la equidad de la distribución de sus impactos. Enfatizo la necesidad de realizar análisis más sofisticados y de ser más escépticos con respecto a las justificaciones brindadas por las autoridades tradicionales, agencias gubernamentales y empresas privadas involucradas en proyectos de desarrollo y conservación de los recursos naturales en áreas indígenas.

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Abbreviations and Acronyms

ACD	Alianza para la Conservación y el Desarrollo
ANAM	Autoridad Nacional del Ambiente
ANCON	Asociación Nacional para la Conservación de la Naturaleza
BDA	Banco de Desarrollo Agrícola
BFC	Bocas Fruit Company (subsidiary of United Fruit Company)
BPPS	Bosque Protector Palo Seco
CAPAC	Cámara Panameña de la Construcción
CBMAP	Corredor Biológico Mesoamericano del Atlántico Panameño
CEALP	Centro de Asistencia Legal Popular (CEALP),
CEASPA	Centro de Estudios y Acción Social Panameño
EIA	Environmental Impact Assessment
EPM	Empresas Públicas de Medellín
ERSP	Ente Regulador de los Servicios Públicos
GEF	Global Environment Facility
HET S.A.	Hidro Ecológico del Teribe (Sociedad Anónima)
IDB	Inter American Development Bank
IRHE	Instituto de Recursos Hidráulicos y Electrificación
ODESEN	Organización de desarrollo sostenible del eco turístico Naso
PILA	Parque Internacional La Amistad
PRD	Partido Revolucionario Democrático
PRONAT	Programa Nacional de Administración de Tierras
SUNTRACS	Sindicato Único Nacional de Trabajadores de la Industria de la Construcción y Similares

Glossary

Carta organica	Rules and regulations governing internal affairs of a *Comarca.*
Comarca	A semi-autonomous territorial jurisdiction.
Corregimiento	An administrative sub-district within a Municipality.
Corregidor	Local government official appointed by municipal Mayor.
Defensoría del Pueblo	Official government human rights ombudsman.
Junta	System of reciprocal labour exchange.
Latino	A person whose ethnic heritage includes European descent.
Ngöbe	Principle indigenous ethnic group in Panama. Previously known as *Guaymi.*
Regidor	Traditional elected community authority.
Representante	Local elected government official.

Chapter I: Introduction

Anthropologists – no longer the bearded and greatcoated explorers plying remote waters in search of radical difference – may, provided they are as flexible as the identities they theorize about, attain a pivotal societal role as political analysts.

(Eriksen 2001:145)

1.1 Indigenous rights and resource management

The 'tiger' identified in the title of this thesis is actually a jaguar (*panthera onca*) that can easily weigh in excess of 150 kilos. This large cat – know locally as '*el tigre*' in Spanish – continues to play an important role in the mythology and cultural imagery of the Naso and other indigenous peoples throughout Mesoamerica. This image of the revered and endemic figure of 'the tiger', juxtaposed with that of a high-tech and capital-intensive 'turbine' – representing the Bonyic hydroelectric project – neatly summarizes the nature of the conflicts currently affecting the Naso region of Bocas del Toro, Panama. This thesis shows how such representations can become "material and symbolic resources for use in the on-going renegotiation of social relations" (Mosse 1997:500) in (Mearns, Leach, and Scoones 2000:16). It does so by exploring the interplay between ideas about economic development and cultural diversity and the alliances and relationships generated through the complex social and conceptual processes mobilized around ongoing resource development and conservation projects in the Naso region.

The issues addressed in this thesis are closely related to what proponents of the new "sustainability science" have called the incentives – i.e. markets, rules, norms, and information – that can improve the sustainability of interactions between society and nature (Kates et al. 2001, in McCabe 2003). Anthropologists have long recognized the central role of social systems in enhancing sustainability,[1] and anthropological studies of resource management institutions have been particularly helpful in understanding the issues of cultural complexity,

[1] See for example: (Despres 1975, Gross et al. 1979, Lee 1988, Painter and Durham 1995).

persistence and change that are the hallmarks of anthropological approaches to sustainability.[2] But anthropologists have often failed to look at how resource management practices are shaped by both local cultural institutions and the wider political and economic contexts. As a result they have frequently assumed that traditional systems of authority or common property institutions must be good and in harmony with nature.[3] As my research will show, this failing continues to breed confusion about the actual functions and capacities of traditional resource management institutions.

In contrast, I believe that it is important to accurately assess the conditions (i.e. resource and group attributes, economic and institutional incentives, etc.) under which local communities can efficiently manage access to land and associated resources for equitable use and effective conservation (Alcorn 1995, in Lu 2001). This thesis does so by examining the connections between institutional and economic incentives and resource use and management decisions among the Naso indigenous people in Bocas del Toro, Panama.[4] It investigates a series of conflicts associated with the various social, cultural and environmental representations included in three resource conservation and development interventions currently targeting the Naso region. I analyse the guidelines and criteria invoked by the various actors seeking to modify Naso resource tenure and management practices in order to assess the equity of their social and environmental impacts.

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[2] See especially: (Agrawal 2001, Brandon 1996, Spaeder 2005b, Stone 2003).
[3] See for example: (Bodley 1999, Chase 2002, Esteva 2000, Howe 1998).
[4] What exactly defines a population or person as "Indigenous" is a highly contentious and divisive subject. The definition accepted in this thesis corresponds to that adopted by the United Nations (Martinez-Cobo 1994) as those communities, peoples and nations with the following broad characteristics:

1. Historic continuity with pre-invasion and pre-colonial societies that developed on their territories.
2. Self-identified as distinct from other sectors of societies now prevailing in those territories.
3. Non-dominant relative to other sectors of society.
4. Determined to preserve, develop and transmit to future generations their ancestral territories and ethnic identity as basis of continued existence as peoples, in accordance with own cultural patterns, social institutions and legal systems.

The point of this analysis is not simply to evaluate the success or failure of specific development interventions in the Naso region according to their own pre-established assumptions and indicators. My goal is also to assess how particularly significant interpretations of project successes and failures are established, promoted and defended through the social and professional lives of known actors in specific organizations.[5] This approach to the Naso case material will therefore help to illustrate important connections and discrepancies between economic development, nature conservation, legislative reforms and issues like social justice, indigenous territorial rights, and representations of identity, community and culture at a specific time and location. My implicit objective in generating such context-specific insights will be to test and refine two influential generalizations about the interactions between culture, the environment and development.

These insights from the Naso case make particularly significant contributions to at least two prominent research problems within the areas addressed by theoretically informed and engaged anthropologists. Firstly, my research shows how the deceptive nature of popular notions about indigenous societies held in ecological equilibrium by virtue of their traditional cultures can be used to sanction otherwise illegitimate decision-making processes. In the Bonyic case, I show how dam proponents and their allies used traditional indigenous institutions to ostensibly align their development projects with the politically more palatable goals of cultural diversity and ecological conservation. But the facts of this case suggest that such strategic partnerships between states, companies and indigenous peoples based solely on the apparent recognition cultural rights are likely to falter. Secondly, my research underscores the urgency of the need to improve our capacity to identify and promote more equitable solutions to problems with the distribution of the costs and benefits associated with large-scale infrastructure projects. The information assessed here points towards several recommendations that could enable a more equitable reconciliation of the rights and priorities of the

[5] I am particularly indebted here to Mosse (2005a) for his insightful analysis of the many distinctions between aid policy and practice.

different groups of people interested in economic development and the conservation of biological and cultural diversity.

The purpose of this thesis is thus to understand how natural resource management regimes are forged through the interactions and disjunctions between community-level politics and cultural practices and the global forces of state political and economic structures. I believe that such a two-pronged approach is necessary because local concerns and characteristics invariably affect how development policies and programs are interpreted, implemented and transformed; and secondly, because the empirical specificities of the social processes involved in a particular series of actions and events are difficult to grasp through a singular methodological focus on local communities. I argue that this ethnographic approach to the political contests over legitimacy and control of resources initiated through the various development initiatives operating in the Naso region provides a necessary corrective to the frequent over-emphasis accorded to formal resource management institutions. This excessive preoccupation with so-called "traditional" organizational models and rules for regulating resource access and use has too often served to preclude the emergence of more innovative and equitable arrangements between the different groups of people interested in the development and conservation of natural and cultural resources. I conclude that even though the legal and institutional arrangements that shape the incentives and constraints facing resource users are generally complex and often controversial, the prospects of modifying these links presents a crucial sphere for policy and project innovation.

1.2 Thesis outline

The structure of this thesis reflects this same multiple-scaled ethnographic approach to the study of natural resource management institutions. The two empirically grounded chapters that constitute the core of my analysis consist of a deliberately local emphasis on the socio-economic and cultural practices affecting Naso resource use and decision-making in Chapter III. This is followed in Chapter IV by a wider focus on how the latest set of national and international actors are

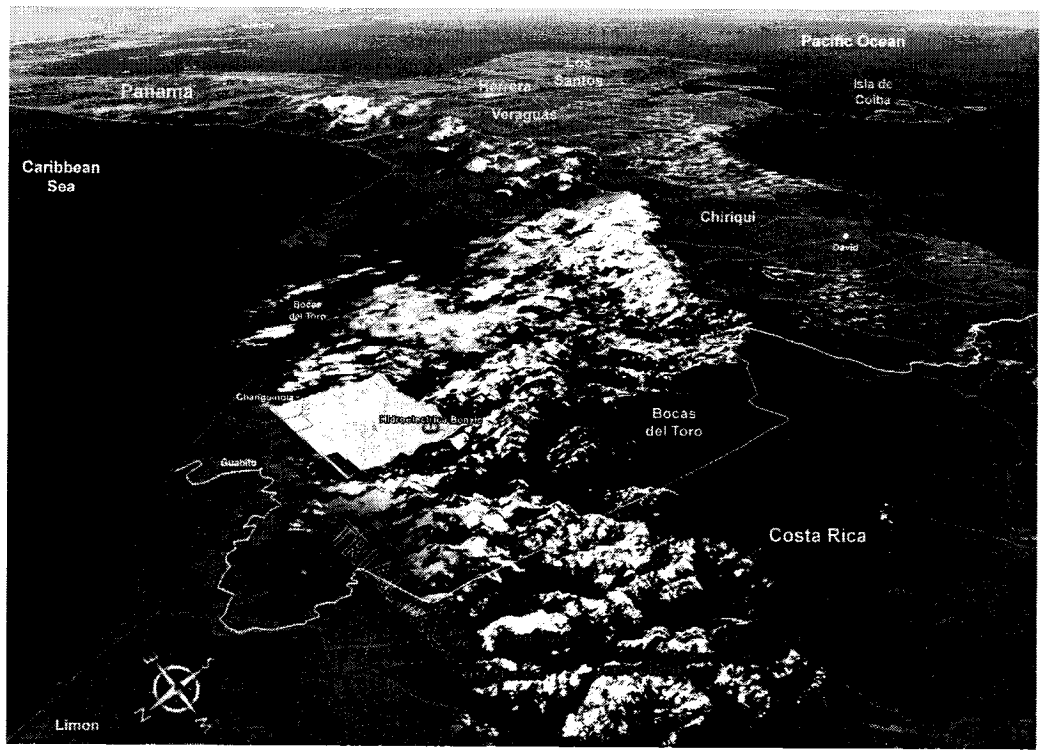
combining forces in a further attempt to reconfigure Naso resource management regimes and practices 'from above'. Chapter IV thus considers the Naso household and community dynamics presented in Chapter III within the broader context of the socially, politically and ecologically motivated representations currently being contested through the various resource management changes proposed for the Naso region.

In Chapter II, I use secondary sources of relevant historical information about the Naso people and their territory to outline the major ecological, technological and socio-cultural features of life in the Naso region. This roughly chronological review of the regional literature provides a context for situating the research findings presented in subsequent chapters by emphasizing themes particularly relevant to Naso resource access and use. The following section of this Introduction will highlight several specificities that make the Naso case an ideal context within which to assess the social impacts of contemporary natural resource management policies and projects. Section 1.4 then provides an account of the importance of these issues by situating the Naso case within current debates in the anthropological and related literatures. This is followed by a brief discussion my methodological approach and the research methods that I used to obtain the data analysed in this report. Finally, a collection of supplementary material (permits, questionnaires, letters, newspaper clippings, etc.) is appended at the end of this report. These documents generally serve to substantiate key conclusions drawn from the evidence presented, and will also be of use to those who might wish to investigate additional issues regarding the people and events featured in this account.

1.3 The tiger and the turbine

The Naso people have traditionally occupied the mountainous jungle regions of eastern Bocas del Toro where they continue to identify with the lands along the river that became known in the Spanish speaking world as the *Teribe* (see Map 1 below). Teribe is a Spanish misnomer for "Tjër Di" – the Naso name for the river that is the source of most of their mythology, traditional beliefs, and history. In

the Naso language, '*Di*' means 'water' and *Tjër* is their mythical "Grand-Mother" who was endowed by God with the secrets of botanical medicine (Instituto de Estudios de las Tradiciones Sagradas de Abia Yala 2001:68). Tjër shared her teachings with the benevolent spirits known to the Naso as '*kjus*'. These in turn, would visit the Naso '*Sukias*' or shamans who sang to them at night to reveal Tjër's protective blessings and give guidance about relations with enemy tribes (Fundación Dobbo Yala 2002:35). Until fairly recently the Naso indigenous people – 'na' meaning 'here' and 'so' meaning 'owner' (Oakes 2001) – were more commonly known to outsiders as the "*Teribe*". While the term Teribe carries no negative connotations, I have chosen to use their 'insider' term for themselves (i.e. Naso). Naso is also the name they chose to designate their proposed territorial jurisdiction, *Comarca* Naso Tjër Di.



Map 1: Arial view of western Panama (looking south and east towards Colombia). The Naso region of Bocas del Toro is visible in foreground. The white rectangular overlay situates the area of influence of the proposed Bonyic hydroelectric dam. The nearby towns of Changuinola and Guabito, on the border with Costa Rica, can also be seen. Source: Adapted from Google Earth Pro 2006.

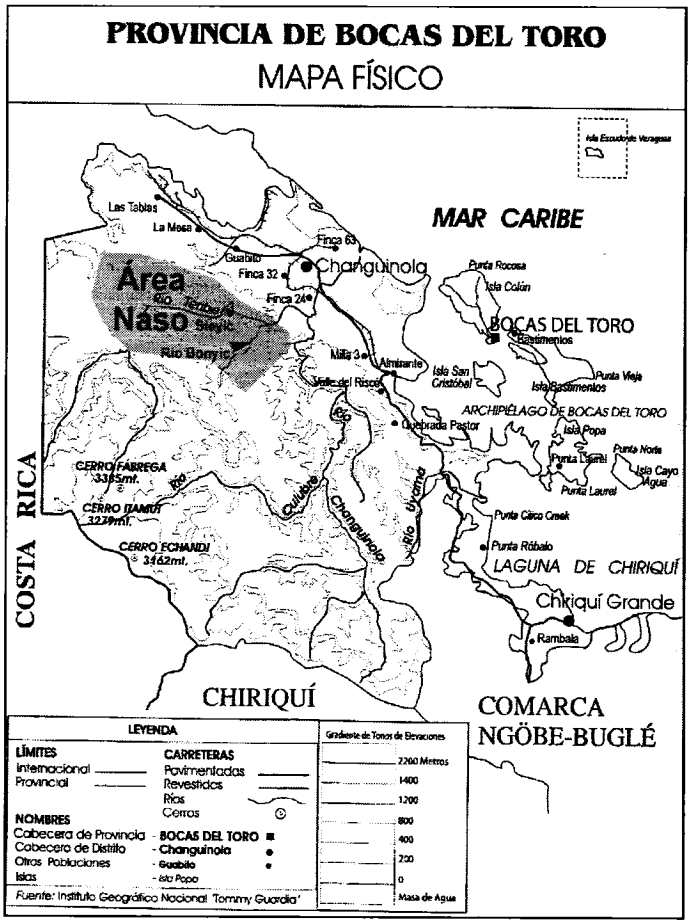
As recently as three or four generations ago, the Naso people continued to lead a remarkably autonomous existence. Dispersed among their clans and homesteads, and geographically isolated from most of the world, the Naso developed and nurtured their cultural self-sufficiency through the idiom and the institution of the family. Today, the Naso are proud to be among the last peoples in the Americas still led by a King. Their contemporary political regime combines traditional elements of a hereditary monarchy (i.e. a king and appointed councilors), and locally-elected community representatives responsible for the administration of justice and the maintenance of public order. Naso villages are small clusters comprised of between 10 to 100 households that share a public school or health clinic and some religious, productive or political organizations.

There are no roads in the Naso region, so people travel by foot, horse, and raft or dugout canoe. The Teribe River is the lifeline of the Naso people. Not enough water and they have to get out and push their canoes, too much water and the current can smash them against the rocks. A network of jungle trails and foot paths connect these villages on either bank of the Teribe River with the Naso's farms, hunting and collecting grounds and neighboring communities. These trails are full of ups and downs, punctuated by many streams to wade through, and the mud is everywhere as it rains almost every day – sometimes for hours (2000 - 3000mm/yr). Add to this the often oppressive heat (between 22 and 32 Celsius), limited availability of nutritious food and untreated drinking water. Wildlife is fairly abundant. Birds and snakes, many of them venomous (ex: *bothrops asper*) are common, as are scorpions, and poisonous frogs (ex: *dendrobates auratus*). Tapir, monkey, agouti and peccary are among the most frequently sighted mammals.

The 3000 or so Naso living in this region today are, for the most part, very poor subsistence farmers who supplement their livelihoods with earnings from the sale of agricultural products (cocoa, oranges, plantains, etc.), animals (pigs, chickens, fish, etc.), lumber (*cordia alliodora, cedrela odorata*, etc.) and some handicrafts which they sell in the relatively nearby towns of Changuinola and

Guabito.[6] While the Naso people have remained largely isolated in geographic terms and receive few visitors to their communities, they are today, for the most part, bilingual (Naso and Spanish), their children go to public primary schools, and many among them have converted to evangelical protestant religions (Von Chong S and Ortiz 1982). Still, despite their limited access to markets, infrastructure and public services, the enormous scientific, hydroelectric and eco-tourism potential of the Naso people's ancestral territory has attracted considerable international and national interest.

Beginning in the 1980s, the Government of Panama transferred large sections of the Naso region to its own system of protected areas (Palo Seco Protected Forest (BBPS) and La Amistad International Park (PILA). By the year 2004 three major conservation and development projects were again proposing to significantly reorganize local land use activities. These included: 1) a law to recognize Naso land rights and



Map 2: Physical map showing the location of the Naso Territory in the Province of Bocas Del Toro, Panama. Adapted from (Briceño 2004:242).

[6] A survey conducted in 2001 by the Fundación Dobbo Yala found that average annual per capita income among the Naso varied between U$397.00 and $32.00 (Fundación Dobbo Yala 2002).

jurisdiction in the Panamanian National Assembly as an indigenous *Comarca*; 2) a World Bank-funded biological corridor project promoting sustainable development in indigenous communities and protected areas (CBMAP); and 3) the Bonyic hydroelectric project sponsored by a Panamanian subsidiary of the Colombian utility company Empresas Públicas de Medellín. Although the principle objectives of each of these interventions were quite distinct: 1) to recognize and demarcate a new indigenous jurisdiction; 2) to achieve effective biodiversity conservation; and 3) to produce and sell hydroelectric energy; the promoters of all three projects have each declared their respective commitments to encouraging the recovery of traditional Naso cultural values and sustainable land use practices.

All three conservation and development interventions planned for the region acknowledge the vital role that the Naso people have played in the management and conservation of the natural resources of their region. The Environmental Impact Assessment (EIA) for the Bonyic hydroelectric project attributes this success to the existence of a traditional indigenous culture that acts as "the fundamental link that provides harmony between society and nature" (my translation) (Planeta Panamá Consultores 2005:VI-2). This instrumental view of culture also pervades the public discourse presented in the report of the Permanent Commission on Indigenous Affairs of Panama's National Assembly with regards to Law No.19 of 2005 "which creates the Comarca Naso Tjër Di"(Comisión Permanente de Asuntos Indígenas 2005). And the same functional vision of cultural intermediation achieving a harmonious balance between society and the environment figures prominently in the Mesoamerican Biological Corridor initiative (CBMAP) (Moreno 2005). As a result of such shared understandings of culture all three projects propose to improve local environmental conditions by investing in what are described as traditional indigenous cultures and institutions.

The impacts of these natural resource management policy re-orientations and associated adjustments to the political rules and incentive structures governing resource tenure will have profound effects upon the social and environmental

future of the Naso region and potentially well beyond. These characteristics of the Naso context – i.e. small, fairly homogeneous population, well-defined resource boundary, representative local institutions, and a relatively supportive external policy environment – make their experience crucial for understanding the social impacts of institutional reforms on community access to and use of natural resources. Documenting and analyzing their implications can therefore make a significant contribution towards understanding the enabling conditions of sustainable development in sensitive tropical forest environments. Before doing so, I want to briefly review some of the key strengths and weaknesses of various anthropological approaches to understanding human – environment relationships in this region.

1.4 Anthropology in action: culture, environment and development

> *The interactions of culture, environment, and development form a strategic focus within the areas that must be addressed by a theoretically informed, engaged anthropology.*
>
> (Rappaport 1995:1)

It should probably come as no surprise to find the above mentioned degree of unanimity present in the theoretical frameworks and operational assumptions of all three development and conservation projects active in the Naso region. After all, the indigenous peoples of the Americas have commonly been cast as the romantic protectors of a cultural and ecological wisdom that Europeans and other peoples obsessed with consumption and materialism have long since forgotten (Strang 2003:94). Anthropologists in particular have been responsible for creating and fostering the popularity of this myth of societies tied to the environment by virtue of a cultural system that ensures the harmony and stability of the combined macro system. They have frequently done so by disregarding the activities of indigenous peoples that have negative impacts on the natural environment or by attributing the blame for such behaviours to conditions beyond the control of

indigenous peoples – for example colonialism, assimilation, or corruption.[10] This strategic blind spot has occasionally helped some of the most marginal and exploited groups to obtain certain political advantages.[11]

And yet other anthropologists have taken it upon themselves to challenge the romanticism that pervades much of this 'ethno-environmentalism'.[12] These critics have emphasized the numerous pitfalls and dangers that such discourses, strategies and legal frameworks – imbued with idealized versions of "traditional" indigenous cultures – can present. Sieder and Witchell (2001) even suggest that to reify traditional culture runs the risk of further marginalizing indigenous peoples from national processes – potentially even denying access to justice for the most disadvantaged sectors of the population such as women. It is also important to recognize that there are many examples in the literature of tribal groups ignoring ritual taboos and spiritual limits as they have proceeded to clean out local forests of the game animals or forest products which fetch the highest prices on local markets.[13] As younger people in particular move away from tradition and embrace the values of the market economy, this can cause confusion among community members over access to resources, usufruct and property rights. Among the Miskito, for instance, some kinship obligations (ex: gifts of turtles) are not being met in order to produce a surplus to sell to turtle companies. This change is reportedly creating significant social and cultural tensions in what are generally quite close-knit communities (Richards 1997: 100-101).

Alvard's claim (2002) that the erroneous perspective which holds that the degree of naturalness assigned to a phenomenon (e.g. an ecosystem) is inversely proportional to the involvement of human agency, goes a long way towards explaining the pervasive belief that people in small-scale societies are natural

[10] See for example Bodley (1999) , Chase (2002), Esteva (2000), Howe (1998). See also Guzman et al. (2003) who critique Herlihy (1997) and Ventocilla et al. (1995) for their overly generous portrayal of the Kuna indigenous people of Panama's environmental management practices.
[11] See for example Assies (2000) , Brysk (2000), Deere (2002), Hvalkof (2002).
[12] See for instance Jackson (1995), Mato (2000), and Sieder (2001) for more discussion of both pragmatic and moral or philosophical problems related to the authenticity of essentialized political identities.
[13] See for example: Alvard (2002), Conklin and Graham (1995), Richards (1997) and Wickstrom (2003).

conservers and have little or no impact on their environments (p.29). Alvard's main point is "...that the impact a subsistence-oriented society makes on its environment is largely a function of its population density and by extension its access to markets." Conservation, if and where it has ensued, is thus an "epiphenomenal product of such low population densities, not a mythical harmonious nature." (Alvard 2002:31) Kay and Simmons have added that the fact that the indigenous peoples of the past were generally *not* what we would today call 'conservationists' actually strengthens their land claims. For by modifying the land, they clearly established ownership – even by the perverse Euro-American standards of 'social use' commonly applied by Central American governments (Kay and Simmons 2002). For instance agrarian legislation frequently classified forested lands as idle, thereby making property rights to such areas subject to prescription through "proof" of occupancy (i.e. forest clearing defined as "mejoras" or improvements). Joly (1989) has aptly described how in Panama such visions of the "social use of the land" embedded in legislation and common practice have fueled the conversion of rain forests to pastures for extensive cattle raising (Joly 1989).

Richards agrees with Alvard that the various communal resource management institutions found throughout Mexico and Central America are often vulnerable to demographic and commercial pressures as they make the transition from subsistence-oriented cultivation to greater market integration (Richards 1997).[14] Commodity markets are frequently blamed for undermining indigenous cosmological visions of the world and human's place within it, which tends to further erode the power of traditional institutions to regulate extractive practices and maintain the individual incentives for group members to cooperate. Furthermore, these groups are frequently faced with the management and logistical difficulties of excluding non-members from what are generally quite remote and extensive areas. However, Richards argues that it is over-simplistic to

[14] For discussions of such communal tenure systems in Mexico see: Aguirre Beltrán (1979), Van der Haar (2000); and for Central America see especially: Anaya and MacDonald (1995), Holloman (1975), Stocks (1996), Utting (1993), Ventocilla (1996).

ascribe the erosion of traditional resource management institutions to commercial and/or demographic pressures per se, especially as he suggests, where these institutions have generally faced highly discriminatory policy environments (Richards 1997).

Government development policies have generally subsidized the consolidation of tropical land into large estates and discriminated against the emergence of viable small-holder farming systems (Jones 1989). Typical examples of such policies have included tacit or even open encouragement of colonization by recognizing tenure rights gained by clearing forested lands defined as idle and therefore subject to appropriation. Credit or tax incentives have also been provided to loggers and miners or other vested interests, and these situations are often compounded by the common failure to uphold basic law and order in remote regions (Richards 1997:111). Panama, Costa Rica and Nicaragua have also created large areas of open-access forest (i.e. national parks) in areas previously subject to extensive management by indigenous groups. These measures have compounded the jurisdictional conflicts and ambiguities between centralized legislation and customary institutional arrangements (Ascher 1995 in Richards 1997: 98).

Still, it is never easy to separate cause from effects in such circumstances, as the social and ecological outcomes being witnessed are inevitably the result of a complex interactions between external and internal forces that depend, as noted above, on a variety of factors. The magnitude of the potential outcomes of these important debates can be seen from the experience of Colombia where 28 million hectares of lowland tropical rainforest (an area slightly larger than the United Kingdom and comprising roughly a quarter of Colombia's total land area) were recently granted to indigenous peoples on the basis of the assumption that they live in harmony with nature, and that their stewardship will ensure that the forests will be protected (Alvard 2002). [15] Von Hildebrand, an anthropologist who helped design the plan, believes that commitment to conservation (for international and

[15] Indigenous peoples make up less than 3% of the total population of Colombia (Van Cott 2002).

national beneficiaries) in exchange for territorial rights, effective defense against encroachment, and social and (some) financial assistance, is more in keeping with indigenous reciprocal logic. These types of arrangement have the added advantage of causing minimum interference with established indigenous forest management systems (Richards 1997).

But explicit in such agreements where indigenous peoples are granted rights to areas whose government designated status as conservation areas is assumed to be fundamentally compatible with indigenous ownership is the unjust restriction that the owners will not develop the land (Kay 2002). And whereas the primary goal of environmentalists in such agreements has been to promote the sustainable management of natural resources, it is quite clear from the foregoing that such priorities are not universally compatible with indigenous peoples' fundamental concerns over resource control and self-determination. The precarious nature of the agreements founded on stereotypes of indigenous peoples as conservationists is readily perceptible from the paternalism and intolerance that has been quick to surface whenever the apparently sympathetic and good intentions of environmentalists have been 'betrayed' by indigenous peoples who chose short-term profits over long-term conservation (Conklin and Graham 1995).

Serious doubts have also been raised about the economic viability of such arrangements given the often ridiculously low prices paid for most traditional products (e.g. corn, beans, plantains, coffee, etc.) and the associated dependence of their producers on financial subsidies from governments or NGOs – hence the perhaps exaggeratedly high hopes being placed on organic and fair trade niche markets. Meanwhile, the lack of short-term income earning opportunities is persuading many poor farmers and forest dwellers to adopt less benign forms of land use including selling out to pastoralists who prefer more labor-extensive ranching, or increasing the size of their slash and burn plots (Richards 1997). But should the value of rural livelihoods based on small scale farming and diversified subsistence activities be judged mainly on the basis of their economic sustainability? Clearly there are many who would disagree, particularly as these

livelihoods can represent important components of broader approaches with significant implications for addressing the many devastating social and perhaps even environmental problems which today are being felt most acutely in the rural and mainly indigenous areas of Central America.

The Caribbean coastal region of Central America is a particularly diverse area where countless and dramatic ecological, socio-cultural, and technological transformations, syncretic adaptations and millennial continuities have shaped a great variety of distinctive life forms and cultural expressions. Data available for the wider Mesoamerican Biological Corridor region [16] as a whole indicate that the area is home to roughly 9% of the world's total biodiversity – much of which is endemic and threatened by alarming rates of deforestation (Guzmán, Raine, and Rodríguez 2003). In 1950, about three quarters of Central America was covered by forests. Fifty years later only a third remained – most of this being increasingly fragmented and concentrated in protected areas and indigenous territories on the Atlantic side of the Isthmus (Heckadon Moreno 1997).

But plant and animal species diversity is not the only casualty of rapid forest conversion – soil erosion, loss of fertility and soil compaction have also negatively affected the agricultural economies, transportation infrastructures and water supplies in several areas within the region (Utting 1993). In addition to such high levels of ecological diversity, at least 60 indigenous peoples or linguistic groups account for some 11 million people or 23% of the total Mesoamerican regional population (Grosvenor et al. 1992). More than half of this total population is considered poor, and in rural areas – where about a third of the population and most indigenous peoples live – the percentage living in poverty is closer to 70% (Annis 1992). Only about 10% of this regional population lives on the Caribbean side of the isthmus though, which also accounts for roughly 90% of the total protected surface area in the region. These land use restrictions intended to promote resource conservation are increasingly in conflict with the needs of

[16] An area that includes the seven modern countries that comprise geographic Central America (Panama, Costa Rica, Nicaragua, Honduras, El Salvador, Guatemala and Belize) as well as the five southernmost states of Mexico (Chiapas, Tabasco, Campeche, Quintana Roo and Yucatan).

poor farmers and indigenous peoples whose access to critical subsistence resources has been substantially curtailed (Heckadon Moreno 1997).

A highly skewed distribution of access to resources and a related set of problems deriving from tenure insecurity (e.g. inadequately defined, delimited and/or enforced property rights) are commonly considered the main catalysts behind the many and severe social and environmental problems affecting different regions of Latin America. [17] To my view, some of the most successful attempts to address these problems have analyzed the historical circumstances behind local patterns of resource use and control (i.e. resource tenure) using multidisciplinary frameworks inspired by the efforts to integrate human and cultural ecology with political economy that began in the 1970's. During the 1990's, researchers continued to be interested in the "... ways in which power and politics affect and are affected by ecology and the biophysical environment." (Stonich 2001:4053), to the point where "political ecology" has become a diverse and expanding set of perspectives on: a) the contextual sources of environmental change, b) conflicts over access to

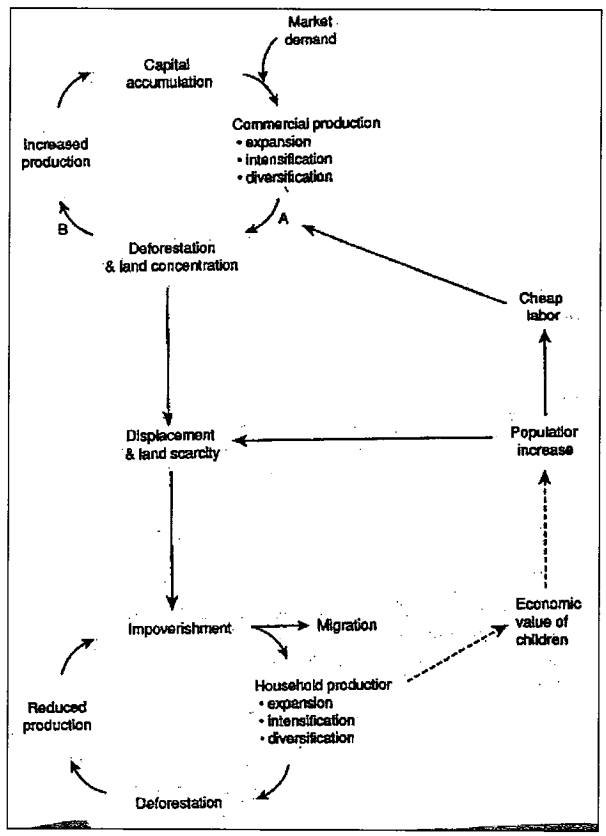


Figure 1: The political ecology model of deforestation in Latin America: a simplified sketch highlighting the structural causes of environmental destruction. 'A' refers to low input costs, 'B' to production subsidies. Dashed lines indicate suspected relationships. Source: (Durham 1995).

[17] Versions of this thesis have been put forward by: Brockett (1998), Howard (1998), Huber and Safford (1995), Kay (2002), Nygren (2004), Painter and Durham (1995), and Partridge (1989).

resources, and c) the political ramifications of environmental change (Nygren 2000).

Notwithstanding the importance of these theoretical and methodological contributions, political ecology is no panacea for explaining all environmental changes. For all too often, what political ecologists actually study is more about political contests over natural resources – for example changes in access rights (i.e. tenure reforms) – and not, to any significant extent, how the resources themselves are explicitly affected by these changes (Vayda 1999:168-169). Political ecology, especially its poststructuralist variant that attracted so many anthropologists during the 1980's and 90's, [18] has similarly been criticized for overestimating the significance of structural factors (i.e. the political economy) to the detriment of a more adequate recognition of the cultural diversity and livelihood strategies that inevitably coexist within the same human communities.[19] In other words, the 'ecology' in political ecology is too often conceived in terms that simply "... support preordained philosophical values or political agendas." (Kay and Simmons 2002:xiv-xv).

Much of the inspiration for this upsurge of social science contributions to environmental studies has been attributed to Michel Foucault and the poststructuralists' problematizing of power. Judging by the amount of criticism provoked, Arturo Escobar (1991, 1995) is probably the most familiar proponent of this influential approach. Variously know as the *anthropology of development* 'discourse', the 'post-structural' critique, or 'post-development', the all too frequently partial, overheated and sterile accusations that characterized much of these dependency theory and post-modernist inspired critiques have in turn been taken to task by a series of researchers concerned about how anthropological theory and methods can more adequately be mobilized to deal with pivotal aspects of planned interventions and social transformations. Despite the often passionate

[18] The most notable proponents of this poststructuralist variant – for example Escobar (1995), Esteva (2000), Ferguson (1990), Hobart (1993), Sachs (1992) – adopted an almost Manichean view of development as monolithic, technocratic, and irredeemably flawed.
[19] For a more in-depth demonstration of this critique see especially: Edelman (1999), Everett (1997), and Stonich (1993).

and sometimes even personal tone of these rebukes and counter debates – see for example Edelman (1999), Grillo and Stirrat (1997) and Little and Painter (1995) – it is for the most part generally acknowledged that the poststructuralist critique constitutes a valuable corrective to mainstream social theory in several important respects. The most notable contribution has come from the way poststructuralists have consistently highlighted the role of language and meaning in the constitution of social reality.

But because of their near exclusive focus on how power is achieved through language and discourse, poststructuralists have also tended to overlook both the achievements of development projects (however modest these may be in many cases), and the ways that projects are often appropriated and reshaped by local actors (Van Ausdal 2001:601). Edelman has criticized the largely poststructuralist inspired literature on social movements in Latin America for its lack of attention to the historical context of local political struggles and a tendency to ignore the more material aspects of the physical and social reproduction of wealth and poverty (e.g. geographic isolation, lack of infrastructure, asset distribution, etc.) (Edelman 1999). On the politics of globalization which are frequently represented as a "free-market onslaught", Edelman suggests that it "...might better be understood as a profoundly *cultural* process of contention between dominant and popular sectors (and their respective allies, at home and abroad)." (ibid:207) By implication, poststructuralists have found it difficult to offer specific and viable alternatives to the frequently deplorable situations they decry. This shortcoming is attested to by the poststructuralists' often uncritical celebration of imagined differences, traditions and autonomy, the implication being that somehow by simply talking critically about development discourse, anthropologists can demonstrate political solidarity with the oppressed (Little and Painter 1995). This penchant has earned the poststructuralists a well deserved reputation for preaching a rather weak and politically correct version of anthropology (Grillo and Stirrat 1997).

Whereas poststructuralists have generally portrayed development programs as little more than elegant log frames and techniques of control, other anthropologists have preferred to recognize them as embodiments of, at times, highly idiosyncratic interests and desires (Arce and Long 2000b). Among this latter group of anthropologists who take a more measured approach to the study of development projects and the policy process, development discourse is more accurately conceived of as a fairly mutable blend of rhetoric, official practices and political theory (Rew 1997:81).[20] Rather than simply studying local actors' reactions to the discourses that accompany external interventions, anthropologists should also analyse local interpretations, negotiating strategies and dynamic engagements with the people and ideas that seek to enrol their support for particular development objectives (Arce and Long 2000a). My research with the Naso does this by considering the complex cultural and environment forces behind the social and political processes of increasing market integration and land tenure changes operating in the Naso region within a historic and ethnographic perspective.

Another important anthropological variant of these debates with considerable implications for the Naso region is that which opposes 'constructivists' (or 'constructionists' as they are sometimes called) and 'cultural survivalists'. Put broadly, survivalists draw upon the more stable and homogeneous versions of culture developed by anthropologists during the first decades of the 20th century in order to defend the metaphor of a mosaic of bounded and discrete systems of practices, beliefs and values. In this model, each culture is seen as susceptible – perhaps by analogy to actual culture-bearing individuals – to survive or to die out depending on the measure of autonomous decision making power its representatives retain over their internal affairs.[22] Such views no doubt prompted

[20] See also: Grillo and Rew (1985), Pottier (1997) and Stanford (2000).
[22] See for example Cultural Survival founder David Maybury-Lewis (1988) on the aims of the advocacy and projects of his organization. For other examples of the cultural survival approach to culture in the Central American context see also Chapin (1992) and Sanchez and Balma (1992).

Nietschmann to argue that, with respect to the self-determination struggles of indigenous peoples in Central America, "Rights have to be tied to land, which guarantees what no central non-Indian government can: the survival of indigenous peoples." (1988:280)

Constructivists, on the other hand, see culture as a socially constructed narrative that is continuously being created and transformed through actions and struggles over meanings (Cowan, Dembour, and Wilson 2001). In this light, culture is not fixed in space or time or with respect to any particular institutions and practices, but rather is best understood as a dynamic repertoire of categories and practices created to adapt to changing social and ecological conditions. Constructivists are also wary of arguments tying cultural survival and identity persistence too closely to specific forms of collective ownership over particular resources. Albert (2001), for instance, points out that the logic implicit in such arguments derives from a model of social change based on a simple oppositional dichotomy between forest Indians and urban Indians and the idea of a one-way neo-evolutionary passage from one socio-geographic state (rural-traditional) to another (urban-assimilated). Constructivists are concerned about the limiting consequences of such arguments for the development of alternative indigenous identities and cultural continuities appropriate to more urban and multiethnic settings. Instead of the either/or logic of survival or assimilation, they suggest that a better way to interpret what is occurring is as a conscious (if not necessarily deliberate) rearranging of indigenous social networks across multiple communities that articulate, on a regional scale, kinship relations and the circulation of people and goods between places situated at various locations between the forest and the city (Albert 2001).

This constructivist critique of the link between place and identity has been faulted for downplaying the practical importance of resources (i.e. access to and control over land and water) to identity construction, especially in cases where few other alternatives for discriminated minorities exist. Without access to land for instance, Gordon et al. suggest that the Miskito, Mayangna and Creole peoples

of eastern Nicaragua would lose "... the power to affirm connections with their chosen narrative of the past." (2003:379) Without this claim of cultural continuity, these groups would lose an invaluable asset for collective action to improve their socio-economic circumstances. Conscious of the dangers associated with both the essentialism inherent in the cultural survival position and the potential to de-legitimize claims to cultural rights inherent in the constructivist paradigm, Gordon et al. are convinced of the relevance of a third distinct position that emphasizes shared understandings of history – drawing on notions of extended kinship, cooperative economic practices, religious activities and legal/political precedents – as the basis for establishing cultural continuity in rights to land and resources. These broad memories of previous and ongoing efforts to defend and secure their territorial rights – as opposed to length of occupancy or persistence of cultural traits – have enabled local residents to constitute a series of coherent and widely resonant narratives of the past. Thus in the eyes of the Creole and indigenous peoples of Nicaragua's Caribbean coast it is these cumulative social memories that they share in common that justify their community-specific demands and broader territorial claims (Gordon 2003).

These conceptual and procedural refinements are helping to improve the ways in which we understand the roles of social and cultural variables in natural resource use and environmental change. They suggest that appropriate solutions to the challenges of economic development and cultural and biological conservation must seek to include the most marginalized groups in society, and also be based on careful location- and culture-specific analysis of the physical environments and political economies in which these communities are constituted. These debates also underscore the need for more imagination and experimentation to find effective ways of supporting indigenous natural resource management (Richards 1997:113).

As mentioned briefly above, the approach I adopted in my research exemplifies the relevance of these insights to two particularly prominent policy challenges that emerged during the latter part of the 20th century. The first

concerns the apparent correlation between biodiversity and cultural diversity. "Since biological and cultural systems are closely linked, the ecological health of [Central America] depends overwhelmingly on the preservation of diversity in all its forms" was how Grosvenor et al. formulated this challenge (1992:198).[23] The fact that indigenous peoples occupy most of the remaining forested areas in Central America has encouraged a significant number of international organizations, governments, private enterprises and civil society organizations to enter into strategic alliances with indigenous peoples dedicated to safeguarding the survival of both categories of diversity. One of the key initiatives favoured by such alliances has been to attempt to strengthen or modify the social *institutions* that regulate human behaviour related to access and the use of natural resources.

There is now significant empirical evidence which demonstrates that prevailing institutional arrangements play an important role in determining the effectiveness of any particular policy or technological interventions.[24] Nobel laureate Douglass North defines institutions as "the rules of the game in a society or, more formally, . . .the humanly devised constraints that shape human interaction." (North 1990: 3, in Barrett, Lee and McPeak (2005):194). Institutions can also refer to the recognized patterns of social conduct that are maintained by these rules. They can be formal, as in the rule of law, or informal, as in the case of kinship – where the rules and conventions are maintained through the consent of the actors involved and the power relations between them (Mearns, Leach, and Scoones 2000:10). *Organizations*, on the other hand, for instance community groups, NGOs, companies, and government agencies, are best thought of as specific entities with dedicated personnel, budgets, offices, etc. explicitly established by sets of actors with common objectives (Young 1982:18). According to Young, such organizations may serve to facilitate the operation of an institution (for example, slavery or drug prohibition), but some of the most

[23] Other authors who have studied or advocated on behalf of this issue include: Gray (1998), Herlihy (1997), Place (1993), and Redford and Mansour (1996).
[24] On the roles and capabilities of resource management institutions see especially: Agrawal (2001), Baland and Platteau (1996), Garilao (1987), Klooster (2000), Ostrom (2002), and Poteete and Ostrom (2004).

effective institutions in society can function largely without the benefit of any explicitly associated formal organizations (for example, language and exchange systems) (1982: 18-19).

A similar set of dynamic relationships between multiple institutions and organizations serves to order the processes through which people claim and defend access to and control over particular natural resources (Mearns, Leach, and Scoones 2000:11-12). Hence the popularity of resource conservation and development programs that attempt to "strengthen" or "reform" these relationships with judicial or administrative measures that can be quickly devised and implemented within short-term project cycles. But patterns of resource access and use and the social institutions that sustain them are conditioned by the particular human, technological and resource characteristics of the different actors and environments involved. Whereas changing the formal organizational structures and explicit regulatory regimes of resource management in a given setting may prove to be relatively straight forward, the social and cultural institutions involved tend to evolve more slowly and to adapt only through individual and collective processes of trial and error.

Because of the fluid and contingent nature of such institutional arrangements, the outcomes of institutional reforms can be very difficult to predict. Changes in land tenure regulations, for instance, cannot be assumed to have predictable effects on indigenous peoples' resource management practices, especially given ongoing changes in other institutions affecting resource use – for instance, markets and pricing policies, or marriage and migration (Mearns, Leach, and Scoones 2000: 15). In most geographically remote and socially marginal tropical regions, the impacts of such institutional reforms are also diminished by the relatively limited capacities of governments and local communities to consistently articulate and enforce applicable rules. So while legal and administrative changes targeting resource management organizations can partially affect the nature of the processes whereby particular claims are realised, it appears to matter less which rules a community adopts than how well they monitor and enforce the rules they

do set (Barrett, Lee, and McPeak 2005). As I show in Chapter III, Naso cultural institutions and social organizations continue to evolve in complex and dynamic ways in conjunction with changes in their social and environmental contexts.

Figure 2: Infrastructure is pretty basic throughout the Naso region. Clockwise from top left are dugout canoes used for transportation; a Naso worker is suspended over the Teribe River to fix the broken PVC pipes that carry water to the La Amistad International Park (PILA) headquarters at Wekso; children celebrate Panama's independence from Colombia by parading the flag around the village of Solon's primary school; a boy returns home with firewood, the main energy source of Naso households; the larger Naso villages have public telephones which offer a reasonably reliable service. Very few Naso own cell phones as coverage in the area is weak and the electricity to charge depleted batteries is non-existent.

The second policy challenge derives from the fact that after several decades of public sector dominance of infrastructure provision and resource extraction activities, many countries are increasingly turning to the private sector to provide the critical knowledge and investments required to build and maintain these services.[25] This is especially true in Latin America, where even in countries like Colombia, Peru and Guatemala that were once considered too politically or

[25] The Private Participation in Infrastructure (PPI) Project Database has data on 3,000 projects in 150 low- and middle-income countries. http://ppi.worldbank.org/index.aspx : accessed October 10, 2006.

economically unstable, resource concessions and associated infrastructure projects increased rapidly throughout the 1990s (Bowles and Prickett 2001). Infrastructure (for example transportation, energy, communications, water and sanitation, etc.) is a determining factor in a country's economic and social development. Over the period from 2000 to 2010, the need for infrastructure investments in developing countries alone has been estimated at more than $2 trillion (Santos 2001:30). The scope and magnitude of these investments have meant that their social and ecological impacts are showing up in some of the most geographically remote and socially marginal regions of our planet. This situation is prompting growing consensus that continued development should be conditional upon demonstrated commitments to good social and environmental practices.

In response to such concerns, policy-makers and resource developers have begun to pay more attention to accurately identifying and assessing an expanding universe of project-related social and environmental issues. Much of this evolution has coalesced around large dams and the hydroelectric energy industry. As a case in point, the World Commission on Dams (WCD), the International Hydropower Association (IHA) and the International Energy Agency (IEA) have each sought to provide strategies and best practices for ensuring a more equitable distribution of project benefits and improving the living conditions of communities affected by dams and related infrastructure projects.[26] However, despite broad-based acceptance of the five core values articulated in the World Commission on Dam's new framework for decision-making (i.e. Equity, Efficiency, Participatory decision-making, Sustainability, and Accountability), major disagreements still remain as to how these principles are best put into practice in the context of specific investment projects (see Figure 3 below).

[26] See especially: International Hydropower Association (2004), Taasen (2000), World Commission on Dams (2000).

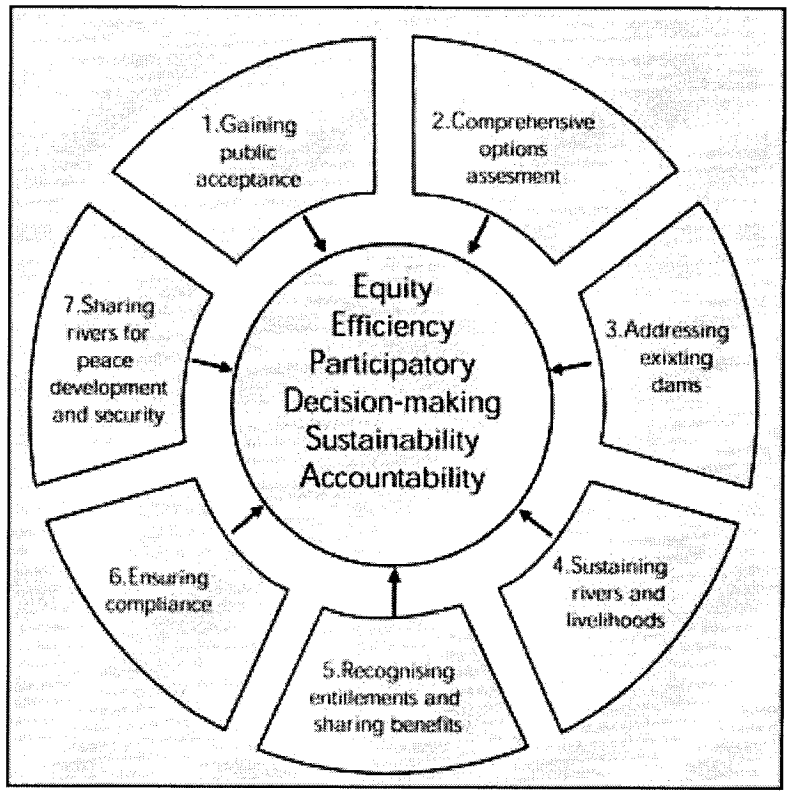


Figure 3: Analytical decision-making framework: World Commission on Dams five core values and seven strategic priorities. Source: ((UNEP) 2006)

This lack of agreement over how best to apply the WCD's principles and guidelines stems in part from the fact that attempts to evaluate the social impacts of hydroelectric projects have been hindered by insufficient monitoring and follow-up data on existing dams (Roquet 2000).[27] This problem is itself related to a much larger set of problems that derive from the way project promoters attempt to grasp the nature, scope and magnitude of their social impacts, and consequently the extent to which they contemplate, design and implement appropriate monitoring systems, mitigating measures and levels of compensation. As I show in Chapter IV, we must seek to identify and promote more creative and equitable solutions to these problems if we hope to reconcile the rights and priorities of the different groups of people interested in the sustainable production of energy and the living conditions of those most affected by its production.

[27] Some of the better examples of this literature include: Cernea and McDowell (2000), Hornig (1999), Khagram (2004), Leslie (2005), Scudder (2005), Trussart et al. (2002) and Wali (1989).

1.5 Testing the waters: methodology and analysis

> *Unfortunately, there is still a strong but erroneous opinion in some circles that practical anthropology is fundamentally different from theoretical or academic anthropology. The truth is that science begins with application... What is application in science and when does "theory" become practical? When it first allows us a definite grip on empirical reality.*
>
> (Malinowski 1961, quoted in Cernea 1995:1)

Anthropologists aligned with or sympathetic towards indigenous movements have generally been limited to two tasks: affirm the struggle and critique the forces that stand in its way (Hale 2004). My research engaged in these tasks, but also went beyond them in order to analyze the contradictions, risks and unintended consequences of Naso political discourse and engagements with the development and conservation initiatives operating in their region. I was particularly concerned to document and understand the social impacts of these projects' legislative and policy changes on local land use practices and Naso political institutions. This involved learning to recognize how particularly significant interpretations of project-related activities were established, promoted and defended through the social and professional lives of known actors in specific organizations. The "truth" in these matters is not something that simply exists 'out there' waiting to be objectively discovered through the technically proficient application of expert research methods. There are some methodological guidelines that I discuss below which are useful towards ensuring broadly acceptable interpretations; for example combining qualitative and quantitative research methods, sampling procedures, seeking feedback, etc. But I do not believe that neutrality (as in standing above the fray or suppressing subjectivity) is a legitimate measure of any particular ethnographic or interpretive account.

[31] For a summary discussion of the range and diversity of these methods see also Baker (2000) and Chambers (1991).

In order to begin to adequately assess the impacts of the changes currently affecting the Naso region, I had to consider a wide range of social, economic and environmental issues simultaneously and at multiple scales. I therefore sought evidence about:

i. Naso conceptions of property and ownership; perceptions of resource scarcity; and aesthetic and moral values ascribed to place.

ii. Changes in resource tenure, obligations, and sanctions; equity of resource access.

iii. Participation in decision making; viability, integrity and accountability of institutional arrangements.

iv. Tensions and conflicts within and between communities and institutions; nature and frequency of collective activities.

v. Resource extractions for commercial or subsistence purposes; damage to historical or natural resources.

vi. Numbers of tourists visiting the area; craft sales and related income opportunities.

To obtain this information, I adopted a methodology inspired by a series of principles similar to those employed during Rapid Rural Appraisal (RRA) exercises: a) triangulation of research methods and information sources; b) deliberate actions to offset biases; c) optimizing tradeoffs between the quantity, relevance, timeliness, truth, and actual beneficial use of information. More traditional methods of social investigation based on longer and more detailed field studies or large-scale quantitative survey techniques may provide more complete and sensitive understandings of local socio-cultural dynamics. But both of these options have proven to be notoriously inefficient from the stand point of the quality of the data produced and/or the amount of time required to analyze and publish the results (Chambers 1991:520-522).

RRA methodologies are typically portrayed as comprising a menu of options from which to select and combine depending on the research project's information needs, local characteristics and resource / time constraints. These choices include secondary data reviews, direct observation, semi-structured interviews, group interviews, mapping exercises, etc. [31] RRA practitioners frequently draw on anthropological procedures for participant observation, informal surveys, and in-depth case studies to gather and interpret reliable field data for understanding a range of issues and variables – for instance, the relationship between landowning and social structure, the social organization of family labor resources, the causes and consequences of cognitive and behavioral changes, and so on (Cernea and Guggenheim 1985). The RRA approach is thus based on common sense and experience, both of which show convincingly that to ignore the methods and concepts of anthropology in development studies and projects wastes scarce funds on the production of inaccurate data, dilutes research efforts and lowers standards, entrenches the impunity of technocrats and ivory tower academics, and breeds discontent among the objects of such research at the local level who desperately seek a better life.

But Rapid Rural Appraisal methodologies are no ready-made panacea for social scientists in either short or long-term research situations. Two especially significant pitfalls that the advocates of RRA have frequently paid insufficient attention are the tendency to gloss over the complexities and efficacies of the participant observation techniques used by social scientists, and secondly the risk of promoting complacency when making judgments from limited data (Molnar 1991). Short time frames also enhance the risk that intense research schedules will lead to sloppy interviewing. Carelessly applied, RRA can thus be indistinguishable from "information strip-mining", producing a strong sense of intrusion and correspondingly low levels of acquired social knowledge (Finan 1991:6-7).

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[33] ODESEN obtained a grant of U$20,000 from the USA based NGO Conservation International to renovate and equip their hospitality installations at the old military base in Wekso. For additional information see: http://www.odesen.org/

I was able to overcome these common research limitations by using a judicious sequence of qualitative and quantitative research methods over a period of six months between August 2004 and June 2005. I initially used archival investigations, participant observation and informal interviews to obtain the background information necessary to improve the design and cultural sensitivity of a subsequent survey and structured interviews. The fact that I spent almost two years preparing for this research project – and slightly less time interpreting the post fieldwork results – also helped to reduce the total amount of time that I needed to derive the most communication and knowledge benefit from my field research. Upon arrival in Panama, my first step was to interview a wide range of local residents, professionals, government officials, and various NGO, union and media representatives that have lived or worked in the Naso region. Subjects were identified and contacted with the assistance of the non-governmental organizations Alianza para la Conservacion y Desarrollo (ACD) and ODESEN (Naso Organization for Sustainable Ecotourism Development). [33]

These contacts proved essential in gaining access to the Naso region, for as I mentioned earlier, there are currently no roads and no public transportation leading to any of the Naso communities. After explaining the goals of my research to the members of ODESEN, they agreed to provide me with occasional transportation and logistical support. Different members of the organization also agreed to introduce me to various community contacts where I could hang my hammock at night and eat while staying in the region.[34] Until I knew at least a few people in any of the villages, I was always accompanied by a Naso guide / interpreter. And because the period between February 2004 and July 2005 corresponded with a time of intense political protest and mobilization throughout the Naso region, I generally managed to find someone who had reason to visit a

[34] Things can get pretty expensive in Bocas del Toro. At about U$3.00 per gallon, it costs roughly U$20.00 in gas alone just to get from Changuinola to Sieyic and back. The going rate for lodging in the Naso communities was around U$5.00 per person per night and anywhere from U$2.00 to $5.00 per meal.

particular community and then offered to pay for their travel and food costs if they let me accompany them.

On one such occasion in August of 2004 I accompanied three Naso community activists on a four day walking tour that brought us to five Naso communities in the Northwestern sector of the proposed *Comarca*. The way they decided that it should work was to have one of the Naso members of our visiting delegation introduce the group and then invite our hosts to a series of upcoming events that they were planning. These events were largely related to the question of the Bonyic hydroelectric project and the Naso leadership crisis that I describe in detail in Chapter IV. The person responsible for coordinating much of these events was an ex-member of the Naso Council of Leaders, Adolfo Villagra Sánchez from Siekin. Mr. Villagra can often be found lugging around with him a personal library that contains much of the official archives of the Naso people! (See Figure 4 on right) Among the documents contained in his torn canvas briefcase were some yellowed and barely legible pages dating as far back as 1979 – the year when the long since deceased Naso king Simeon Santana signed an agreement granting Panama's national hydroelectric company (IRHE) permission to carry out preliminary feasibility studies for a dam on an area of the Teribe River located upstream from Sieyic.

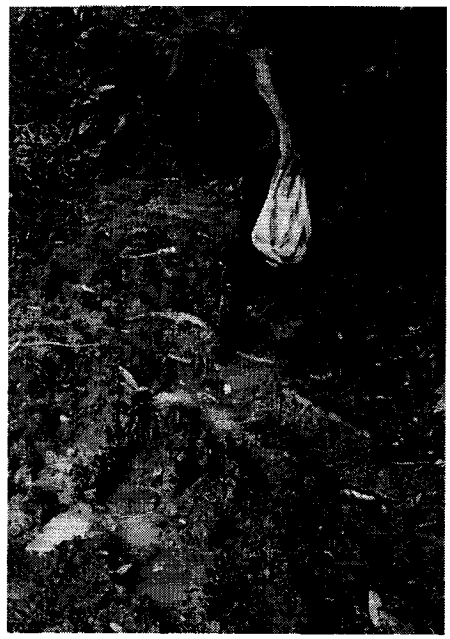
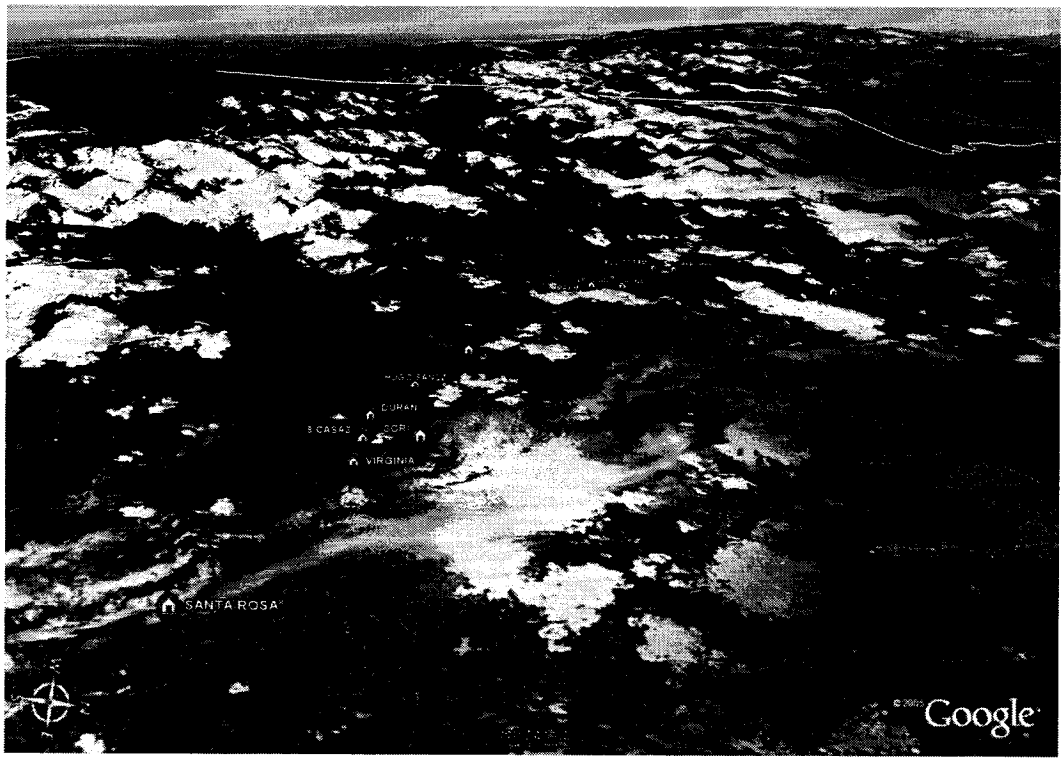


Figure 4: Traveling with the keeper of the archives of the Naso nation. San San Tigra, Panama.

After considerable discussion between my guides and our hosts, it became my turn to explain who I was and why I had come so far to visit them in their homes. These initial interviews were guided by a series of open-ended questions designed

to explore the complexity of respondents' experiences, perceptions, and feelings about local land use practices and related institutions. For example: What do residents know about the legislation that proposes to recognize Naso land rights and administrative jurisdiction (i.e. the *Comarca*)? Who are these changes expected to benefit? Have they participated in actions intended to improve resource management practices? How accountable are institutional arrangements for devising, monitoring and enforcing resource access and management rules? Are natural and cultural resources currently threatened, and if so, how? These questions were refined through interaction with peers and research supervisors, and were further tested and revised with initial respondents. Occasionally when visiting with elderly Naso people, my guides helped to translate. For the most part the people I met were friendly and quite delighted that someone, and a foreigner at that, had taken the time and made the effort to come to their modest homes to ask them about their opinions. Several Naso also asked about my personal interpretations and experiences with other similar cases that could be relevant to their situation.

Back in Canada for three weeks in October 2004, I used the qualitative findings obtained from these interviews to identify patterns of variation in attitudes and factors influencing respondents' opinions about my research topics. For example, I became aware of significant differences in ethnic origins and length of residency, as well as landholdings and economic occupations. I then used this initial evidence to design a detailed household survey as a means of describing the perceived variations in a more systematic way (n=54 or 18% of Naso households located within the eight villages surveyed) (see Appendix I). My survey was designed to obtain relevant and fairly comprehensive information about demographic and economic conditions and trends, local organizations, cultural traits and other factors that could influence the way the Naso respond to the changes affecting their region.



Map 3: Arial view looking west towards the Naso villages where I conducted interviews and household surveys. The junction of the Teribe and Changuinola Rivers is visible in the foreground, as are the banana plantations on the southern edge of the city of Changuinola (lower right). The icons represent Global Positioning System (GPS) coordinates taken from field readings and displayed over a satellite image obtained from Google Earth.

My goal during this second more quantitative phase of fieldwork was to produce a more accurate assessment of local socio-cultural patterns of resource use against which to test my initial hypotheses about the conditions under which communities can efficiently manage access to land and associated resources for equitable use and effective conservation. For example, how will the legal recognition of Naso traditional resource management organizations affect household land use decisions? How can these organizations function efficiently and accountably in situations of widespread economic vulnerability, declining community cohesion and increasing social inequality?

Because I was fundamentally more interested in enhancing the reliability of the information produce during my initial and follow-up interviews than with

statistical confirmations of these findings across the entire Naso population, my sampling strategies for selecting respondents were both purposive and opportunistic. Purposive in the sense that I deliberately sought out a range of households believed to differ among themselves according to the variables identified in my first phase of interviews. For example: male, female, youth, elder, farmer, hunter, public / private sector employee, political authority, settler, geographic location, etc. My actual sample of 54 Naso households is also opportunistic in the sense that I frequently took advantage of chance encounters and personal invitations and referrals to approach potential respondents about their participation in my survey. My decision to use detailed questionnaires with only 54 households meant that I did not have to rush each respondent and could take the time required to adequately explore unexpected themes perceived to be relevant by my hosts. This format allowed me to keep the interviews purposely on track without denying respondents the opportunity to elaborate on any particular aspect of the questions or the ensuing discussions.

Had I insisted on pursuing a more statistically representative sampling strategy, for instance by attempting to recruit households identified at random, I would have had to compensate for the lack of accurate census information for the Naso region. According to Naso residents, the Government of Panama's official 2000 census figures consistently underestimate the numbers of households present within their region. For anyone familiar with this area, or with any other marginalized rural area with no transportation links and limited communications, it is not hard to imagine why government-hired enumerators may have neglected to visit several of the more dispersed Naso hamlets located at considerable distances from the village cores. I will return to the implications of these statistical problems in Chapter III. For the moment I simply wish to add that while the nature of my household survey does not permit me to make statistically accurate confirmations for the trends that it was designed to measure, these survey findings do help to provide a relatively comprehensive socio-cultural, economic, and ecological assessment of the Naso population for the purpose of evaluating the

risks and benefits of local development projects, and how the Naso understand and anticipate the impacts of the measures implied in these changes. This is particularly true when these survey data are considered together with the interview data presented in Chapter IV and the historical sources reviewed in Chapter II.

Subsequent analysis of these survey results helped me to identify additional characteristics, such as occupational history, land tenure conflicts, the functions and capacities of traditional authorities, commitments to resource conservation, etc., about which I sought further evidence through a final round of semi-structured interviews. This third and final phase of weeklong stays with different families in different Naso villages allowed me to learn more about the history of local factions and informal organizations, and the control of assets and decision-making across a range of socio-economic groups. As for protecting confidentiality, I had to learn to refer more generally to the specific statements or events reported to me in these interviews. This task sometimes proved difficult as the Naso do not generally think about what they do in such anonymous and generic terms. They like to personalize things and feel more comfortable talking about real people and the supposed incidents that may or may not be directly attributable to them. Because I made repeated visits to the same communities over the space of one year, I also obtained a sense of the cyclical trends in seasonal activities, holidays, and local environmental variability that characterize the Naso region.

I also made extensive use of spatial information technologies such as global positioning systems (GPS). When combined with some of the more traditional methods of anthropological inquiry described above, techniques such as GPS provide new and effective ways of gathering, organizing, analyzing and conveying information about land and resource rights and uses (Mohamed and Ventura 2000). One of the most successful examples of this social-spatial methodology that I used extensively with the Naso is known as "Geo-coded Transects". As with conventional transects, an area of particular significance –

such as individual holdings and commons, reserves, etc. – is systematically walked to determine the status and condition of key phenomena and/or features of interest. The only difference being that the use of a GPS receiver makes it possible to accurately associate these *in-situ* observations with positional data obtained from orbiting satellites.[35] These transect walks and the observations obtained can therefore be accurately mapped or transposed to a diagram that permits further analysis of these spatial differences (see Maps 3 and 4). The Naso were particularly interested in mapping the boundaries proposed under the national *Comarca* legislation, but several people also asked me to measure the boundaries between family plots. I even helped to survey a parcel of land that had been donated by a resident to serve as the location for a community elementary school. The community authorities used these measurements to draft a written agreement with the donor of the land, such that in the future no one could attempt to reclaim the donated land from the school.

Another strategy that is increasingly being promoted in order to counter some of the problems affecting the quality of RRA research results – especially the fact that RRA has not contributed significantly to sustainable local action or institutional development – has been to encourage the research subjects (e.g. the local community) to become partners in the research process. According to Finan and van Willigen, the guiding assumption of such participatory approaches to research is that local stakeholders possess valuable knowledge that they will be more willing to share with outsiders if they also share in the basic research objectives (Finan 1991). Participatory Rural Appraisal (PRA) methods are generally viewed as a sub-set of RRA within which outsiders behave less as extractors of information, and more as catalysts and facilitators. To accomplish these roles, PRA methods emphasize intensive interrogation and the use of role reversals and visual techniques in public places. But the social context (power, authority, inequality) of information elicitation can also bias PRA results –

[35] The Garmin ETrex Vista hand-held GPS receiver that I used provides accurate readings to within three meters. Although accuracy diminishes with signal strength, for instance while trying to obtain satellite readings under dense forest canopy or with some otherwise obstructed view of the sky.

especially as the very poor may be reluctant to potentially compromise their economic or social security by publicly stating their needs (Rew 1997).

The value of PRA is also limited by the fact that an important component of cultural knowledge is encoded in technical routines and everyday experiences, and therefore cannot easily be elicited verbally. This means that knowledge of both private and public events is needed, and that public empowerment exercises need to be balanced with extended periods of critical observation. Other dangers commonly associated with the use of PRA have included: ritualism and insincerity, amateurish over-enthusiasm, and hostility from participating disciplinary specialists (Rew 1997). Thus while participatory research approaches continue to be widely promoted, they are frequently difficult to implement. [36] On the whole, PRA has been most successful in cases where the research objectives are quite specific and practical (e.g. where to locate a road) and the populations involved are fairly literate (Finan 1991). There is also mounting evidence to suggest that the choice of research technique is not as important as the need to vest planning responsibilities in appropriate groups and to have a good prior understanding of the social and cultural conditions governing effective participation in research planning (Rew 1997:101). [37]

While my own research with the Naso can not be considered 'participatory' in the strictest sense of the term, I was frequently able to act as a catalyst and facilitator of my hosts' research interests and priorities. I describe one particular incident in Chapter IV when my suggestion of a petition signing campaign was whole-heartedly embraced. I also helped the Naso ecotourism group ODESEN to prepare a grant proposal that they submitted to the World Bank. Although this proposal was not immediately successful, several of its' components were eventually carried out with the financial and logistical support of various national and international NGOs. For instance, Asociación ANAI, a Costa Rican nonprofit

[36] For detailed discussions of experience with participatory approaches to research see for example: Berardi (2002), Bhatnagar (1992), Mosse (1994), Pottier (1997), and Rietbergen-McCracken (1998).
[37] For examples of critical evaluations of the application of social science methodologies in development interventions see Brown (2002), Dani (2002), Hay (2000), Huizer (1997), Krueger (2001) and Renshaw (2001), only two of which had been published at the time that Rew was writing.

organization, agreed to organize a series of workshops and field training sessions on stream biological monitoring for Naso parataxonomists. I eventually accompanied a group of these fish monitors on an expedition to evaluate the potential effects of hydropower dams on the biotic communities, with emphasis on diadromous species, in streams draining the La Amistad International Park (PILA). [38]

One of the other projects that I helped to set up was for a documentation center in Sieyic so that the Naso could access the research results of various studies previously conducted in their own or similar regions. The Naso appreciated gaining access to information about their communities that I had previously obtained from international libraries, specialized agencies and the Internet. For example, I provided numerous documents, photographs, maps and computer files with agronomy and ecology related materials and others on ethnography, history and natural resource management. It turns out that several Naso have attended the agricultural technology high school in El Silencio, and many remain interested in experimenting with appropriate technologies for small farms. These resources currently constitute the only publicly available source of published information about indigenous rights and resource management issues in the Naso region. They are currently being stored in the Palace of the Naso people in Sieyic.

In the extremely polarized social and political context of the Naso region during the time of my fieldwork this fairly proactive approach to research was not equally appreciated by all sides of the conflict. For instance, one member of the Naso Council of Leaders refused to participate in my survey because of my ties to the members of the Naso ecotourism association ODESEN, whom he rightly perceived as unsympathetic to the pro-hydro policies being pursued by the Naso king Tito Santana and his administration. Throughout these events I wrestled not so much with my conscience as with what I would call my internal "academic watchdog", as when, for example, it came to participating in activities that I knew

[38] For additional information on ANAI biological programs see: http://anaicr.org/index.php.

could have a direct effect on the Naso leadership struggle or their decision to reject or support the hydro project. I elaborate further on the accusations of bias and support for one politically motivated faction of the Naso conflict that were made against me in Chapter IV.

On the basis of the evidence and arguments put forward in this thesis and elsewhere, I believe that there are considerable opportunities for anthropologists to influence the nature and course of development policies and projects in ways that can have profound consequences for the quality of life of current and future human generations.[39] By articulating the kinds of fine-grained definitions of local experiences that are the specialty of anthropological accounts with a detailed knowledge of the wider world within which project managers negotiate and implement their interventions, anthropologists can make significant contributions to the design of and experimentation with comprehensive and systematic approaches to gaining a qualitative understanding of "...peoples' values and behavior in relation to a planned or ongoing intervention for social and economic change." (Salmen 1998:1). To be effective at this task, anthropologists must go beyond the conventional focus on either "top-down" or "bottom-up" development and include actions to address both the local and the wider political and institutional constraints that prevent people from realizing their full potentials (Gow 1995).

[39] For a critical evaluation of the impacts of anthropological theory and methods on development programs and studies see especially (Paiement 2007).

Chapter II: Social and Ecological History of the Naso Region

"All historical societies have transformed their relations with the environment; this is the very definition of their historicity."

(Touraine 1981, quoted in Nygren 2000: 29)

2.1 Pre-hispanic political ecology

Archeological and paleo-ecological data signal the arrival of the first humans in what is today Panama towards the end of the last ice age (12,000-8000 BC). As atmospheric temperatures and sea levels were rising, plant and animal colonies were also known to have been on the move. The oldest known archeological site in Panama is a rock shelter (i.e. *Cueva de los Vampiros*) located close to the central Pacific coast which was visited repeatedly – from about 9500 BC onwards – by peoples whose stone tools closely resembled those of the "Clovis" tradition which developed in North America at around the same time (Cooke and Sánchez 2003:2). Pollen studies have been used to show how dramatic changes in floral composition can be directly associated with human subsistence activities. For example, the earliest signs of plant domestication in Panama (i.e. microscopic particles of pollen and starch preserved in soils, grinding stones and human teeth) date back to around 6000 BC, and suggest that widespread deforestation has occurred in areas where fire was repeatedly used to clear existing vegetation before planting a variety of foods. Several varieties of maize, arrowroot and yams known to have been planted between 6000 and 1000 BC are no longer eaten, largely because of the availability of more suitable replacements. Primitive varieties of maize and manioc are believed to have been acquired from Mexico and South America respectively through trade and barter with neighboring agricultural groups. Cooke speculates that given the difficult and laborious task of clearing forest vegetation before the advent of polished stone axes – a technology whose first appearance in the region dates to around 500 BC – these early agriculturalists were mostly attracted to plot sites in the mountains and foothills of

[43] For a detailed history of the early Spanish expeditions to the Naso region which date back to 1534 see especially Reverte (1967).

those regions with marked and lengthy dry seasons (i.e. the Pacific slope) (Cooke and Sánchez 2003:3-4).

By 2000 BC, the constant need to search for fertile lands on which to plant is thought to have induced small groups of agriculturalists to begin to fan out over the humid and rugged terrain of Panama's central Caribbean coastal zone (Cooke and Sánchez 2003:4). Cooke argues that in-migration to the higher and cooler reaches of the Caribbean side of the Talamanca mountain range was delayed by the unsuitability of available food crops to local climatic conditions. The earliest evidence of occupancy in this region dates from the arrival of agriculturalists from the Pacific side around 800 BC. And while it may not be false to call these migrants 'agriculturalists', their livelihoods also depended to a considerable extent on hunting, fishing, and collecting shellfish and wild fruits (ibid:4-5). Gordon (1982), for example, uses ethnographic data about 20th century Guaymi (Ngöbe) land use practices in Bocas del Toro, Panama to describe how under traditional indigenous land use systems agriculture was but one phase in a long-term cycle which also incorporated tree gardens and the nurture of wildlife. Gordon describes how the Guaymi's constant culling of plants judged to be "useless" along trails and near hamlets creates a subtle reapportioning of species within visited parts of the forest. Additional wild species are also transplanted to nearby "tree gardens" from the surrounding forests, resulting in a deliberately modified form of regrowth vegetation that provides many useful products and a considerable food supply.

Until around the first millennia BC, the material cultures of such peoples remained relatively simple. Some signs of cultural differentiation are visible from the various types of shelters and tools used in different regions of the country, but there is no evidence of advancing social stratification until the period between 500 BC and 500 AD which saw the beginnings of more permanent settlements accompanied by increasing technological (e.g. agricultural varieties, tools, pottery, gold work, etc.) and social specialization (e.g. shamans, chiefs, merchants, etc.) (Cooke and Sánchez 2003). These patterns contrast considerably

with the native societies of southern Mexico and northern Central America (i.e. Olmec, Maya) where, at around the same time, people were building stone temples in largely planned urban settlements and keeping detailed records about kinship, warfare and astronomy (Cooke 1997).

By 1500 AD, most Panamanian societies were small chiefdoms characterized by intense status rivalry and competition for wealth and power (Helms 1979). Helms examined the relationships between chiefly status and power, regional and long-distance exchange networks, and the acquisition of esoteric knowledge; concerns that drew her attention to sumptuary items of chiefly display – gold pieces and ceramics (ibid:3). These chiefs or *caciques* were generally members of high ranking families whose leading members also occupied the lower ranks of regional authority, status and wealth. But these situations were also quite flexible, as evidence indicates that chiefly power also depended in large measure on maintaining agricultural productivity and continued political successes in trade and warfare (Cooke and Sánchez 2003). Despite the often bellicose nature of inter-group relations, trade and barter reportedly flourished. Marine products were brought inland to exchange for cloths made of cotton, gold jewelry and hunting dogs. These later goods were also widely traded for agricultural products.

In western Panama alone, as many as 20 short swift rivers flow north from the rugged Talamanca mountain range to the Caribbean Sea, creating a series of narrow coastal alluvial valleys connecting the sea to the mountains and providing access to the lands beyond (Helms 1979:6). This topography has reinforced the formation of a series of discrete geopolitical sub-regions along the banks of the major river systems and their tributaries (ex: the Naso along the Teribe river, the Ngöbé along the Cricamola river, the Bribri along the Sixaola in Costa Rica, the Sumu / Mayangna along the Matagalpa in Nicaragua, and the Miskito along the Coco, to name just a few). These territorial configurations provided access to a range of different products available from the distinct ecological zones situated at different altitudes along the river's course. And by favoring such human settlement patterns, the region's ecological heterogeneity can be understood as an

important source of the region's linguistic and cultural diversity (Cooke and Sánchez 2003:8-12).

Genetic, linguistic, and ethno-pharmacological data from the lower Central America region has largely confirmed the local and regional development hypothesis put forward initially on the basis of archeological findings. This hypothesis suggests that the modern day indigenous peoples (e.g. Bribri, Cebécar, Miskito, Rama, Naso, Kuna, Emberá, Wounaan, Ngöbé and Buglé) are descendent from Misumalpan, Paya-Chibchan and Chocoan speaking South American ancestors. Most of the available ethnographic data is also consistent with this scenario of gradual fragmentation into separate linguistically and culturally related sociopolitical groups that have lived in or else very near to their present-day locations for many thousands of years (Cooke and Sánchez 2003). Some anthropologists have even preferred to consider both the Naso and Bokotá to be linguistic subgroups of the larger Guaymí (Ngöbé) tribe (Spielman 1979), even though historical records and Naso informants recognize the existence of considerable autonomy and cultural differences between them (Von Chong S and Ortiz 1982).

2.2 Conquest and colonization

As recently as the 1940's much of the interior of Panama remained covered with tropical forests, deciduous woodlands and other forest fragments. But at the time when Columbus first explored the coast of present day Bocas del Toro province in 1502,[43] vast sections of the low-lands and mountain slopes had been converted to open savannah by centuries of extensive cultivation (Helms 1979). The Spanish conquered most of Central America between 1502 and 1542. The first region to be invaded was the central Caribbean coast between what is today Veraguas (Panama) eastward to the Gulf of Urabá. These locations (Santa María and Acla) became the staging grounds for a series of coastal raids against indigenous settlements, and an eventual expedition in 1513, led by Balboa and Pedrarias Dávila, across the central mountain range to the dryer and more densely populated Pacific coastal plains (Cooke 1997). At around the same time, Cortez

had defeated the Aztec rulers of central Mexico and in 1524 Pedro de Alvaredo attacked and defeated the Maya in Chiapas and Guatemala, and then turned on the Nahua-speaking Pipil in El Salvador. The combined effects of European violence and diseases ravaged an already internally divided native population in Central America which was unable to effectively resist the two-sided invasion (ibid: 172).

From the beginnings of the Spanish invasion of Panama in the early 16th century until nearly four hundred years later colonial settlements were established within fairly limited areas in each of the modern countries of Guatemala, Honduras, El Salvador, Nicaragua, Costa Rica and Panama. These settlements were oriented almost exclusively towards the Pacific Ocean. The drier Pacific climate facilitated transportation, and the combination of a sedentary indigenous population and the existence of commercial crops in that area contributed to a general neglect of the Caribbean coast. By comparison the Atlantic region's high annual rainfall (2000mm-6000mm), frequent tropical storms, rugged mountainous interior, swampy coastal areas, low population density and relatively less sophisticated material culture offered few attractions to tempt would-be Spanish settlers. Thus indigenous landholdings in these areas remained substantially intact during the 300 years or so of colonial rule (Martin 1996).

Other factors that helped to curb Spanish appropriation of indigenous lands located on the Caribbean coast were the rudimentary state of agricultural technology, the small size of local and regional markets, and the limited transportation options. Furthermore, armed resistance and native attacks – especially during the 16th and 18th centuries – occasionally halted missionary activities and allowed several native groups to retain their territories and independence until well into the 19th century (Cooke 1997) – or even the 21st century as can be argued in the case of the Kuna. Thus apart from some very limited mining and logging activities on the northern shore of Honduras, the Caribbean terminal of the Isthmus crossing (i.e. the city of Colón) was the only enduring Caribbean settlement in all of Central America (Jones 1988:45). The Caribbean coast was in fact so marginal in the eyes of the Spanish crown that –

were it not for the obstinate presence of the Dutch, French and English pirates who used the region's many coves, islands and sheltered lagoons to launch raids against Spanish shipping and inland settlements – the region would likely have escaped all attempts to control and integrate it into the colonial order (Howe 1998).

Contrary to many scholarly and popular accounts of colonial Latin America, the history of these events is impossible to understand without considering the collaborative relationships and tensions that existed between the colonists, the colonized and the actions and goals pursued by various intermediaries including local land speculators, government officials and indigenous authorities. Besides being supported by much of the available archival documentation, such a perspective is appealing because it repudiates both the all black (i.e. "genocide") and all white (i.e. "civilization") accounts of the colonial period that have tended to attribute agency almost exclusively to the Europeans (Appelbaum 2003). Newson (1992) develops one such example of a more nuanced treatment of regional variations in the impacts of Spanish colonialism on the indigenous peoples of Nicaragua and Honduras. Her account stresses the complex interplay and relative importance of different factors including disease, degree of violence and exploitation, different rates of demographic decline and recovery, the character of native society, and the nature and quantity of available natural resources. Cooke (1997) provides similar evidence about how during the 18th and 19th centuries, the Miskito (like the Kuna) successfully exploited European rivalries to acquire firearms and boats from the English which allowed them to extend their sphere of influence up and down the Caribbean coast.

The creation of the Miskito Protectorate in 1749 was part of a wider British plan to increase their geopolitical control of the Caribbean region. The British also pursued similar relations with the Kuna in the Darien region of Panama for the same strategic purpose of destabilizing the Spanish colonies (Herrera 1982). But most significantly for the surrounding indigenous peoples of the lower Caribbean coast, the pressure of constant Miskito attacks and demands of tribute in the form

of slaves and products forced many, including the Naso, to flee their coastal and island settlements in order to seek refuge in the more inaccessible river valleys at higher elevations. And yet despite all the suffering caused by frequent displacements, hunger, and inter-group warfare that went on at the time, existing sources of information about life in the Naso region have suggested that few changes took place in the Naso's prevailing social institutions and/or cultural traditions during this period (Von Chong S and Ortiz 1982:47-48). [44]

2.3 Republican modernity

Throughout Latin America, forging the post-colonial state involved deliberate and determined attempts to homogenize the nation and consolidate strong central governments (Sieder 2002). In pursuit of these objectives, the dominant *criollo* [45] elites made passionate defenses of progress and national destiny which also appealed to the mestizo and mulatto lower classes and thus fostered an inclusive national identity. State proponents of liberalism were particularly unwilling to tolerate a people who explicitly rejected that identity (Howe 1998). Towards the indigenous peoples of the region, the newly independent states pursued policies that inevitably dispossessed or disregarded their territories under the assumption that they would either assimilate into the dominant culture or be condemned to remain 'primitive' (Plant 2001). As during the colonial period, even the most 'well-meaning' laws and policies intended to protect indigenous rights often proved misguided, inadequately enforced, or simply ineffective. Take for instance laws intended to protect indigenous lands from encroachment by outsiders – the land tenure conflict resolution mechanisms included in such legislation have tended to be slow and costly processes disproportionately benefiting the more powerful interests in society. Furthermore, the state agencies responsible for demarcating and enforcing indigenous land tenure rights have been notoriously under-staffed and under-funded (Utting 1993).

[44] An interesting historical footnote from this time involves a Franciscan missionary's plan to move a group of Naso followers across the continental divide to the relative safety of Costa Rica's pacific coast. These people are known today as the Terraba (Reverte Coma 1967).

[45] Throughout Latin America, the term *Criollo* applies to descendents of Spanish settlers who were born in the Americas.

Thus Independence (1822) was in many ways even crueler to the indigenous peoples of Latin America than the suffering and devastation unleashed during the previous colonial period. For instance, form Mexico to Chile post-independence land-owning elites expropriated church estates and crown lands, and made various attempts to privatize the traditional collective holdings that previous colonial governments had permitted indigenous peoples to maintain for their own subsistence (Stavenhagen 2002). By the 20th century these economic measures, combined with the often equally significant state policies designed to culturally assimilate and socially obliterate all remnants of indigenous identity, had contributed to a situation of widespread landlessness, increasing agrarian unrest, multiple revolutions and various experiments with land reforms (e.g. Mexico (1910-1920), Bolivia and Guatemala (1952), Peru (1960's and 70's), Chile (1970-73), Costa Rica and Panama (1970's and 80's), Nicaragua (1980's), etc.) (ibid:25). Unfortunately, many if not most of these latter state-led approaches to land reform and rural development were severely compromised by official corruption, partisan politics, short-sighted thinking and derelict bureaucratic institutions (Bobrow-Strain 2004).

Although geographically Panama appears to be a southward extension of Central America, culturally, economically and politically its destiny has always been closer to Spain (until 1821), Colombia (until 1903), and with the completion of the transcontinental railroad (1850's) and especially since the Inter-oceanic Canal was inaugurated in 1914, to the United States of America than to its neighbors (Furlong 2000). Furthermore, unlike in northern Central America (i.e. Guatemala, El Salvador, Honduras), the estates of the south (Nicaragua, Costa Rica and Panama) rarely had either Indian villages or peasant cultivators as hostage labor sources. Colonial demographic disasters, isolation, or the prominence of long distance trade created a situation where elites whose political power was based on control of trade and government rather than landed property were unable – or uninterested (as in Panama) – to directly dominate the commoner population economically (Gudmundson 1995). Panama's 'geographic

vocation' in the transnational commerce and service sectors has continued to reduce much of the economic and integrationist pressures directed against the country's indigenous minorities (Horton 2006).

The beginning of the 20th century was a time when outsiders began playing a progressively greater role in the internal affairs of the indigenous peoples of the Caribbean region. These newcomers included turtle hunters, rubber tappers, colonists from Colombia, then missionaries and government school teachers (Howe 1998). Panama's independence from Colombia in 1903 eventually became a significant catalyst in the Kuna's socio-cultural and political evolution from a regional alliance of independent local chiefdoms into an internally self-governing constitutional confederation with special status under Panamanian law (Holloman 1975). After the brief and successful Kuna rebellion in 1925, USA military intervention preempted any state retaliation during the following years of negotiations between the Kuna and the Panamanian government (Herlihy 1995).[46] These negotiations led to the eventual passage of national legislation recognizing the Comarca de San Blas as a semi-autonomous territorial jurisdiction, and approval of a 'Carta Organica' establishing a framework for an indigenous territorial government. In attempting to specify the extent and nature of both indigenous and state authority within the territory, the *carta organica* extended formal recognition to the Kuna's evolving political system based on a hierarchy of regional chiefs. And yet despite such advances and a series of others expanding the legal responsibilities of the national government (e.g. the Constitution of 1946, creation of a National indigenous Institute, etc.) indigenous lands throughout the country continued to experience colonization by outsiders, and relations with governments remained sporadic and characterized by inadequate levels of direct support (ibid:82).

[46] The course of these important events has been described in considerable historic detail by Howe (1998). Suffice it to say here that an American by the name of Richard Marsh had come to the eastern Darien region of Panama in the 1920's with the goal of establishing a rubber plantation. Marsh became a good friend and political advisor of Nele Kantule, a traditional leader and representative of the moderate Kuna faction that organized the 1925 revolt.

One can hardly overestimate the importance of colonization as a primary developmental and economic theme of post-colonial Central America. Forested lands, and in particular the vast areas of humid tropical regrowth inhabited by indigenous peoples and Blacks on the Atlantic side of the Isthmus, were seen as virtually unlimited resources but unproductive in their 'natural' state and thus requiring incorporation into the national economy (Jones 1989). Peoples of African heritage generally make up the major non-Indian population group on the Caribbean coast of Central America. Most Afro-Hispanics are the descendents of runaway and freed slaves brought to the colonies especially during the 18th century. The other major sub-group is comprised of Anglo-African immigrants from the Caribbean islands who, by the mid 1820's had established turtle fishing camps in the region. These groups were followed by an influx of Island laborers as a consequence of rail and canal projects and the development of the banana industry (Gordon 1982). The goal of pioneer colonists is normally to increase the value of the land (on which they have insecure property rights) as quickly as possible. This is usually achieved by sowing it with pasture, after a couple of years of raising subsistence crops (Richards 1997:107).

The conversion of forests to pasture has also been encouraged by agrarian legislation that classified forested lands as idle, thereby making property rights to such areas subject to prescription through "proof" of occupancy (i.e. forest clearing defined as "*mejoras*" or improvements). Between 1945 and 1985 60% of the Panama's previously forested area was cleared (Heckadon Moreno and Espinosa Gonzalez 1985, in Herlihy 1995:90). Throughout Central America, the areas of remaining tropical forest are now largely restricted to the Caribbean lowlands, where the absence of a dry season has hindered the development of overland communications and presents special problems for permanent agricultural production (Jones 1989:45). When combined with tax and credit

incentives to invest in land speculation and cattle ranching, this process of pasture expansion has led to many disastrous social and ecological consequences. [47]

In 1872 a Catholic missionary reported the existence of approximately 180 Naso people living in two villages along the Teribe and Changuinola Rivers. Over the course of the next hundred years the descendents of these people began to change in ways that have led observers to consider the contemporary Naso as almost indistinguishable from their mestizo neighbours (Instituto de Estudios de las Tradiciones Sagradas de Abia Yala 2001:11-13). These socio-cultural transformations intensified during the early 20th century when several Naso families abandoned their homes in the Palenque region along the upper stretches of the Teribe River and migrated 10 km or so down river to the present day location of Sieyic. The Naso say that their decision to move was in part motivated by an epidemic of tuberculosis that ravaged the region in 1920 - 1921. Others say that they were persuaded by Adventist missionaries to resettle in the vicinity of the missionary school built in Sieyic in 1939. Still others came looking for fertile agricultural lands along the river that remains their main transportation route.

Thus beginning around the 1930s, the Naso have multiplied their contacts with the agro industrial and commercial economy developing in the coastal lowlands and the ethnically diverse migrants from other parts of the country that were similarly drawn to the Changuinola region by these activities. Burton L. Gordon made several visits to the Teribe region during the 1950's and again in 1979. Gordon characterized the Naso of this period as few and socially fragmented along religious and ethnic lines (1982). The Adventist faction apparently mixed mostly with other Adventists from around the Province, while an isolationist faction under the influence of their traditional king and shaman kept mostly to themselves further upriver. Still others were choosing to marry the growing numbers of outsiders – mainly Ngöbes and Latinos as I show in Chapter III –

[47] For example see (Davis 1977) on the disastrous implications for Indigenous peoples, poor peasants and the Amazon ecosystem of policy incentives and government investments in Brazil. For other examples from Central America see especially Brockett (1998), Edelman (1995) and Strasma (1992).

attracted to the Santa Rosa / Charagre / San San areas by the relative abundance of unoccupied lands at the time.

The Government of Panama has never officially recognized the authority of the Naso kings, and as early as the 1950's those Naso dissatisfied with their ruler's judgements could and did sometimes take their cases to an appointed Latino official based in the banana zone. The passing of the throne from the revered king Lázaro Santana to his son Simeón Santana in 1973 marked the end of a political era for the Naso. Contrary to his son who exercised very little real control over his people, Lázaro is still remembered as a tough but fair ruler who enforced respect for Naso tribal custom. As I recounted above, this period coincided with growing economic interests and political involvement of the Panama State in the Naso region. As neither Lázaro nor his son Simeón spoke much Spanish, both relied increasingly on a Latino resident by the name of Manuel Aguilar for translation and advice in their relations with the increasingly prominent government officials and non-Naso settlers. Upon Simeón Santana's death in 1979, Mr. Aguilar even managed to become the maximum authority of the Naso people until 1982 when he was replaced by Simeón's daughter Rufina Santana who became the first Naso Queen. Chapter IV picks up the history of Naso leadership succession with Rufina Santana, and shows how these changes were becoming increasingly tied to political and economic contests associated with the wider regional and even international contexts.

Gordon (1982:153-155) recounts two events that can serve to bracket this decisive half century in the history of the Naso people stretching roughly from the 1920's to the 1970's. During the 1890s, the United Fruit Company began transforming vast expanses of poorly drained insect- and snake-ridden lowland tropical rain forest spanning the Panama – Costa Rica border into one of the most productive banana farms in Latin America (Bourgois 1989:3). As mentioned earlier, a terrible epidemic of tuberculosis ravaged the Naso region from 1915 or so until 1921. Gordon details how at the time hundreds of Naso people descended upon and built temporary shelters around the hospital in the town of Bocas where

they had brought their stricken king for treatment. Apparently before moving on to Bocas, the Naso had sought treatment for their dying ruler from the banana Company hospital in Almirante only to be refused. This incident is said to have re-enforced Naso resentment towards the Company that was already seen to be occupying a large section of their traditional lands. The second illustrative episode took place some 50 years later in 1969. This time it was another of the periodically disastrous floods that occur along the Teribe River that is said to have washed away Naso subsistence crops and the fertile alluvial soil from their more agriculturally productive river banks. This tragedy would have forced many local residents to shift their farming activities onto the steeper, less productive valley slopes, further accelerating their dependence upon employment and supplies from the banana Company towns.

The global energy crisis provoked by rising oil prices during the 1970s also convinced Panama's national authorities that – as a net petroleum importer with no known oil reserves – the key to the country's future energy needs was flowing through its numerous white-water rivers. Hydroelectricity, as people are still fond of saying in Panama, "... is cheaper, cleaner, renewable and best of all 'is ours'" (Pinilla 2005). Subsequent feasibility studies conducted by the national Hydrological and Electrification Institute (IRHE) confirmed that the Teribe and Changuinola river basins alone accounted for 40% of the country's generating potential.[48] This period corresponds to the first phase in negotiations between the Naso and government resource developers over the planned construction of no less than six hydroelectric dams on their ancestral territory. These plans called for a total direct investment of almost U$700 million in order to generate an average 3,368 gigawatts per hour (Von Chong S and Ortiz 1982:215). As an outcome of these initial discussions, the government of Panama signed a series of agreements with the traditional Naso authorities promising to improve their living conditions. Around the same time Panama established the first public schools in the Naso

[48] For a thoroughly fascinating account of the actors and policies that defined the socioeconomic and political contexts of energy production and use in Panama during the 1970s and the 1980s see especially Wali (1989).

region (1969) and the first health clinics (1974) (Instituto de Estudios de las Tradiciones Sagradas de Abia Yala 2001:15).

Also during the 1970s, Panama's populist military president Omar Torrijos was encouraging indigenous leaders to 'struggle' for legal recognition of their territories. A series of National Indigenous Congresses were held at which various indigenous leaders became aware of the political effectiveness of the Kuna *comarca* model of government based on a congress of regional caciques. In theory, the *comarca* concept was to provide for continuous access to the resources necessary for indigenous peoples social and economic wellbeing. Despite some of the problems noted below, evidence suggests that recognition of *comarca* status did allow the Kuna to use their indigenous political system to manage their internal affairs (e.g. migration to the banana region) and make important resource use decisions (e.g. effectively halt unwanted road construction and commercial tourism development on their lands). The Kuna model is also reported to have inspired other indigenous leaders to begin to reshape their own political and ethnic organizations. For example: the Embera and Wounan peoples of the Darién and even the Guaymi in western Panama had never developed formal regional hierarchical social institutions. Comarca status was now beginning to appear as the best way to guarantee indigenous land rights, socio-economic development and cultural heritage; and for the state, it was increasingly seen as a way to stabilize rapidly expanding rural to urban migration patterns (Herlihy 1995).

During this same period, two well-known and respected social scientists (Stanley Heckadon Moreno and Francisco Herrera) joined the government's General Directorate for Community Development creating significant public pressure in favor of indigenous rights. This helped to draw more attention to indigenous issues and prodded the government towards recognizing its constitutional obligations to promote cultural continuity among indigenous peoples (ibid: 84). Thus Herlihy concludes that by peacefully (for the most part) and deliberately working within Panama's legal and political institutions, indigenous Panamanians have successfully secured state support for their land and

resource rights against unauthorized usurpers (Herlihy 1995:91-92). He also argues that these *comarcas* probably represent the best potential for the development of indigenous autonomy in all of Central America (ibid: 93).

Other observers of these developments in indigenous Panamanians' relations with the dominant society are less enthusiastic in their assessments of the significance of these changes. Much of the lack of optimism regarding indigenous comarcas in Panama has focused on the relatively recent *comarca* experience of the Guaymi or Ngöbé-Buglé. Young points out that among the provisions of Panamanian National Assembly Law 10 of 1997, the government reserved for itself the right to all natural resources in the Comarca Ngöbe-Buglé, with simple requirement that the Ngöbe be "consulted" if the government decides to develop or exploit any natural resources within the *comarca.* Young and many Ngöbe have interpreted this Law as effectively leaving the Ngöbe with no real decision-making power in the matter.[49]

Wickstrom similarly recognizes that indigenous peoples have been "more directly engaged in negotiating their control over resource management with the state." (p.43) But she is reluctant to grant that the degree of control obtained through such negotiations will allow them to adequately address the crushing poverty and mounting ecological problems that she sees as being caused by increasing integration into national economic and political systems (Wickstrom 2003). Wickstrom attributes the relative success of the Kuna in protecting their land rights and cultural autonomy to competent leadership and a remarkable ability to mobilize in defense of their collective interests. Following Howe (1986), she explains these achievements by the enduring strengths of Kuna political culture grounded in a tradition of frequent communal gatherings, rules and obligations enforced by police, and diverse cooperative productive activities (2003:47). Even so, Wickstrom wonders if in the future the Kuna's capacity to

[49] Phil Young, personal communication received via e-mail on 19/03/2004. See also: Gjording (1991) and Young and Bort (1999).

exert autonomous control over their territorial resources will be enough to ensure their ability to manage these resources sustainably (ibid: 62).

2.4 Neo-liberal globalization

Since the 1980s, neo-liberalism has emerged in Central America as part of a broad post cold-war shift from macro-economic stabilization to addressing the more structural issues thought to undermine sustainable long-term economic development. In terms of agricultural and rural development policies, these changes have shifted the emphasis from agrarian reform to land policy –with issues like privatization, property rights, land taxation and titling coming to the fore. This new orientation has also been accompanied by the phasing-out of many of the previous generation of state-sponsored supports for small-scale agriculture, with the predictable impact of further increasing heterogeneity among producers. Mexico is a particularly good example of such reforms, especially the changes to Article 27 of the Constitution allowing for the privatization of usufruct rights within land grant communities (*ejidos*) (Moguel, Botey, and Hernández 1992, Stanford 2000). [50] The new economic and socio-political contexts created through these measures have provided additional impetus to capitalist farming, while serving to further marginalize subsistence producers and/or harvesters. I will return to this point about the socio-economic implications of these development choices in the final section of this thesis. For now I simply want to emphasize that while most Latin American peasants and indigenous peoples are equally concerned about the nature of these changes, these trends have also reinforced the shift among indigenous peoples to base their land claims on ethnic and cultural features instead of social class and economic ones (Gutierrez 2002).

Additional impetus for indigenous peoples to seek to tie ongoing negotiations over land and political autonomy to ethnic and cultural criteria has come from a resurgence of academic and policy interests in communal land and resource tenure

[50] Costa Rica adopted similar measures including privatizing much of its agro-industrial sector and lowering trade barriers and subsidies (Edelman 1999).

systems.[51] These studies recognized the multiple functions that communal tenure systems generally perform (i.e. ensuring equitable distribution of access rights, reducing vulnerability to economic or environmental shocks, etc.) and have led to a reassessment of their virtues, including their capacity to evolve and respond to changes. Contrary to the 'tragedy of the commons' scenario of degradation frequently assumed to characterize group owned or managed natural resources, much of this experience has shown that indigenous tenure systems contain significant normative and institutional assets for local people to manage common resources in an effective and sustainable manner.

In keeping with these regional policy shifts, Panama is consistently rated as one of the most advanced countries in the region in terms of constitutional law and regulations recognizing the rights of indigenous peoples (Banco Interamericano de Desarrollo 2003). Panama recently adopted a comprehensive approach to consolidating indigenous territories. In addition to delimitation and demarcation, the World Bank funded Panama - Land Administration Project includes a series of complementary activities required to fully regularize indigenous territories and to ensure that indigenous communities achieve territorial control. These additional measures include: (i) assessing potential land and resource use conflicts or overlaps with non-indigenous peoples, protected areas or other entities; (ii) satisfactory resolution of these conflicts; (iii) complementary studies on such matters as tenure or land use patterns; (iv) assistance in the drafting of the legal and regulatory frameworks to establish indigenous Reserves (comarcas); and (v) strengthening of indigenous organizations with respect to land regularization and consolidation (The World Bank 2000).

These measures have clearly increased the political visibility of Panama's indigenous minorities, for example several indigenous legislators have even won seats in the country's National Assembly. However significant these political

[51] On Indigenous and other communal resource tenure systems see especially: (Assies 2000, Bromley 1989, Davis and Wali 1994, Forster 2000, Ostrom 1990, Richards 1997, Wali and Davis 1992).

gains for indigenous peoples appear to be, as in other countries throughout Latin America, they have not generally translated into sorely needed social and economic benefits for the vast majority who continue to struggle against widespread poverty, illiteracy, disease and discrimination (Hall and Patrinos 2006). Interestingly though, 'geography' seems to be a more significant determinant of poverty in Panama than 'ethnicity' – with higher incidence of poverty being reported among ethnic indigenous people living within indigenous areas than those living outside these areas (Lindert 2000:X).

This is not the place to review all the social and environmental changes that have occurred in the Naso region over the past three decades. Suffice it to say here that just as Panama's ministers and engineers were discovering the hydroelectric potential of the Naso region, they were also becoming increasingly sensitized to the high rates of deforestation that could threaten the quantity of water available to power the proposed electrical facilities. Thus in 1983 the government of Panama created the 244,000 hectare Palo Seco Protected Forest (BPPS) in an area of Bocas del Toro where more than 5420 people currently reside. The majority of these residents within the BPPS protected area are Ngöbe indigenous people, and close to 800 or so are Naso (Fuenmayor and Muschett 2004:55-57).

According to Panama's national forestry law adopted in 1994, protected forests are:

> Forested areas considered of national or regional interest for the regulation of hydrological regimes; for the protection of river basins, dams, settlements, crops, wildlife or civil works; for the prevention and control of erosion and the negative effects of the wind; or to contribute to national security (Dirección Nacional de Patrimonio Natural 2000) (my translation).

Thus far from being an obstacle to the construction of a hydroelectric dam on the Bonyic River, the legal status of the targeted region as a Protected Forest has actually served to justify the national government's control over the area's natural resources. Additionally, this same forestry law absolves the private company that obtained a concession to produce energy from the waters of the Bonyic River (i.e. Hidro Ecológico del Teribe) of the need to obtain any supplementary forestry

concessions. If the Bonyic region was not already a Protected Forest, then the hydro developers would have needed to obtain special forestry concessions in order to protect the surrounding watershed area that guarantees the long-term viability of the multi-million dollar investments planned for the region.[52]

This chapter has reviewed the resource-use options and the social consequences resulting from thousands of years of human adaptations to the physical environments and political economies of the Caribbean coast of lower Central America. The arguments and the evidence assessed suggest that the indigenous peoples throughout the region possess varying capacities to draw on their own traditional modes of organization in order to adapt to changing social, economic and ecological contexts. The cases of the Kuna people in Panama and the Miskito in Nicaragua are probably the best demonstrations of the importance of cultural assets in collective mobilizations in defense of resource rights and political autonomy. Secondly, this historical review makes clear the centrality of the multiple roles of the state and the specific nature of the policies pursued vis-à-vis indigenous peoples and their concerns. Through a combination of resistance, compromise and manipulation indigenous peoples have sometimes been able to influence the direction of these state policies in favor of their own more desirable outcomes.

These conclusions suggest that researchers, practitioners and policy-makers need to know more about how changes in external incentives influence the internal dynamics of households where many decisions about resources are made, and how both affect the local and increasingly international institutions which govern resource usage. For example, what effect will strengthening traditional resource management institutions have on household land management practices? How can resource tenure issues be effectively combined within a comprehensive framework for indigenous development (including such aspects as non-indigenous partnerships, markets and globalization)? My own sense is that the answers to

[52] In 2006, the private utility company Hidro Ecológico del Teribe (HET S.A.) opened a website to publicize its proposed hydroelectric project on the Bonyic river < http://www.hidroecologica.com/site/>.

these research questions are beginning to emerge through a series of systematic attempts like my own that seek to understand the cultural and ecological dynamics of local political movements seeking to preserve or alter the prevailing patterns of resource tenure.[53]

[53] See for example: (Dove 2006, Horton 2006, Spaeder and Feit 2005).

Chapter III: Resource Management "from below"

As stated in the Introduction, this Chapter looks at the local socio-economic and cultural determinants of Naso land use and natural resource management practices. I contend that it is through the interactions of such factors within the broader political and ecological contexts described in Chapters II and IV that individual and collective decisions about resource use must be understood. Thus it is necessary to develop a relatively accurate understanding of local socio-demographics, political organizations, land tenure and land-use dynamics against which to assess the appropriateness and the adequacy of the assumptions and predictions underlying external policy and program interventions in the Naso region. This chapter analyses household survey data and relevant secondary sources to paint such a detailed and nuanced portrait of contemporary Naso livelihood strategies and community dynamics.

3.1 Socio demographics

According to the latest available statistics from Panama's 2000 National Population and Household Census there are 285,231 indigenous people in the country. For the most part, these people identify with one of the eight principle indigenous groups present in the country (see Table 1 below). In the Province of Bocas del Toro, indigenous peoples make up over 55% of the total population, with the Ngöbe people constituting the single largest ethnic group in the province (i.e. accounting for more population than all other non-indigenous groups combined, ex: European, African, Chinese, Middle-Eastern, etc.). Table 1 is also interesting because it shows that 721 Naso Teribe people, or 22% of their total population, currently reside outside of their home province of Bocas del Toro. Most of these Naso are living in the neighbouring province of Chiriqui, and to a lesser extent in and around Panama's capital city.

Table 1: Indigenous Population in Panama and the Province of Bocas del Toro.

Panama		**Bocas del Toro**	
Indigenous Affiliation	**Total Population**	**Indigenous Affiliation**	**Total Population**
1: None	2,553,946	1: Ngöbe	41,714
2: Ngöbe	169,130	2: None	39,975
3: Kuna	61,707	3: Bugle	3,068
4: Embera	22,485	***4: Naso / Teribe***	***2,584***
5: Bugle	17,731	5: Wounaan	877
6: Wounaan	6,882	6: Kuna	598
7: Naso / Teribe	***3,305***	7: Bri Bri	275
8: Bri Bri	2,521	8: Bokota	91
9: Bokota	993	9: Embera	87
10: Un-declared	477	10: Un-declared	0
Total Indigenous	*285,231*	*Total Indigenous*	*49,294*
Total Panama	*2,839,177*	*Total Bocas del Toro*	*89,269*
% Indigenous	**10**	**% Indigenous**	**55**

Source: (Contraloria General: Dirección de Estadística y Censo 2000).

These National Census figures for the year 2000 differ considerably from an independent survey of the Naso population conducted that same year by the Fundación Dobbo Yala. Dobbo Yala puts the total Naso population resident within the Province of Bocas del Toro at 3,340 people – 756 more than the provincial total reported in the national census. Dobbo Yala also found 2,343 people living in the 12 core Naso communities situated along the Teribe and San San Rivers and the remaining 997 scattered throughout the Bocas del Toro banana belt that stretches from Guabito on the border with Costa-Rica to the port city of Almirante in the east (see Table 2 below). The Dobbo Yala census did not attempt to count the Naso living in Panama's other provinces or even internationally.

Table 2: Naso population by community of residence.

Community	Total Population	Total Number of Households	Number of Households Interviewed*
1. Siekin	366	61	16
2. Sieyic	402	77	15
3. Solon	208	28	9
Shupsco *(sector of Solon)*	19	4	3
4. Druy	411	71	11
5. Sodi	88	11	6
6. San San Tigra	82	14	3
7. Santa Rosa	212	36	2
8. Bonyic	236	31	5
9. Kuikin	91	14	1
10. Yorkin	53	8	0
11. San San	125	24	3
12. Loma Bandera	50	8	2
Total Naso region	**2343**	**387**	**76**
Banana region	997	N.A.	7
Total Bocas del Toro	**3340**	N.A.	**83**

* The number of households interviewed corresponds to the community of residence of the 29 interview and 54 household survey participants I spoke to between August 2004 and June 2005. Source: adapted from Fundación Dobbo Yala (2002:23-24).

Given the remoteness of many Naso households and the logistical difficulties involved in reaching them, it is entirely likely that the National Census figures significantly undercounted the Naso population resident in the Province of Bocas del Toro in 2000. There is also some chance that the Fundación Dobbo Yala could have deliberately over counted the local Naso population in a bid to strengthen the Naso bid for their own *comarca*. Fundación Dobbo Yala is a Panama City based Kuna indigenous peoples' organization dedicated to conserving the cultures and traditions of the indigenous people of Panama, as well as the environments that they see as intimately linked to the survival of these distinctive cultures and

traditions.[54] Nevertheless, the extent of this discrepancy between the two counts – i.e. 756 people or almost one in every four Naso residents potentially missed by the official statistics – is worrisome since many decisions about government spending on health and education are based on the population estimates contained in the census data. More specifically, the relative demographic insignificance of the Naso and other indigenous peoples as a proportion of the total population of the country has been successfully exploited by political opponents of indigenous rights in the National Assembly. These critics question the equity of allocating extensive semi-autonomous territorial jurisdictions to small groups of indigenous peoples.

As of November 2006, Panama had already designated five indigenous *Comarcas* (Ngöbe-Buglé, Emberá-Wounann, Kuna Yala, Madugandí and Wargandí) which account for 21.9% of the country's total surface area. The Naso proposal would add another 160 Km^2 to that total (Asamblea Legislativa de Panamá 2004). The amount of land designated as *comarcas* is becoming controversial as increasing numbers of indigenous Panamanians have migrated to urban and peri-urban areas. The 2000 National Census reports that only 53% of Panama's indigenous people actually live in one of the five legally recognized *comarcas*. The argument against recognizing exclusive indigenous jurisdictions over land that they do not permanently inhabit was used against the Naso when it turned out that a large number of the squatters who had illegally occupied land in the town of El Silencio were Naso. According to national media reports, the majority of the 174 families who illegally occupied four hectares of land on the outskirts of the community of El Silencio were indeed previously residents of the Naso region (Pimentel 2005). The presence among the squatters of politically influential Naso leaders, including El Teribe' elected Representative Constantino Aguilar and Naso king Tito Santana, eventually insured that Panama's ruling PRD government bought out the private land owner who had sought to have the squatters evicted (Arrocha 2005). Nevertheless, in an extraordinary session of

[54] http://www.dobboyala.org.pa/ accessed November 21, 2006.

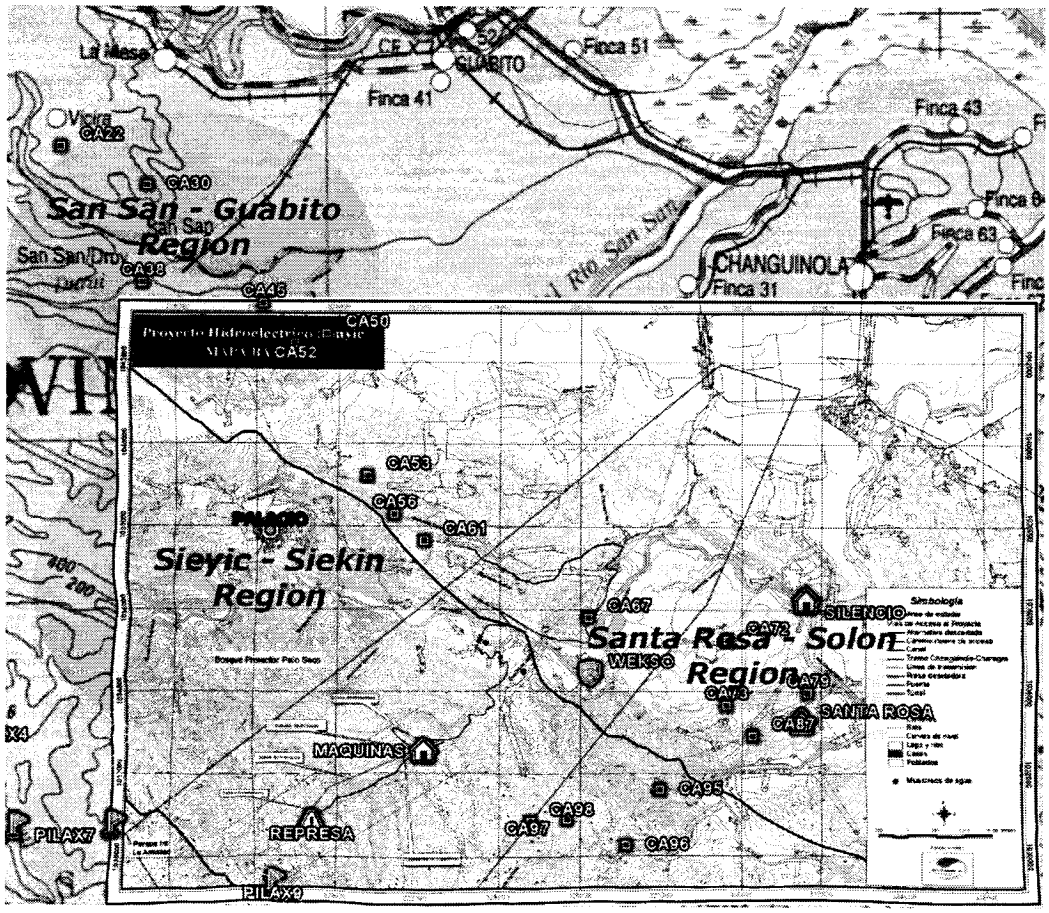
Panama's national Legislative Assembly that took place on June 22nd, 2004 Law No. 50 that was created to recognize the Naso people's land rights and political autonomy failed to gather enough votes to be adopted (Ruiz 2004). I will return to the topic of the Naso *Comarca* in the next chapter. For the moment, I wish to stay with the view from within the Naso communities.

Table 2 above also gives a pretty good sense of just how small most Naso villages are. Even the larger and more populated among them – such as Sieyic, Santa Rosa and Druy – can best be described as collections of dispersed households that share some form of public infrastructure (i.e. elementary school or health clinic) and a variety of local organizations (for example: religious, productive or political). Each village generally has a soccer field, a church (usually Adventist although some Catholic as well), and a communal structure for meetings and special events. As mentioned earlier, there are currently no roads in the Naso region. The Sieyic – Siekin region is accessible only by dugout canoe or on foot. Communities in the San San region have a much easier time traveling by four-wheel drive taxi from Guabito along a cattle road to within 4km of their homes. The villages of Sori and Santa Rosa are located about an hour's walk from the ethnically mixed community of El Silencio, itself only a 30 minute bus ride from the center of the city of Changuinola (see Map 4 below).

Figure 5: Images of the Naso region. From left to right: Naso girls in traditional dress during National Independence Day (November 3) celebrations in Solon. A view of a hamlet in the village of Siekin (slight clearing on the hillside visible in the center of the photo), and a typical house with a palm roof in the village of San San.

The Naso build their houses out of local materials, although many now substitute corrugated iron sheets for their traditional palm leaf roofs, and a few

now have cement floors. None of the Naso villages has electricity, although a very limited few have diesel-fired electrical generators which they use infrequently. Everyone uses kerosene lamps and candles or battery powered flashlights after dark. Several Naso communities have installed – with the help of the government, churches and/or international donors – gravity-fed piped water networks to bring water from nearby streams into their houses. Water quality is reported to be decent, although coverage does not reach many of the more remote households. Periodic floods and frequent leaks in the largely above ground PVC piping also means that water delivery can be quite unreliable.



Map 4: Three geographic sub-regions within the Naso area. 1) San San – Guabito, 2) Sieyic – Siekin, and 3) Santa Rosa – Solon. Neighboring villages within each of these sub-regions are typically linked by kinship, social and productive and commercial relations. Small squares (i.e. CA22 – CA97) show proposed boundaries of the Naso Comarca under Law No. 19 of 2005. *Represa* indicates location of the proposed

Bonyic dam, approximately six kilometers upstream from the nearest Naso settlement.

Health care services are especially deficient in the Naso region. There are no doctors or nurses, and the local medical clinics are staffed by government contracted heath 'promoters'. In the case of Sieyic, the local health promoter was a Naso man in his late 30's who had completed a grade nine secondary education and received some basic training in first aid. These village clinics are generally equipped with solar panels that provide enough electricity to power a few lights and a refrigerator. Several Naso interviewed reported that when their ancestors used to get sick, they made an arduous journey of more the five hours up the Teribe River towards the headwaters where the sacred rock of the grandmother "Ter" is said to be located. During the six months that I spent in the Naso area I did not learn of anyone attempting this journey. I did, on the other hand, witness several Naso turning to their local health clinics and even traveling down river to receive modern medical attention at the hospital in Changuinola.

The issue of ethnicity and parental origins is quite significant throughout the Naso region and even within Panama as a whole. Naso or non-Naso identity can even become quite divisive, as when some "pureblood" Naso suspect the loyalties of their mixed-blood brethren whom they sometimes see as culturally inferior and a threat to their ambitions of recognition as a distinct people with their own political authorities and territory. For many years intermarriages with the much more numerous Ngöbe people and their territorial expansion into areas previously considered within the exclusive domain of the Naso villages have served to heighten the Naso sense of cultural distinctiveness. The Naso are especially prone to criticize the Ngöbe as ecologically destructive. The Ngöbe, for their part, complain that the Naso are lazy and don't like to work the lands that they claim to occupy. The Naso are justifiably concerned about maintaining their distinct identity and territory as separate from the Ngöbe, particularly as some provincial Ngöbe politicians would have preferred to annex the Naso territory to their own Comarca Ngöbe-Buglé that was created in 1997.

Already 25 years ago the Naso could hardly be described as ethnically, linguistically and/or socio-economically homogeneous. In a 1981 survey of 1027 Naso people, Von Chong and Ortiz found that only 56% of respondents considered themselves to be pure-blooded Naso, 2% exclusively Ngöbe, 2% Latino, 1% Talamancan and 39% report mixed racial origins (mestizo). According to the same survey, 5% of residents (51 people) had moved to the Naso region from outside the immediate district of Changuinola. 19 of these new arrivals were women (37%), and 32 were men (63%). Most of these immigrants to the Naso region are descendents of Ngöbes, Latinos and Talamancans who married a Naso spouse and chose to settle especially in the Santa Rosa, Bonyic and Solon regions (Von Chong S and Ortiz 1982:57-85).

25 years later, my own survey data and interviews with local residents confirm the mixed ancestry of a significant segment of the Naso population. Of 54 households surveyed 16 (30%) reported having at least one non-Naso parent. After Naso, the most prominent ethnicity claimed was Ngöbe, followed by Latino, Bri Bri (also known as Talamancan) and Bokota. A large segment of this immigrant population was also male and had also chosen to settle in the Sodi / Solon region (see Table 3 below). The more populated villages of Sieyic and Siekin have also drawn their share of migrants. During follow-up interviews several of these immigrants reported having come to the Changuinola region to work in the banana plantations during their youth. Most found plantation work difficult and underpaid. They thus opted instead for the self-employed lifestyle of the small peasant farmer amid the relative abundance of land then available in the Naso region.

Table 3: Ethnic ancestry of Naso households by community of residence.

Community	Bokota	Bri Bri	Latino	Naso	Ngöbe	Total
Druy				7		7
La Tigra	1			1		2
Santa Rosa				2		2
Shupsco				3		3
Siekin				8	4	12
Sieyic		1	1	10	1	13
Sodi			2		4	6
Solon				7	2	9
Total	1	1	3	38	11	54

Note: In those households listed here as Naso (N=38) both spouses reported having only Naso ancestors. For the others, a single non-Naso ancestor among the different household members was grounds for classification under the other categories included in this table. Source: Household survey, 2004-2005.

This ethnic diversity of Naso households is also reflected in their linguistic diversity. All but the very elderly speak Spanish, and 7 households reported speaking little or no Naso at all. Among the unilingual Spanish speakers were 2 families that claim Latino ancestry, 3 Ngöbe and 2 who reported having only Naso ancestors. Both of the latter respondents likely assimilated their non-Naso ancestors in order to emphasize their local heritage. As is so often the case whenever the parents are native speakers of different languages (for instance Naso and Ngöbe or Danish and Albanian, etc.) they chose to communicate with their children in a common language such as Spanish or English and their children end up being unable to speak either of their parents' native languages.

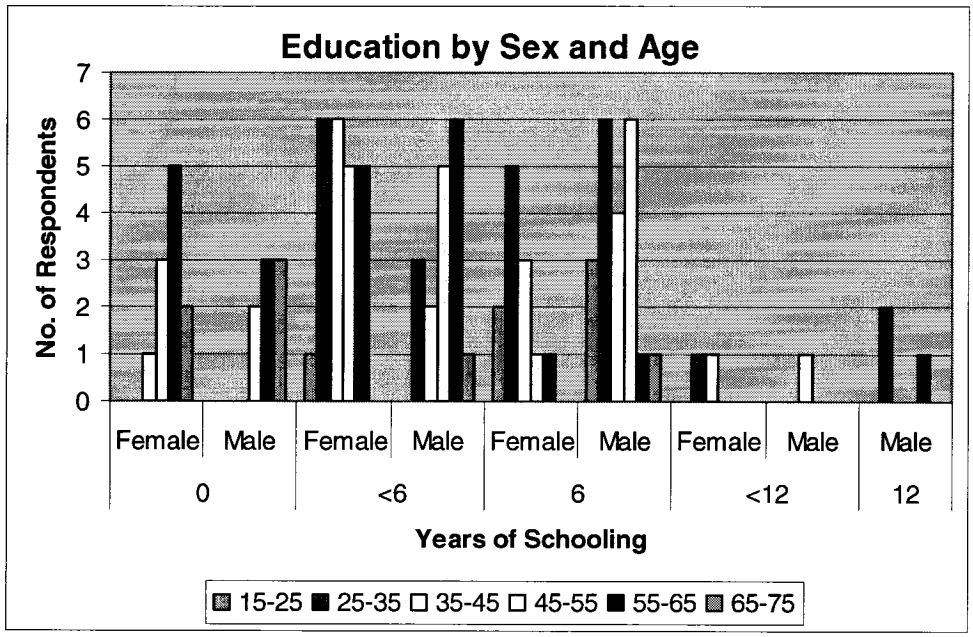
Table 4: Language spoken among surveyed households by community of residence.

Community	Spanish / Naso	Spanish only	Spanish / Naso / Other
Druy	6	1	
La Tigra	1		1
Santa Rosa	2		
Shupsco	3		
Siekin	11		1
Sieyic	11	1	1
Sodi	1	4	1
Solon	8	1	
Total	*43*	*7*	*4*

Source: Household survey, 2004-2005.

The first public schools were built in the Naso region during the 1970s. Even so, many of those who are currently in their 50's and 60's claim to have completed several years of formal primary education (see Figure 6). In the year 2000, there were 485 elementary school students enrolled in multi-grade classes given by 17 teachers (Planeta Panamá Consultores 2005). The curriculum taught in the Naso elementary schools is the same Ministry of Education program taught throughout the country. The majority of the local teachers are non-indigenous and therefore do not speak Naso. Although several teachers integrate well into their host communities and play an active roll in organizing parent-teacher committees and student activities, several others have made it known that they are simply waiting to be reassigned to another less remote school in the following year.

Figure 6: Years of formal schooling by age-group and gender.



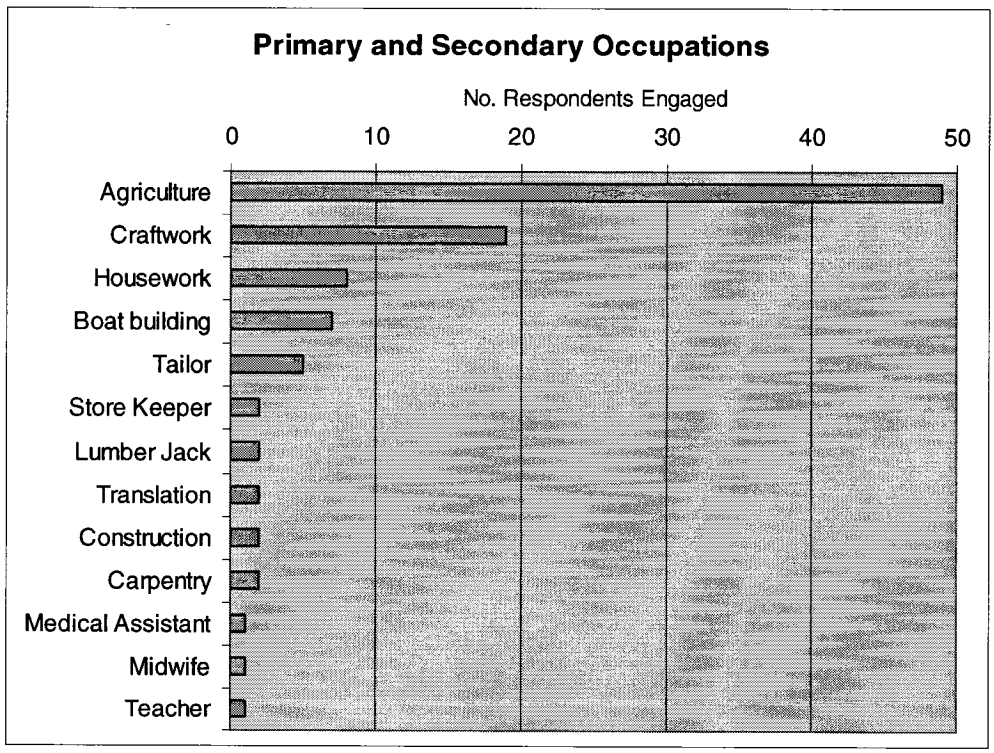
Note: The shade of the fill pattern described in the legend at the bottom of Figure 6 corresponds to the age cohorts of the household members surveyed. For instance, among male respondents with six years of education, the figure allows us to see that three of these men were between 15-25 years of age; six were between 25-35; four between 35-45 and so on and so forth. Source: household survey 2004-2005.

Boys appear to stay in school somewhat longer than girls. Whereas both respondents who reported having completed 12 years of formal education were male, two female respondents and only one male reported having received some secondary level education. A grade 12 education is required to work as a teacher in Panama's public school system, and grade 9 is the requirement for local health assistants. A few of the more educated individuals have also worked sporadically for one of the many international and national NGOs active in the Naso region.[55] All other occupations reported by Naso survey respondents required only grade

[55] The NGOs that have invested considerable economic resources in the Naso region include: Conservation International (CI), New Tribes Mission, The Nature Conservancy, The World Conservation Union (IUCN), the Catholic Church, Center for Popular Legal Assistance (CEALP), Panamanian Center for Study and Social Action (CEASPA) and the Alliance for Conservation and Development (ACD).

six or less (see Figure 7 below). Those with more years of education were also somewhat more likely to be engaged in more than one occupation – for instance boat-building and craft sales as well as agriculture – while those with less education were more likely to work in agriculture alone. The absence of secondary schools within the Naso region means that after completing grade six Naso families have to send their high school aged children to live with relatives in the Changuinola or Guabito areas. I did meet a few young people from the Sori and Santa Rosa areas who walked between one and two hours in each direction in order to attend secondary school. Many Naso without these options have chosen to become squatters for the very same reason of being able to send their children to secondary school. Education, especially secondary education, remains an expensive proposition either way.

Figure 7: Primary and secondary occupations among the Naso.



Source: household survey 2004-2005.

Those with more years of formal education also tend to be more active in a range of local organizations including traditional authorities, national political

parties, producer organizations, and socio-cultural and religious groups. Interestingly, some of the most active participants in each of these types of local organizations also had at least one non-Naso parent. One respondent with Latino ancestry even plays a prominent role within the group dedicated to traditional Naso culture including ritual ceremonies, dance and various arts. Other residents with both Latino and Ngöbe ancestry have occupied the traditional authority position of community *Regidor*. These latter types of organizations also tend to be older and more stable in their memberships than the more commercially oriented and sporadic producer organizations that are frequently formed and dissolved in accordance with the benefits available to participants. I will return to this point below in the section of this chapter that deals with land use patterns. For now I simply wish to point out that discrimination based on ethnicity does not seem to be particularly prevalent within Naso community organizations.

3.2 Political organizations

The Naso political system is a hybrid regime that combines traditional elements of a hereditary monarchy (i.e. a king and his appointed councilors), and locally-elected community representatives responsible for the administration of justice and the maintenance of public order (see Figure 11 below). Over the years the Naso King has become an elected figure with the stipulation that he or she be descended from the Santana family. The Naso are proud to be among the last peoples in the Americas still led by a monarch. The Naso monarchy is believed to have derived from the period between 1780 and 1850 during which the Miskito people – who were themselves ruled by a king – exacted tribute from the Naso and their hostile Bri Bri neighbours. It appears that the title of "King" was first applied to the highest chief of the Naso warriors.[56]

[56] Francisco Herrera, personal communication received via e-mail on 30/09/2005.

Figure 8: Public transit fit for a King. A local bus company in Changuinola has appropriated the symbolism of the Naso king "El Rey Naso" for one of its vehicles.

The current Naso king's role is to represent the Naso people in relations with surrounding communities and governments, and to attempt to resolve those problems which the elected community officials are unable to solve. The king's palace in Sieyic is a rather austere looking cinderblock house (see Figure 9 below). The palace is the symbolic and administrative headquarters of the Naso territorial jurisdiction, and most of the important meetings affecting the Naso people as a whole are held there. Several Naso spoke of plans to replace the current non-descript structure with a newer building that would be deemed more culturally and aesthetically appropriate. The Bonyic hydroelectric project benefits and compensation agreement signed in 2004 by Naso king Tito Santana and the power company HET S.A. actually specifies the allocation of U$21,000 towards construction of a new 70m^2 administrative building for the Naso (Planeta Panamá Consultores 2005).

Figure 9: The Naso Palace in Sieyic: symbolic center of traditional authority. Two former Naso Kings (Lázaro Santana and his son Simeón Santana) are buried next to the Palace. Their graves are marked with simple cement crosses.

The Naso Council of Leaders is composed of the King's 12 appointed community Representatives and each of the Naso communities' elected *Regidores*. In theory, the Council of Leaders elects an Executive Committee from among its members to administer the day-to-day needs of region. In practice though, several members of the Executive Council were appointed to their leadership positions by the King without having previously been appointed or elected to the Council of Leaders. The General Assembly is made up of all members of the Naso people and the representatives of their various local and regional commissions and associations. The Naso have different interpretations and consequently differing expectations as to the legitimate roles and responsibilities of their traditional authorities. The Naso will eventually have to sort out these differences of opinion if and when their Comarca status is ever approved, as second law establishing the new jurisdiction's internal administrative regulations – called a "*Carta Organica*" in Panama – would then have to be adopted. The remaining paragraphs of this section analyse the strengths and weaknesses of these traditional organizations as they become increasingly engaged in the political, technological and environmental changes currently sweeping through the region.

In 1998 most of the Naso region became officially designated as Corregimiento del Teribe, a nationally created political subdivision of the municipal district of Changuinola. This *Corregimiento* status was initially fiercely denounced by the traditional Naso authorities who saw it as a betrayal of the historic objective of their *Comarca* project. Again, I will discuss the broader political context and significance of these events in Chapter IV, but for now I want to mention that this change in political status also meant the addition of two more government officials into the local political mix: the *Corregidor* and the *Representante de Corregimiento*. The *Corregidor* is a municipal authority appointed by and responsible directly to the District Mayor; in the Teribe case this means to the Mayor of Changuinola. The *Corregimiento* currently operates a small office equipped with a desk, typewriter and a few supplies in Siekin.

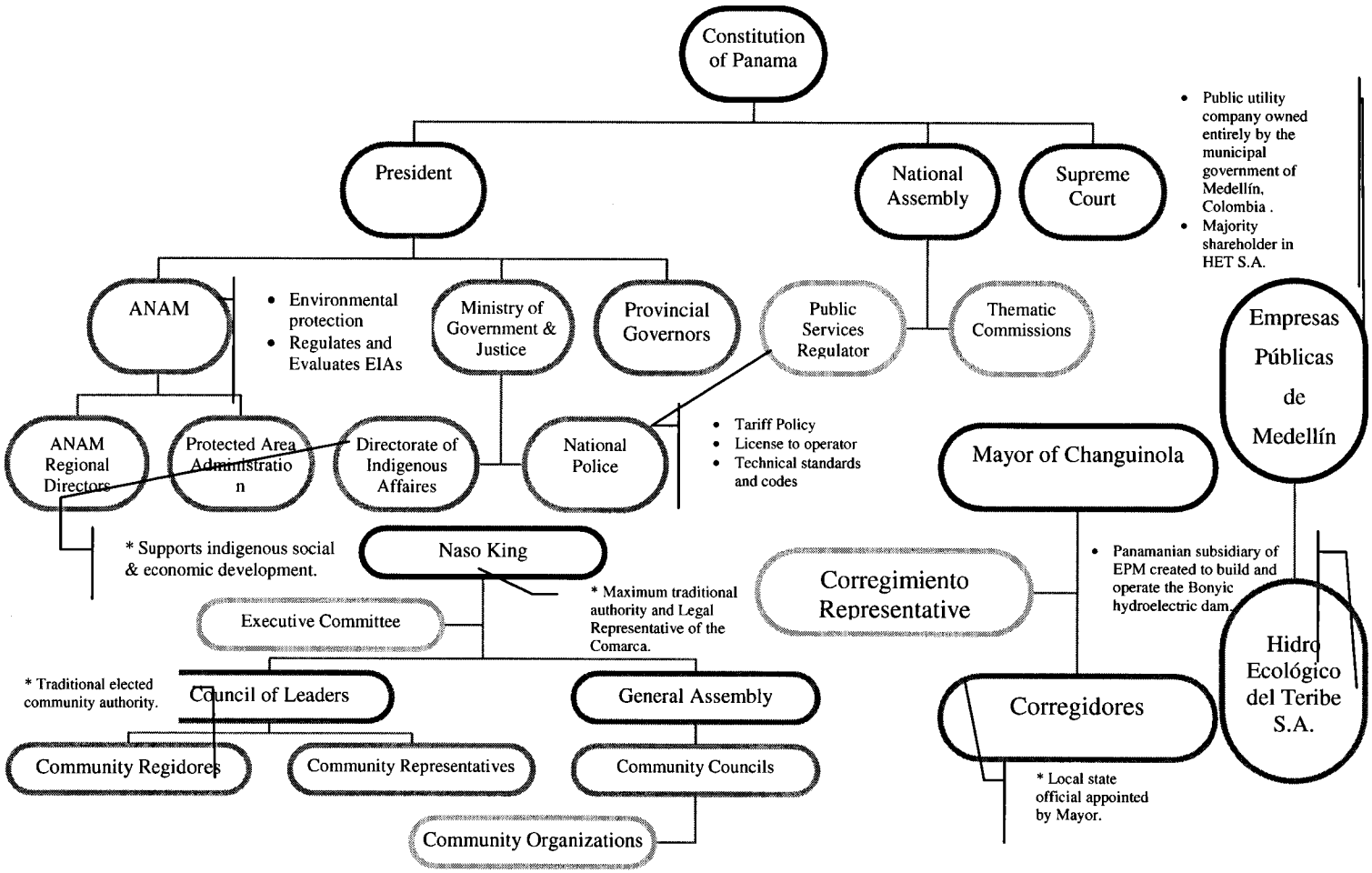
Figure 10: Corregiduría del Teribe. Office of the Mayor of Changuinola's appointed municipal official in Siekin, Bocas del Toro. Seated at the typewriter before several neat piles of case folders organized by year is the office's part-time unpaid secretary.

The office of the *Corregimiento* is housed in the building of a now defunct cooperative store that once sold basic household goods to its members. A *Corregidor*'s mandate is not fixed, and can be revoked at will by the Mayor.

Excluding salaries, the operating budget in 2005 for the Corregimiento del Teribe was $12000, not a very significant amount given the high travel costs required just to reach the more than fifteen or so scattered communities located within its jurisdiction. Generally, the *Corregidor* does exactly whatever a *Regidor* can be called upon to do, but the inverse is not true. The other official at the *Corregimiento* level is the '*Representante*' or Representative. This figure is elected for a five year term which generally corresponds to voting cycles across the country. The *Representante* work's closely with municipal and provincial officials to ensure that public investments in the region respond to local priorities.

The local village *Regidor* is generally the first authority contacted by Naso villagers when problems occur; particularly for problems that *Regidores* have had some success at resolving in the past (i.e. petty theft, assault, land disputes, etc.) There is inevitably a strong element of personal friendship and trust in the operations of local justice, such that certain individuals prefer to by-pass their local *Regidor* in order to take their case directly to the *Corregidor*. These same categories of problems, plus disputes over child custody and support payments make up the bulk of the cases brought before the *Corregidor* in El Teribe. Panama's National Administrative Code that regulates the attributes and powers of the country's various public authorities prohibits *Regidores* from applying monetary sanctions. And yet the *Corregidor* of El Teribe in 2005, a Naso from the village of Druy by the name of Jorge Gamara, explained that some leeway is normally granted in indigenous areas where *Regidores* have traditionally had this power to levy fines. This also apparently leads to some interesting cases of "sanction shopping" where people will chose to file a complaint with either the *Regidor* or the *Corregidor* based on the severity of their respective sanctions. Ideally, the two officials coordinate their actions for greater efficiency and effectiveness. But such cooperation has become less common in the current context of political conflict and factionalism surrounding the hydroelectric project that has served to exacerbate personal rivalries and to erode the perceived legitimacy of many local authorities.

Figure 11: Proposed institutional re-organization of natural resource management for the Comarca Naso Tjër Di. [58]

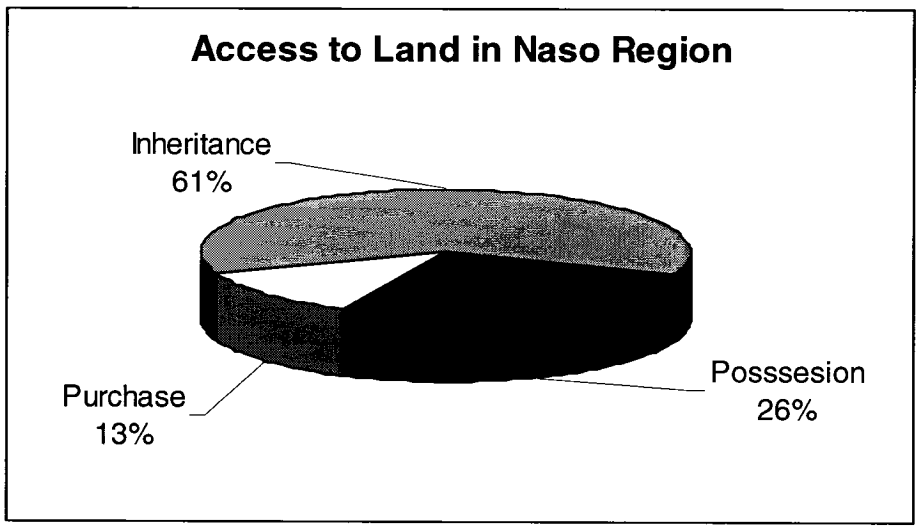


[58] Naso institutional organization as reflected in draft legislation (Law No.19 of 2005) that would recognize Naso semi-autonomous jurisdiction in the form of a Comarca.

3.3 Land tenure

The Naso consider the lands within their as yet unofficially designated traditional territory to be a collective good intended for the exclusive use of the Naso people. The Comarca Naso Tjër Di legislation that is currently delayed in Panama's National Assembly would accord the Naso jurisdiction over 160,616 hectares of land –125,141 ha. of which were previously designated part of the La Amistad Internation Park (PILA), and 21,722 ha. of which will continue to belong to the Palo Seco Protected Forest (BPPS) – leaving 13,753 ha. under the quasi-exclusive internal jurisdiction of the Naso people (Comisión Permanente de Asuntos Indígenas 2005). I will return to the subject of proposed changes to the legal status of Naso territorial resources in Chapter IV. For the moment I wish to focus instead on how the Naso regulate access to land and associated resources through a system of usufruct rights.

Figure 12: The relative importance of the three common means to obtain land use rights in the Naso region.



Source: Household survey 2004-2005.

Lands situated within the boundaries of the proposed Naso territory cannot be mortgaged for credit or privatized, and neither can they be subject to alienation by

any means including prescriptive acquisition, adjudication or embargo. Land use rights are obtained and held by individuals through one of three channels: 1) by *possession* of previously unoccupied lands (this is sometimes accomplished by requesting the permission of traditional authorities); 2) by *inheritance* through which both sons and daughters can obtain land and other goods from either or both of their parents; and 3) by *purchase* and sale between Naso community members. Figure 12 above provides a breakdown of the relative importance of each means of acquiring land among my household survey participants.

44 of the 54 households surveyed reported owning between two and four parcels of land (81%). The general pattern is for a household to own a relatively small property (0-2 ha.) on which their house is located and which is situated in the vicinity of the local school and/or health clinic. These household plots situated nearest to community infrastructure were frequently acquired through inheritance and to a lesser extent through purchase, whereas the more distant agricultural parcels were more often acquired through possession. Their other larger properties are generally located anywhere from 15 minutes to three hours walking distance from their houses and are used for seasonal and perennial crops. A more detailed analysis of the specific uses of these various household parcels is provided in the following section on land use practices.

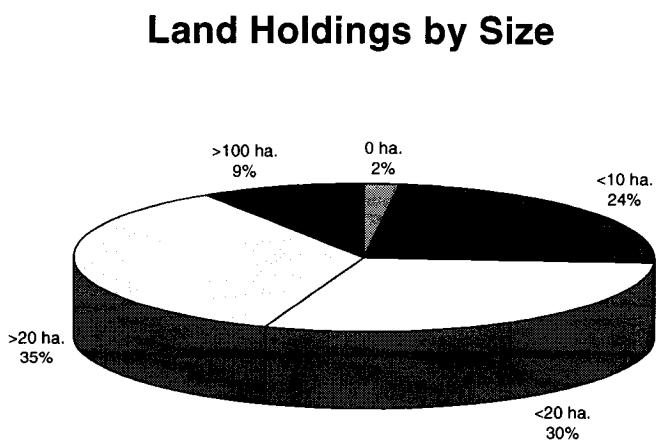
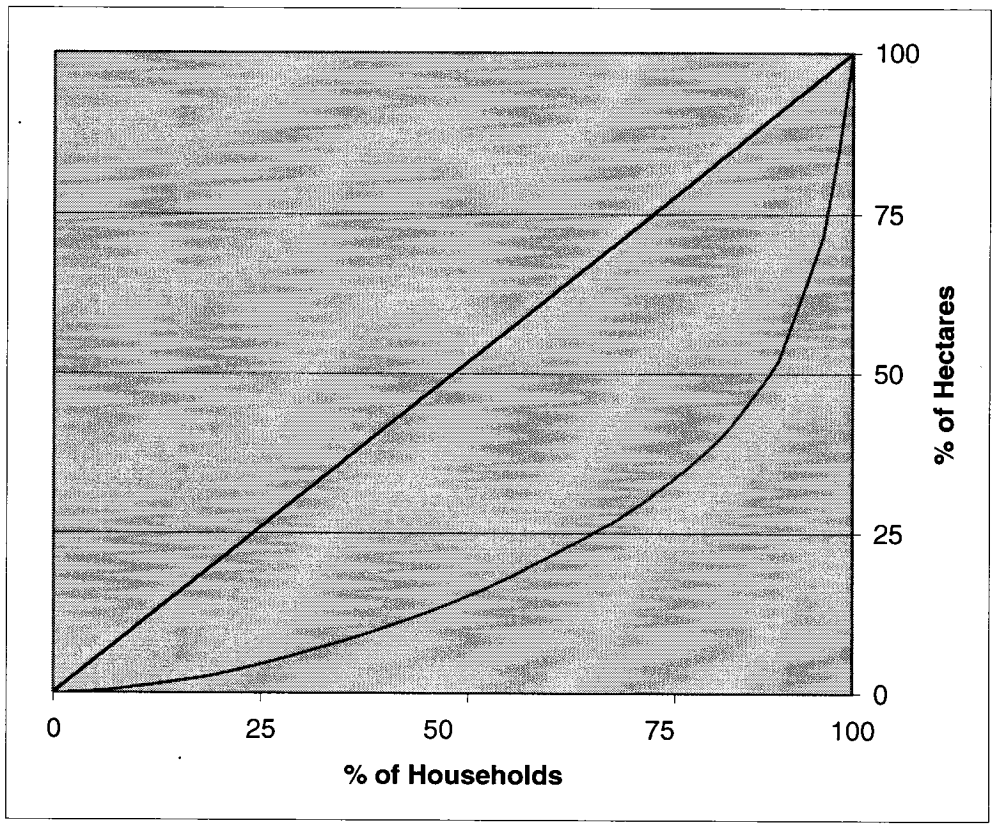


Figure 13: Graphic depiction of the proportional distribution of landholder categories in the household survey sample. Source: Household survey 2004-2005.

Figure 13 above reveals a fairly clear distribution of household land holdings. The majority of surveyed households (35 of 54 or 65%) reported controlling between 5 and 25 hectares of land. With the exception of five households that claim to possess more than 100 hectares of land, and the one single respondent with no claims to any property of their own, the remaining households break down fairly evenly into three groups with respectively less than 10 hectares, between 10 and 20 hectares, and between 20 and 100 hectares. Figure 14 below shows the extent of the inequality between the Naso when it comes to access to household land. 50% of households account for less than 20% of the total area claimed, whereas 11 households (i.e. 20%) account for more than half of the total land area claimed by all survey participants combined.

Figure 14: Concentration of land ownership in the Naso region, 2004-2005



Note: The diagonal line represents perfect equality; i.e. where 25% of households own 25% of the land, 50% account for half, etc. The curved line depicts Naso land ownership. Source: Household survey 2004-2005.

Younger Naso households generally had less land than their more elderly neighbors. Young people are also less likely to have acquired property by possession of previously unoccupied lands. It seems that from the late 1980's onward, most of the available land within 2 hours walking distance from the core villages had been claimed. Younger people are thus increasingly dependent on inheritance and purchasing for access to house plots and agricultural land. This perceived shortage of reserve lands also helps to explain why so many Naso are reluctant to sell even a fraction of what often amounts to the only inheritance they can offer to their children. Only one household in my survey reported owning no land at all. This was a patrilocal nuclear family headed by a man in his early thirties. This man sold his labor as a farm worker to support his Latina wife and their only young child. They built a house on his father's land, and the father allowed him to use parts of his fields at different times of the year and to gather subsistence materials such as firewood and palms for roofing.

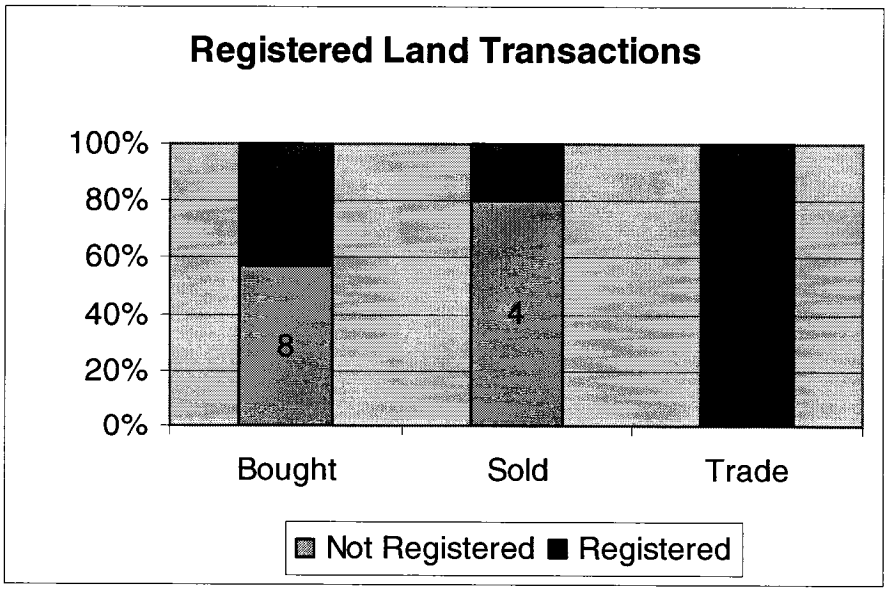
Table 5: Distribution of Household Lands by Community.

	Total Area Claimed (Ha.)				
Community	0	1-10	11-20	21-100	>100
Druy		1	3	2	2
La Tigra			1	1	
Santa Rosa		1	1		
Shupsco		1	1	1	
Siekin		5	1	5	1
Sieyic			6	5	1
Sodi	1	1	1	3	
Solon		4	2	2	1
Total	1	13	16	19	5

Source: Household survey 2004-2005.

In the past, the Naso claim to have had no use for land titles. Naso villages are still relatively small places where everybody is related to each other or at least knows everyone else's business pretty well. In such circumstances, family members and close neighbors agreed to designate natural features of the landscape such as creeks and tree groves as boundary markers separating their respective properties. As an added precaution many Naso plant the colourful Red Ti plant (*Cordyline Terminalis*) – know as "nana" in Naso and referred to simply as "*flor*" in Spanish or 'flower'– as a visual sign of their territorial claims. Increasingly though, the Naso are beginning to use written documents to validate all types of transactions involving land. Several parents reported having drafted written agreements stipulating the inheritance rights of each of their respective children. This was seen as a means to avoid boundary disputes between heirs, and also as a way to explicitly prohibit the sale of inherited lands to third parties. Property documents have also become more popular in cases of land purchases and sales agreements. Local authorities have even sought to base their conflict resolution decisions on the existence of such documentary evidence.

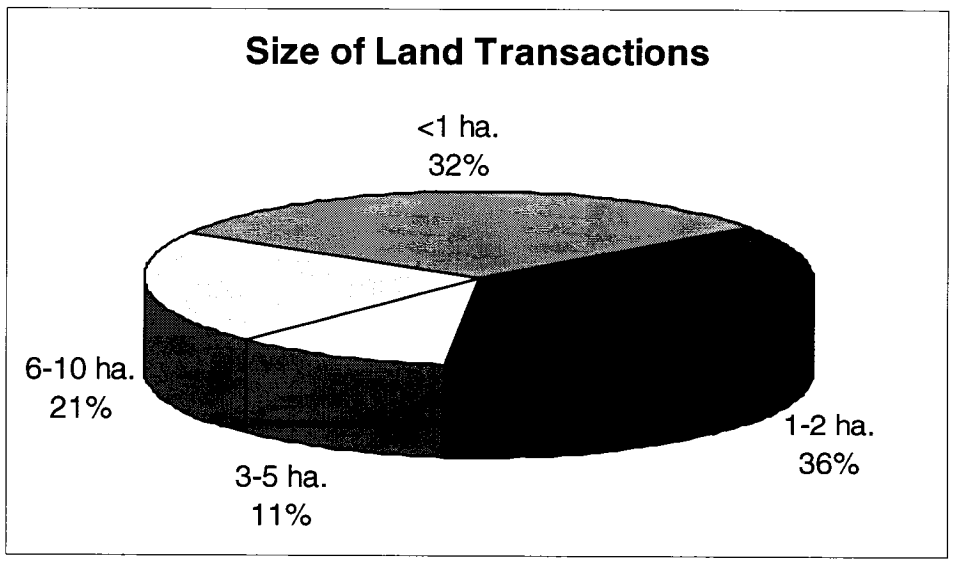
Figure 15: Registered land transactions as a percentage of all transactions reported by surveyed households.



Source: Household survey 2004-2005.

The Naso calculate the exchange value of a particular parcel of land based predominantly on the current value of the agricultural production available from the parcel. For example, how many orange or cocoa trees does it have, how many lumber trees, etc. Distance relative to house plots and river access for transportation, slope and soil quality are also factors that the Naso take into consideration when negotiating land transactions. Some land sales also act as a redistributive mechanism whereby those with more cash income will purchase a small parcel of land from a relative who requires additional cash, say to pay for a child's school or a medical procedure, etc. Figure 15 describes how only 8 of the 20 cases of land transactions (purchases, sales and trades recorded between the 1940 and 2004) recorded in my household survey produced documentary evidence testifying to the nature of the transaction. These documents are hand written notes signed by both parties involved and occasionally by a witness. Witnesses can be local authorities, but the signature of a neighbor is also considered sufficient. The documents generally state the date, place and additional relevant details such as boundaries, neighbors, price, etc. The buyer generally retains the only copy of these transaction agreements.

Figure 16: Size of parcels (in hectares) involved in 19 reported land transactions.



Source: Household survey 2004-2005.

Figure 16 above describes the amount of land transferred in each of these cases (except for the one case involving a registered land trade reported above). 13 out of the 19 land sales or purchases involved properties of less than 2 hectares in size. Larger size transactions were not more likely to be registered. Registration alone is no guarantee that a transacted parcel will not eventually become subject to tenure disputes. Similarly, tenure conflicts do not appear more likely to occur in the absence of any written document defining the precise nature of the land transaction. However, in cases where properties bought or sold were subsequently involved in boundary disputes, registered transactions do appear somewhat more likely to be resolved in favor of the rights holder registered with the transaction.

Table 6: Sample of land purchases reported in household survey.

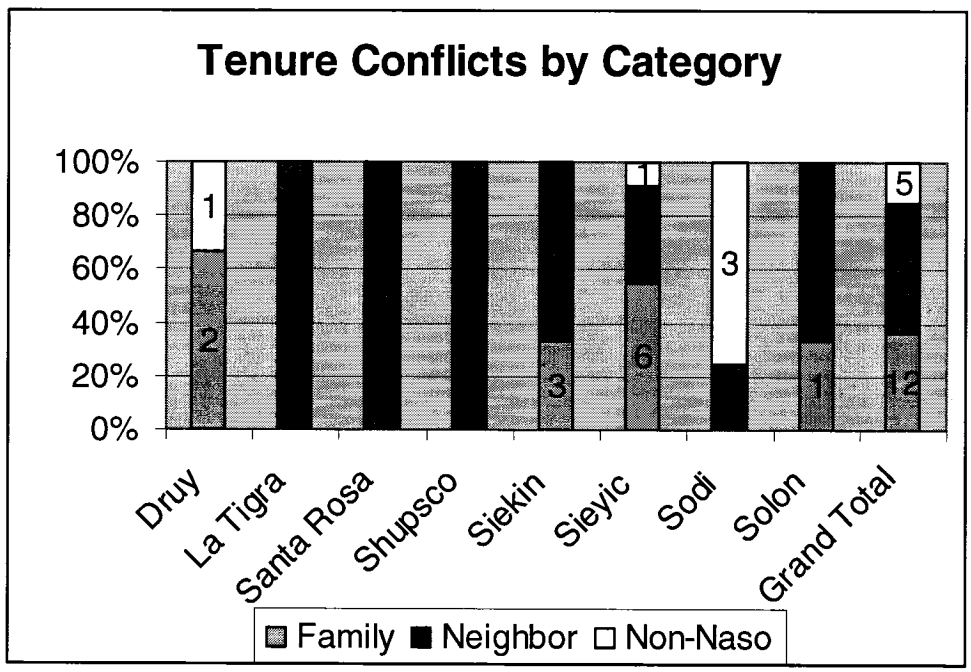
Community	Total Area Claimed by Buyer (Ha.)	Relation to Seller	Registered Transaction (yes/no)	Size (Ha.)	Distance from Home	Neighbors	Year Acquired	Land Use at Purchase	Current Land Use
Druy	>20	Brother - in - Law	Yes	0.5	2min	Health Clinic – Ganadera Bocas	2004	House Plot	House Plot
Solon	>100	Cousin	Yes	10	20min	Brother	2000	Forest	Fruit trees - Lumber
Druy	>100	Cousin	No	1	45min	Ganadera Bocas – Santana family	1984	Forest	Cocoa - Fruit trees - Lumber
Siekin	<10	Aunt	No	1	5min	Latino - Uncle	1984	Cocoa - Lumber	Fruit trees - Bananas

Source: Household survey 2004-2005.

Land tenure conflicts between neighbors are the most common category of land disputes occurring in the Naso region (see Figure 17 below). These kinds of conflicts generally involve contested boundaries between agricultural fields belonging to members of the same or neighboring communities who do not

generally associate with each other. They are frequently caused by differing interpretations of the factors that legitimize continued land ownership. Principle among these is the respect for work invested. Thus many Naso still do not recognize individual property rights to unmodified forest lands. In other cases individuals may deliberately disregard a mutually recognize property boundary for the simple convenience of maximizing their own area under crops. In most cases, if the owner actually contests such an unauthorized incursion the sanctions amount to little more than a share of the eventual harvest. In some such cases though, the local authorities have seen little alternative than to redraw the boundary between claimants such that ownership of a section of the disputed land is attributed to each.

Figure 17: Land tenure conflicts among survey respondents by community of residence and relationship between plaintiffs.



Source: Household survey 2004-2005.

Three examples drawn from the files kept at the office of the *Corregidor* in Seikin will help to illustrate the nature of the land related disputes that occur in the Naso region and the principles and procedures they use to attempt to resolve them. The names of the plaintiffs and the accused have been replaced with pseudonyms.

1. Mr. Campos (senior) vs. Mr. Campos (junior). April 13th, 2004. La Tigra, Bocas del Toro.

On this day Mr. Campos Jr. appeared before the *Corregidor* to lodge a formal complaint against his father, Mr. Campos Sr., whom he accused of working a 5 hectare property that Mr. Campos Sr. had previously given to Mr. Campos Jr. The son reported having taken his complaint to the *Regidor* of La Tigra who apparently ordered the father to stay out the property in question, but to no avail. Mr. Campos Jr. related the story of how his father purchased the parcel in question for $100 from the now defunct Mr. Sanchez. In 1977, Mr. Sanchez was among the beneficiaries of a successful land claim settlement involving the residents of La Tigra against the local cattle ranching operation known as Ganadera Bocas. A witness testified to the effect that Mr. Campos Sr. had in fact negotiated a deal to purchase Mr. Sanchez's property, and that an initial down payment of $10 had been made. The witness was unable to confirm if the outstanding amount was ever paid in full.

Mr. Campos Jr. said that in 1994 his father became embroiled in a dispute over the property in question with a neighbour. Campos Jr. claims that his father promised him ownership of this parcel of land in return for his assistance to sort out the conflict with the neighbour. The son claims to have kept up his end of the bargain by favourably resolving the case with the *Corregidor* of the day. Unfortunately, Campos Jr. also claims to have lost the document confirming this decision. The son went on to explain how he had been living and working on this parcel for the last 10 years without his father's ever having tried to reclaim this land. The son also buttressed his claim to the lands in question by describing how he had planted various perennial crops including orange trees, cocoa, lime, and

timber trees on the property. Naso landowners are usually careful to prohibit lenders and sharecroppers from planting trees and perennial crops (three households in my survey reported having entered into sharecropping agreements whereby half of the harvest is retained by the owner of the land) as these confer an enduring property claim to the person who plants them.

After recording Mr. Campos Jr.'s testimony, the *Corregidor* issued a summons instructing Mr. Campos Sr. to present himself on the scene of the disputed property on May 10th at 8:00am. Campos Sr. was then able to give his version of events. The father recognized having had a tenure conflict with a neighbour in 1994, but he denied ever having requested his son's assistance with the case, much less having promised to give him the land. Mr. Campos Sr. explained that the only help that he had asked of his son was for making the payments on the land, help that in any event he never received.

Resolution: Due to each party's inability to produce written documents to support their respective positions, the *Corregidor* ordered the father and son to split the contested property in half. Interestingly though, the official document that testifies to this resolution was signed by Campos Jr. but not by his father.

2. Mrs. Leticia vs. Mr. Quiroz. March 4th, 2004. Loma Bandera / La Mona, Bocas del Toro.

Mrs. Leticia filed a complaint with the *Corregidor* alleging that Mr. Quiroz was working on lands that she inherited from her stepfather without her permission. In his defence Mr. Quiroz (a Ngöbe from the neighbouring community of La Mona) claimed that no one was using the 1.5 hectares of forest in question before he began to work on it. Mr. Quiroz also mentioned that his wife inherited the property from her father which also gave him the right to use it.

Resolution: Mr. Quiroz refused to accept either of two proposals to partition the property such that he would retain ownership of one section of the land that he had cultivated, or to be compensated for his labour invested and then for the property to revert fully to Mrs. Leticia. The *Corregidor* ordered Mr. Quiroz to

withdraw from his recently cultivated lands, and to stick to that section which he had first occupied. A future date would have to be set to resolve the dispute with the participation of the Naso King, authorities of the Comarca Ngöbe-Bugle and of the *Corregimiento* del Teribe.

3. Mr. Salomón vs. Mr. Gabriel. March 2nd, 2001. Bondi (sector of Bonyic), Bocas del Toro.

Mr. Salomón filed a complaint with the *Corregidor* alleging that Mr. Gabriel was working on lands that belonged to him since his childhood. Mr. Salomón explained how he spent time in prison during the 1970's and that upon his return to his native village he discovered that Mr. Gabriel had planted crops on his land without his consent. As if to strengthen his case, Mr. Salomón accused Mr. Gabriel of being ignorant of local boundaries between the parcel in question and those of his neighbours, and secondly of having cut and sold all the valuable lumber previously found on the parcel. For his part Mr. Gabriel maintained that the property in question had belonged to him for many years. He added that Mr. Teofilio could testify to that effect as he had previously been employed by Mr. Gabriel to work on the property in question.

Resolution: Both sides agreed to fix a new boundary along a creek separating their respective properties. Mr. Gabriel will be permitted to harvest the crops he planted on sections of the parcel that will hence forth be recognized as the legitimate property of Mr. Salomón. Once the harvest is complete a date will be set in order to plant a new living boundary using the Red Ti plant (*Cordyline Terminalis*).

One of the most significant details visible in Table 7 below is the fact that the *Corregidor* was cited most frequently – a total of nine times – as the authority consulted in cases of boundary disputes over land. I believe that this is particularly important since the post was only created in 1998, and it was initially resisted by the Naso who viewed it as an imposition of the National government intended to further marginalize their traditional authorities and to hasten their assimilation into the social and cultural mainstream. Another interesting trend depicted in

Table 7 refers to the Naso propensity to seek solutions to their tenure conflicts within the immediate vicinity of their village of residence. This preference is attested to by the fact that six conflicts were resolved directly among neighbors, local community *Regidores* were involved in an equal number of cases, and both the *Corregidor* and the Naso king intervened most frequently within their respective geographic bases of Siekin and Sieyic.

Table 7: Location of reported boundary disputes and nature of the actors involved in resolution of the tenure conflict.

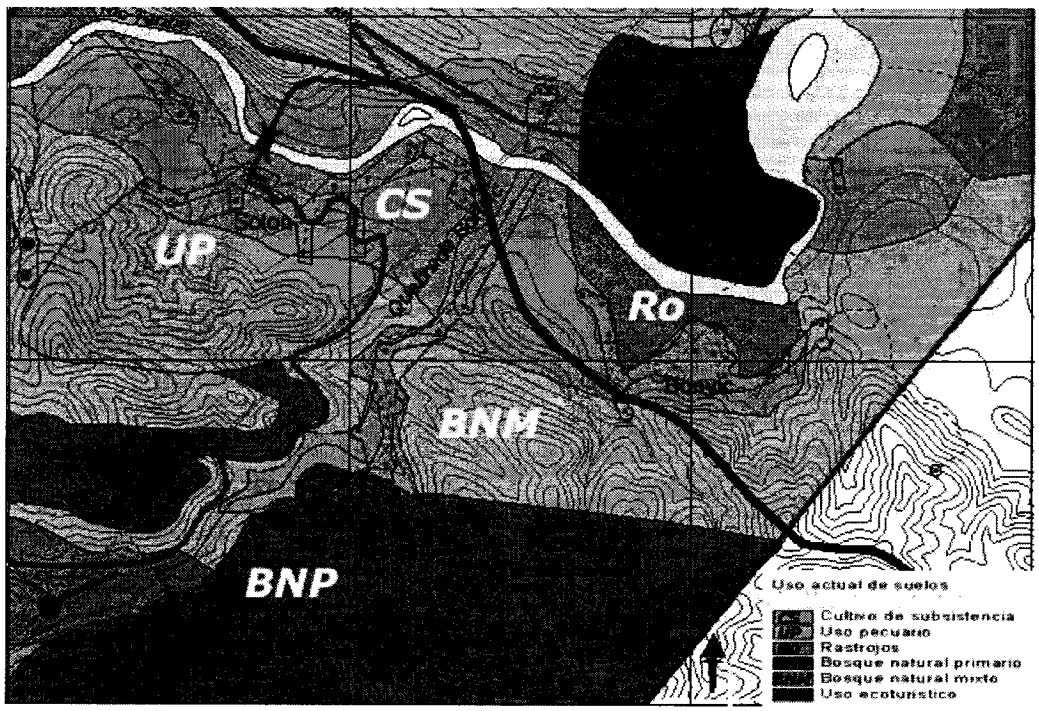
Community	Personal*	*Regidor*	*Corregidor*	King	*Reforma Agraria***	None	Total
Druy	-	1	1	-	-	1	3
La Tigra	1	-	-	-	-	-	1
Santa Rosa	-	-	1	-	-	-	1
Shupsco	-	-	1	-	-	-	1
Siekin	2	1	4	-	-	1	8
Sieyic	2	4	1	3	1	-	11
Sodi	-	-	-	2	2	-	4
Solon	1	-	1	1	-	-	3
Grand Total	6	6	9	6	3	2	32

Note: * 'Personal' means that the family members or neighbors involved resolved the problem between themselves, whereas many more cases required the intervention of local authorities. ** Reforma Agraria is a government agency that registers the private property rights of non-Naso settlers in the region. Only two conflicts reported had yet to be resolved. Source: Household survey 2004-2005.

3.4 Land use

Present day Naso settlements are concentrated in the relatively few low-lying areas situated along the Teribe and San San River valleys. The Naso get better agricultural yields from the alluvial soils in these regions than from the rather thin mix of clay and rock that covers the steep hills that rise directly from the water's edge (slopes vary between 45 and 100%). The gallery forests that generally occupy these narrow strips of fertile and accessible land along the rivers' edges are therefore among the most intervened micro habitats in the Naso region (see

Map 5 below). Human impacts on the landscape are most pronounced in the Santa Rosa, Sorí and San San regions, whereas further upriver in the Bonyic-Solon and Sieyic-Siekin regions more remnants of primary forests and re-growth vegetation are interspersed among the cultivated plots and those used for pasture (Fundación Dobbo Yala 2002:91-92).

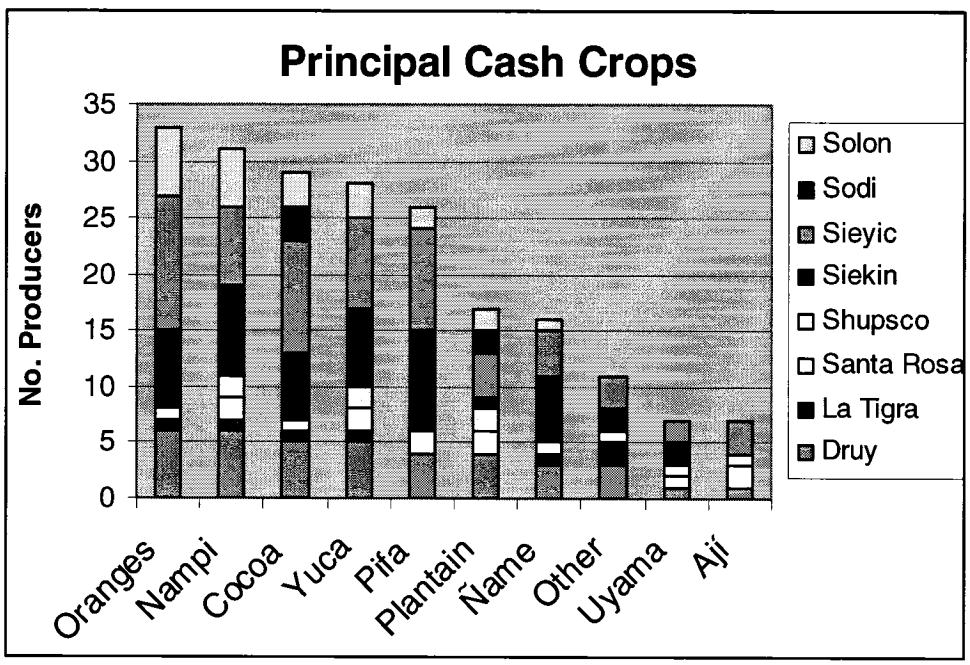


Map 5: Current land use practices in the Bonyic-Solon region of Bocas del Toro. This map shows the prevalence of cultivated areas (CS) and agricultural fallows (Ro) along the Teribe and Bonyic Rivers, as well as relatively large area for cattle pasture (UP) just south of the village of Solon. Darker sections at the bottom of the map correspond to primary forest (BNP), which blends into a mixed area of re-growth and primary vegetation (BNM) as you move closer to the river's edge. Source: (Planeta Panamá Consultores 2005: Uso Actual de Suelos).

Agro-forestry is probably still the most prominent land use practice throughout the Naso region, complemented to varying degrees by slash and burn agriculture, animal husbandry, and to a lesser extent fishing, hunting, gathering and lumber sales. A typical Naso field will produce cocoa and/or oranges which are both important cash crops, pixbae or peach palm fruit *(Bactris gasipaes),* for consumption and sale, as well as lumber trees, plantains, other fruit trees and

vegetable crops such as yucca (see Figure 18). Rice, beans and corn are their staple annual crops, very little of which are sold. These are grown in small separate fields (usually less than 0.5ha.) that in the past were burned before being planted but on which increasingly the cut vegetation is now simply being allowed to rot around the planted crop. Only the *Corregidor* is authorized to grant permits to burn cut vegetation, although in practice no one in the Naso region is actually required to possess such a permit before burning their fields. Traditionally the Naso did not use any natural or chemical fertilizers, nor did they control for insects or disease. However, two households in my survey reported using some chemical inputs on their commercial plantain crops, and four others said they continued to make and use their own compost after participating in a training course on the subject offered by the government-run Biological Corridor project (CBMAP).

Figure 18: Principle agricultural commodities sold by Naso farmers.



Note: *Ñampi* and *ñame* are starchy tubers, whereas *uyama* is a tropical squash and *ají* is a type of chili pepper. The 'other' category includes everything from avocadoes to cilantro and beans to pineapples. Source: Household survey 2004-2005.

Cocoa became an especially significant cash crop for the Naso during the 1970's and 1980's. At the time, the state-run agricultural development bank (BDA) provided local farmers with thousands of dollars in credit to plant cocoa trees. No collateral was demanded from participating Naso farmers which was fortunate since a subsequent outbreak of monilliasis destroyed most of the cocoa crop and forced the government to write off these investments as bad debts. [59] Cocoa is still a significant crop for the Naso in terms of the number of local producers, but the annual amounts sold almost exclusively to the Almirante-based cooperative (Cocabo) in 2004 varied between 25 and 1000 pounds and averaged only about 300lbs per producer. All producers surveyed reported that these levels were considerably lower than what they had sold during previous years. In 2004 Cocabo paid its growers U$0.50 per pound which was also down from U$0.80 paid in 2003. Only one survey respondent reported having participated in a similar credit program that allowed him to use his privately owned property rights as collateral towards the purchase of several head of cattle. Two other survey respondents received some income from members of the local Arab community in Changuinola for allowing their goats to browse on Naso lands. Only four other survey respondents reported having ever obtained commercial loans. These were teachers and other public service employees who paid off their cash advances plus 8% interest through automatic deductions from their bi-weekly paychecks.

Around their homes the Naso also plant fruit trees, coconuts, and occasionally herb gardens and ornamental flowers. Their household plots are inevitably used to raise a variety of domestic animals as well. Almost every household surveyed raised at least a few chickens for consumption, and more than half actually sold a portion of their animal production (see Table 8). Chickens, turkeys and ducks are allowed to roam freely to scavenge for food; their diets are also supplemented with rice or corn. Several large-scale chicken and egg production experiments have been attempted in the region, always with external funding, but none of these

[59] Monilliasis is a disease produced by a fungus (Moniliph-thora roreri) that attacks the fruit of the cocoa tree.

was operational in 2005. A small number of families have also dug fish ponds and are beginning to raise tilapia for both consumption and sale. Larger animals such as pigs, goats, horses and cows – especially when the owner has more than a couple at the same time – require their own fenced off pastures or pens.

Small animals like chickens and fish are often sold in the same communities where they are raised; essentially to the local teachers and medical assistants, but increasingly also to those who sell crafts and boats or fix clothes. Goats and cows are almost inevitably shipped live by dugout canoe to slaughter in Changuinola or walked out to Guabito. A state issued permit is officially required to slaughter cows and pigs, but this is rarely complied with except in cases where large commercial buyers demand it. Slightly less than half of all households surveyed also reported having gained some income from timber sales in the previous two years. The Naso use the cash obtained through these sales to buy basic necessities such as salt, sugar, cooking oil, kerosene, medicine, clothing, boots, machetes, and school supplies.

Table 8: The relative mix of commercial and subsistence production for three key land use activities in the Naso region.

Community	Crop Sales (2003-04)		Animal Sales (2003-04)		Lumber Sales (2003-04)	
	No	Yes	No	Yes	No	Yes
Druy	0	8	6	2	5	3
La Tigra	1	1	1	1	2	0
Santa Rosa	0	2	2	0	1	1
Shupsco	1	2	0	3	1	2
Siekin	0	12	1	11	6	6
Sieyic	0	12	5	7	7	5
Sodi	2	4	2	4	2	4
Solon	3	6	6	3	5	4
Total	7	47	23	31	29	25

Note: The 7 respondents who reported no crop sales were either principally engaged in some other form of income generating activities (i.e. animal sales,

craft sales or salaried work) or else quite elderly. Source: Household survey 2004-2005.

My household survey did not attempt to measure monetary income. I preferred to use occupational data, commodity sales and ownership of land and material assets as proxies for socio-economic class and poverty levels (see Table 9). The Fundación Dobbo Yala did however conduct a survey of income levels among the Naso in 2000. They estimated the average per capita annual income to vary between U$32.00 in Loma Bandera and U$397.00 in Sodi, which means that that the vast majority of the Naso are extremely poor (Fundación Dobbo Yala 2002:42). This internal variance can be explained by the closer proximity of Sodi residents to wage earning opportunities in the commercial sectors of the Changuinola banana zone. Sodi's flat clay soils are poorly drained and frequently prone to flooding, making them unsuited to many crops. Many of its residents have therefore adapted their livelihood strategies to the comparative advantage of being within one hour's walking distance from the town of El Silencio.

Table 9: Relative prevalence of selected tools and commercial enterprises.

Community	Store	Motor	Gas Stove	Rifle	Chainsaw
Druy	-	-	-	2	2
La Tigra	-	-	-	-	-
Santa Rosa	-	-	1	-	-
Shupsco	-	1	-	1	-
Siekin	2	2	4	5	4
Sieyic	-	4	7	4	3
Sodi	-	-	2	1	2
Solon	1	2	1	3	1
Total	*3*	*9*	*15*	*16*	*12*

Table 9 gives some sense of the relative prominence of key manufactured goods in the various Naso communities. Outboard motors require the largest cash investment among the items listed in the table, although because of the shallow

water levels of the San San River these are not generally owned in the Druy and La Tigra areas. The high transportation costs and relative lack of income among Naso villagers cuts into profit margins of store operators. Many of the hunting rifles reported were over 50 years old, and many of those who owned a gas cooking stove said that they had been encouraged to buy them in order to reduce smoke inhalation from cooking over an open fire. Still, half of the households with gas stoves did not have the propane with which to use them during my visit. Chainsaws are an interesting item that requires a series of permits both local and national that I return to latter on in this section.

Table 10: The prevalence of other land use practices.

Community	Pasture		Hunter		Fisher			Use of peons		Reforestation	
	No	Yes	No	Yes	No	Rarely	Yes	No	Yes	No	Yes
Druy	8	0	7	1	2	6	0	5	3	3	5
La Tigra	2	0	2	0	1	0	1	2	0	2	0
Santa Rosa	1	1	1	1	0	1	1	0	2	0	2
Shupsco	2	1	2	1	0	2	1	3	0	0	3
Siekin	8	4	7	5	2	6	4	8	4	3	9
Sieyic	10	2	11	1	4	5	3	4	8	1	11
Sodi	4	2	6	0	2	4	0	3	3	3	3
Solon	9	0	5	4	1	5	3	4	5	3	6
Total	44	10	41	13	12	29	13	29	25	15	39

Source: Household survey 2004-2005.

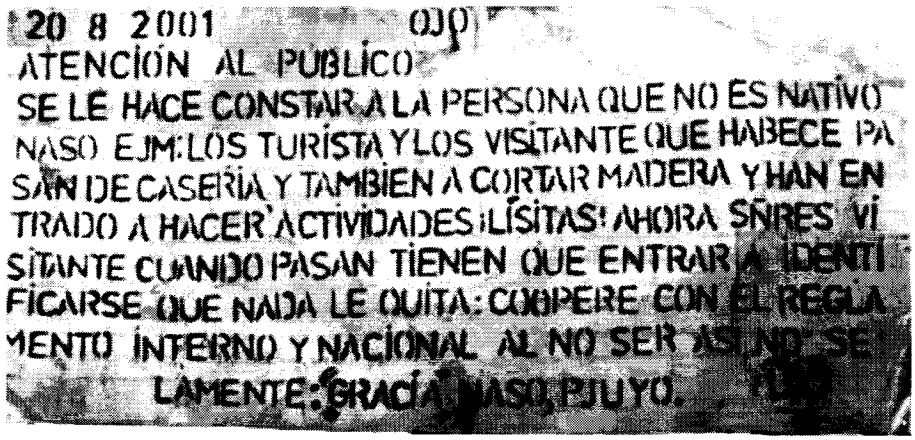
As was the case with land tenure, the family is again the basic organizational unit of Naso productive activities. Labour exchanges between neighbours, called 'juntas', are also quite common, especially during the short dry season from January to April when the Naso clear their fields for planting. Juntas are also used to assemble a work party to transport lumber and tree trunks for boat building. Wage labour is also widespread, with over half of all surveyed households reporting having employed agricultural workers (peons) in their fields (see Table 10). These local workers earn U$5.00 a day, or U$4.50 if the employer provides a lunch. Peak demand for agricultural workers also coincides with the short dry

season. These seasonal spikes in labour demands are part of a broader cyclical pattern whereby the Naso key commercial crops ripen simultaneously causing a temporary glut in the market which serves to drive down prices. As mentioned previously above, Naso socio-economic and productive organizations tend to be rather short-lived. As a result, Naso producers have few dedicated marketing channels and end up competing against each other for sales.

Table 10 is also interesting for the relatively large proportion of respondents that reported planting trees on their property (39 of 54 or 72%). Those survey respondents who were old enough to remember described how during the 1960s and the 1970s many Naso engaged in indiscriminate logging activities. Several could still point to their now rusted two person band saws that were the technology most widely used at the time. They also spoke woefully of how easily the previous generation was persuaded to cut down all the best and most accessible trees for a pittance compared to what those trees would be worth today. The most common tree species being planted today are the same commercially valuable species that have become scarce (ex: *cedrela odorata*) and a few other species commonly used for building houses (ex: *cordia alliodora*).

In response to such growing commercial pressures on their resource base the Naso adopted a series of internal regulations in 1973: the "Legal code of the Teribe Indians". These 49 articles and amendments cover a range of topics including everything from alcohol to zoning rules, many of which are no longer applied. For example: one article required the Naso to obtain the permission of their local authorities before leaving their area, and another banned Naso women from working for wages or marrying non-Naso. In terms of land use regulations, the code explicitly addressed forestry, fishing and the use and sale of the species of palm leaf know locally as *pallanquillas* (*Geonoma congesta*) traditionally used as a roofing material for Naso houses.

Figure 19: Sign posted in Naso village of Druy and directed at visitors.



English translation: "Attention members of the public. We wish to inform those who are not native Naso (ex: tourists and visitors that from time to time come here to hunt or cut trees and have come for legitimate business! From now on respected visitors when you pass through you must identify yourselves as it does you no harm to cooperate with internal and national regulations. If not, we will not be sorry. Thank you." Signed the Naso people, and certified in bottom right corner with the logo of the Naso Kings.

On the subject of forestry, article 42 of these rules stipulates that the local community *Regidores* are in charge of issuing permits to those who wish to cut trees for personal or commercial purposes (Teribeños 1973). In 1998, the national environmental authorities (ANAM) reached an agreement with the Naso authorities whereby all Naso who wished to sell lumber need only show up at the ANAM office in Changuinola with a permit from their local *Regidor* testifying to the fact that the person requesting the permit from ANAM has already paid the 1% local surtax on commercial lumber sales to the Naso authorities. The tax is based on the estimated commercial value of the wood that the petitioner seeks to sell. The Naso *Regidores* are supposed to collect and forward this money to the Naso Council of Leaders, but several Naso admitted to not paying this surcharge because they say they don't know how the collected money is spent. Several *Regidores* apparently collect the 1% logging tax but then refused to send it on to

the Council of Leaders because they say that none of this money is ever reinvested in their communities.

Once such a local logging permit has been issued by the Naso *Regidor,* ANAM imposes its own 4% surcharge. This government tax on commercial lumber is apparently intended in part to cover the costs of field inspections required before the final permits are issued and the trees can be cut. At least this is how the system is supposed to work. In fact, I did not hear of many ANAM officials actually making the trip to pre-inspect the trees scheduled to be cut in this manner. However, I did learn that ANAM once set up a night watch to catch clandestine loggers who floated timber down the Teribe River to the town of El Silencio where it was loaded onto vehicles for transportation to any number of national and probably even international destinations.[60] ANAM officials also confiscate unregistered chainsaws and hunting rifles until the owner pays the fines and agrees to register their property. In 2005 it cost U$10.00 to register a new chainsaw, and U$5.00 for the annual permit required to use the saw each subsequent year.

Figure 20: Naso small-scale lumber operations.

One local official at the ANAM office in Changuinola confided to me that this 'co-management' system had broken down somewhat of late as a result of the conflicts between the Naso leadership that I discuss in the following chapter. This

[60] The proximity of the highly porous international border with Costa Rica makes smuggling of all types of contraband (drugs, guns, manufactured goods, etc.) and migrants a significant economic activity for the province of Bocas del Toro (Pérez 2005).

official reported having approved several logging permits for Naso residents who arrived at his office without having paid the 1% local tax to the Naso authorities. The ANAM official said that these Naso petitioners claimed to have been unfairly denied a local permit on the grounds that they did not support the right local authority in the internal dispute. In such cases the ANAM official reported having little choice but to issue the requested logging permits.[61] In any event, for the time being the economic disincentives for engaging in logging seem to be outweighing the administrative ones – at least for the average Naso household.

The internal price for wood sold among Naso villagers varies from U$0.10 to U$0.22 per board foot, whereas sales to local wood sellers and carpentry shops can earn up to U$0.35 per foot. Those who hired loggers to cut and sell wood from trees standing on their property earned between U$0.05 to U$0.10 a foot. At these prices the Naso report that after paying for the permits, transportation, labour, tools, gas and oil there remains very little profit to be made from logging. But while this situation may be discouraging the small-scale low volume producers from entering the market, it is likewise encouraging a few relatively large volume producers to specialize in commercial logging activities. One survey respondent reported supplying an average of between 2000 to 6000 board feet per month to lumber shops located as far away as the province of Herrera.

On the subject of fishing, the Internal Regulations require the Naso to store their diving masks and spear-fishing gear with the *Regidores* until the blanket ban on fishing is officially lifted from Friday to Sunday (Teribeños 1973: Article No.41). Today, the Naso keep their gear at home and are more likely to fish after a dry spell when the sediment load carried by the river is at its lowest and thus it is easier to see the fish. A permit is not required to fish with a line and hook, but the written permission of a *Regidor* does appear to be necessary to spear fish with a mask. I was not able to find out from anyone how much a spear fishing permit

[61] This same official promised to allow me to access ANAM's forestry database in order to learn the quantity of permits issued to Naso residents and the amount of wood authorized for commercial sale. The problem was that each time I went to the ANAM office in Changuinola I was told that the computer system was temporarily unavailable.

costs though, nor did I learn how rigorously this requirement is enforced. I did on the other hand hear several comments about how unregulated over-fishing is depleting local fish stocks.

Local hunting permits can be issued for U$5.00 by either the *Regidor* or the *Corregidor*. But as seen in Table 10 above, only 13 of 54 households reported hunting, even including those who hunt as little as once a year. I was told that the reason why most households do not hunt was that very few game animals remain within a two hour walk from the Naso villages and agricultural plots. For the most part, those who did still hunt organized bi-annual expeditions to the remote mountainous regions where game animals are still relatively abundant. On one overnight expedition to the Cerro Sepuchingo region located west of Siekin I spotted white-throated Capuchins (*Cebus capucinus*), crested guans (Penelope purpurrascens), toucans (*Ramphastos sulfuratus*), fer-de-lance (*Bothrops asper*), and poison dart frogs (*Dendrobates punilio and auratus*). On the same trip I heard howler monkeys (*Alouatta palliata*), an owl (probably *Pulsatrix perspicillata*), and a species of dove. I also saw scratch marks left by a large cat that my Naso guide identified as a jaguar (*Panthera onca*), and foot prints left by what I was told were an ocelot (*Leopardus pardalis*), white-tailed deer (Odocoileus virginianus), paca (*Agouti paca*) and raccoon (Procyon lotor).

Finally, despite the explicit prohibition on cutting palm leaves (*Geonoma congesta*) for commercial purposes mandated in Article 43 of the Internal Regulations, one respondent reported having sold 80 bundles of the leaves at U$5.00 a bundle to the ODESEN ecotourism group who recently added two dorm style sleeping rooms to accommodate more tourists and larger groups on overnight stays at Wekso. One other respondent reported having sold just three bundles to a neighbour in Siekin for the internal Naso price of U$3.50 a bundle. Four additional respondents reported having purchased *palanquillas* leaves in the previous year.

3.5 Conclusions

Making a living from the land, especially where – as in the Naso case – people are heavily dependent on their natural resources for income purposes, requires access to markets, appropriate infrastructure (transportation, communications, etc.) and services (health, education, agricultural extension) (North 2003:p.17). In Chapter II, I attempted to show how the state and various global interests have combined to shape these crucial components of sustainable livelihoods in ways that rarely took into account the priorities of the Naso people. The goal of this chapter has been to sketch a broad portrait of contemporary Naso community-level institutions and cultural land use practices against which to evaluate the design and implementation of the ongoing conservation and development policies and projects described in the next chapter.

The survey data and other observations brought to bear on these subjects suggest that Naso resource management institutions and practices are the outcomes of complex and dynamic experimental processes occurring simultaneously within the realms of their ecological and technological knowledge, social and ethical priorities and governance structures. According to most statistical indexes that attempt to measure these outcomes in terms of demographic, heath, education and economic indicators, the province of Bocas del Toro – and especially the indigenous areas of the province – consistently register the lowest levels of human development in Panama (Planeta Panamá Consultores 2005:V-162). The survey data presented here not only support this regrettable macro-assessment, but also specify the nature and variability of the levels of economic deprivation, social exclusion, and political marginalization that characterize a cross-section of Naso households and communities.

But despite their monetary poverty and deficient access to public services, the majority of the Naso people have retained, at least for the time being, access to sufficient land and subsistence resources to ensure the social reproduction of their families and communities. This is more than can be said for some of the other

indigenous peoples in Panama. [63] However, many of the same telltale signs of population increase, resource shortages and environmental degradation have become increasingly prominent among the Naso as well. The same pressures of increasing integration into regional markets and national society facing other indigenous peoples are reshaping Naso culture and land use practices as well.

As described above, the Naso have access to a wide-range of manufactured goods, and many of their young people prefer to work for cash or wages in the expanding non-agricultural economy (principally crafts, tourism, and construction). Others raise cattle and some sell significant quantities of lumber. An important cultural impact that can be attributed to this transition from a subsistence economy to a more commercially oriented one is the weakening of the social unity and traditional political institutions that were so forcefully symbolized in the 1973 "Legal code of the Teribe Indians". This trend is explored further in the next chapter which details how commercial interests in Naso territorial resources have galvanized factional in-fighting and are even serving to formalize contested new notions of the roles and responsibilities of the various traditional Naso political organizations.

Policies and interventions designed to overcome these multiple and severe social, economic and environmental challenges will have to build on local strengths in a culturally appropriate manner if they are to succeed. Among such strengths discussed in this chapter I would emphasize the ethnic, linguistic, geographic and socioeconomic diversity of the Naso region as part of the reason for its residents' often demonstrated willingness to innovate, and their resilience and ability to adapt in the face of sweeping changes. This can be seen in the variety and the combinations of livelihood strategies that they employ, and in their highly pragmatic and transfiguring approaches to regulating human behaviour in a manner that is consistent with the desired outcomes of these lifestyle choices. The next chapter explores some of the pitfalls of misunderstanding these community-

[63] See for example (Wickstrom 2003) and (Young and Bort 1999) on the severity of the socio-economic and environmental challenges currently facing the Ngöbe and Kuna indigenous peoples.

level politics and land use practices within the context of a series of legal and administrative changes affecting Naso access to and use of local natural resources.

Chapter IV: Resource management "from above"

This chapter analyses the guidelines and criteria invoked by the various actors currently seeking to modify Naso resource tenure and management practices 'from above'. As such it highlights ongoing conflicts associated with the various social, cultural and environmental representations invoked to support the construction of the Bonyic hydroelectric dam and associated national and international development projects on Naso territory. This ethnographic focus on the contests over legitimacy and control of local resources initiated through these projects provides an essential complementary framework for understanding the prevailing symbolic, political and economic systems that link together the various actors through different networks and scales of dependency and obligation. In light of the trends shaping the local socio-economic and institutional diversity described in the previous chapter, Naso experiences with the Bonyic hydropower project in particular argue in favor of greater skepticism and sophistication when assessing the objectives and justifications provided by the academics, practitioners, government agencies, local authorities and private companies involved in the conservation and development of indigenous peoples' territorial resources.

4.1 Hidro Ecológica del Teribe (HET S.A.)

By the year 1998 Panama had completed a series of energy sector reforms and privatized its national energy company, the Instituto de Recursos Hidráulicos y Electrificación (IRHE). This opened the way for a number of private companies – most of them foreign including among others Hydro Québec, AES Corporation (USA) and ENDESA (Spain) – to invest in the country's existing dams and distribution networks or else to seek to develop their own new projects (L'Institut de l'énergie et de l'environnement de la Francophonie (IEPF) 2003:18). Hidro Ecológica del Teribe (HET S.A.) emerged at the beginning of this process as a

partnership between the Bocas Fruit Company (BFC), a local subsidiary of USA-based United Fruit Company (Chiquita Brands) and several private investors.[64]

As the only large scale economic actor in a province with no road or rail links to the rest of Panama, the United Fruit Company signed a special agreement with the Government of Panama under which the Company agreed to sell part of its excess energy production to the expanding commercial and residential sectors of the province (Ente Regulador de los Servicios Públicos 2001).[65] To this day the Bocas Fruit Company's 40+ year old diesel-fired thermo electrical generating plant provides all the energy available to the almost 50,000 residents of the district of Changuinola. Blackouts are a frequent fact of life in the city, so businesses and essential services have their own backup generators. The air and noise pollution generated by the Company's diesel plant are also quite severe. At a cost of U$0.15 per kilowatt hour or nearly U$0.03 more than in the rest of the country almost no one, including even the Company for that mater, is satisfied with the existing service.[66]

By the mid 1990's even the Bocas Fruit Company had begun to prefer to concentrate on its core business activity of marketing fruit and thus to spin off many support services like security and maintenance operations to trusted sub-contractors. Casting around for energy alternatives, the Company chose to contact a local associate by the name of Cesar Romero who – with the help of a lawyer and two environmental engineers – dusted off the old hydrological potential studies the IRHE had conducted on the Teribe river during the 1970s and set about obtaining the newly required concessions and licences to build and operate a privately owned hydroelectric facility in the Province of Bocas del Toro. The company created for this explicit purpose was called Hidro Ecológico del Teribe (HET S.A.).

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[64] American anthropologist Philip Bourgois (1989) wrote a fascinating ethnography about the socio-cultural and economic history of the United Fruit Company in Panama and Costa Rica.

[65] In 2006, banana production still accounts for some 65% of the economic activity in the province of Bocas del Toro (Alvarez 2006).

[66] Panama ranks 7th overall among the countries in Latin American with the highest residential energy rates. In 2004 the average residential rate was U$0.121 per kWh in Panama, while the regional average was only U$0.098 per kWh (Ente Regulador de los Servicios Públicos 2004) .

The year 1998 was also significant from the standpoint of the government of Panama's adoption of a new General Environment Law (No.41). This law seeks to regulate environmental management practices and establishes various requirements for access to and the use of the country's natural resources. Article 103 of the General Environment Law is especially significant to the Naso people because it states that:

> In the case of activities, civil works or projects to be developed on the territories of indigenous communities, consultation procedures will seek to negotiate agreements with community representatives concerning their rights and customs, as well as compensation for the use of their resources, knowledge or lands (my translation). (Asamblea Legislativa 1998)

Two months later Panama's National Environmental Authority (ANAM) issued resolution no. IA-150-98 approving the Environmental Impact Assessment submitted by HET S.A. for the Bonyic project. But due to problems and delays obtaining investment capital and additional government authorizations, construction of the Bonyic dam would have to wait until 2005. This time frame seemed reasonable back in 2003 when the new investment partner, Empresas Públicas de Medellín (EPM), bought out the Bocas Fruit Company in order to acquire a 75% controlling share in Hidro Ecológico del Teribe (HET S.A.).

4.2 The Bonyic hydroelectric project

Empresas Públicas de Medellín (EPM) is a public utility company owned entirely by the municipal government of Medellín, Colombia. For EPM, the Bonyic dam represents the first step in the process of selling their energy production services internationally. They saw Bonyic as a 'pilot' project that would allow them to assess the potential of energy markets in Central America, to identify the kinds of business strategies required to operate successfully in joint venture partnerships with local associates, and to protect their revenue streams against the risk of currency devaluation as Panama uses the US dollar (Gaviria G. 2005). The project design calls for the construction of a 30 megawatt hydroelectric generating station and includes access roads, bridges and a

transmission line between Bonyic and Changuinola (See Appendix II: IDB Project Abstract for additional project details).

By the standards of most large dams, Bonyic seems almost cherubic! (See Table 11 for detailed comparison). Key indicators that suggest the modest nature of the Bonyic dam's likely social and environmental impacts include its relatively small reservoir surface area (17 hectares), low hectares flooded per megawatt generated ratio, short stretch of river impounded, many downriver tributaries, no people displaced and limited loss of culturally significant sites. On the other hand, local communities and environmental NGOs are justifiably concerned about critical natural habitats affected, fish species diversity, and the risks of induced deforestation and vector-borne diseases (Ledec 2003).

The following quote from the Bonyic hydroelectric project's Environmental Impact Assessment (EIA) illustrates how pervasive and influential the notions of traditional indigenous ecological culture discussed in Chapter 1 of this thesis have become. On page VI-5 of the report the authors contend that construction of the dam in the Naso region will have the following profound effect:

> "...the connection between society and nature, maintained in harmony by traditional cultural values, will be thoroughly transformed by a new technological order, product of a new socioeconomic system that will come to dominate this connection, thereby critically degrading the sustainability of the natural system." (my translation) (Planeta Panamá Consultores 2005:VI-5).

This conceptual framework for understanding social change leads the environmental consultants responsible for this EIA to highlight what they see as two of the most significant impacts of the environmental and social changes introduced by the Bonyic project: 1) challenges to the authority and integrity of the traditional Naso political institutions, and 2) changes to Naso customs and traditions. The EIA thus explicitly recognizes that the long term environmental viability of the project will depend enormously on the promoters' and local authorities' capacity to jointly resolve a series of essentially non-ecological problems that the dam's construction is expected to provoke.

Table 11. Land area flooded and people displaced in large hydropower projects.

Project (country)	Capacity (MW)	Area flooded (hectares)	People displaced	Area flooded (Ha.) / MW	People displaced / MW
Kompienga (Burkina Faso)	14	20,000	1,842	1,426	132
Kedung Ombo (Indonesia)	29	4,600	29,000	159	1,000
Bonyic (Panama)	**30**	**17**	**0**	**<1**	**0**
Bayano (Panama)	**30**	**35,000**	**4,400**	**1,167**	**147**
Brokopondo (Suriname)	30	160,000	n.a.	5,333	n.a.
Pak Mun (Thailand)	34	6,000	4,945	176	145
Arenal (Costa Rica)	157	7,000	2,500	45	16
Nam Theun-Hinboun (Laos)	210	630	0	3	0
Salvajina (Colombia)	270	2,030	3,272	8	12
Fortuna (Panama)	**300**	**1,050**	**446**	**4**	**1**
El Cajon (Honduras)	300	11,200	4,000	37	13
Urra I (Colombia)	340	7,400	6,200	22	18
Pangue (Chile)	450	500	50	1	<1
Narmada Sagar (India)	1,000	90,820	80,500	91	81
Aswan High (Egypt)	2,100	400,000	100,000	191	48
Churchill Falls (Canada)	5,225	665,000	0	127	0
Grand Coulee (United States)	6,494	33,306	10,000	5	2
Three Gorges (China)	18,200	110,000	>1,300,000	6	>71

Source: Adapted from (Ledec 2003:12). The author adds that this table should not be interpreted as an endorsement *per se* of those projects with favourable ratios of hectares flooded or people displaced per megawatt. Some of the projects with favourable ratios have other unfavourable characteristics. For instance, they may be well sited, but implementation of environmental or social mitigation measures may be inadequate.

To support their case the authors of the Environmental Impact Assessment report argue that the construction of access roads, the establishment of temporary work camps and the movement of people and equipment into and out of the region will unleash a series of new social and environmental problems that the Naso are relatively ill prepared to contend with. For example the project is expected to increase settlement pressures in the immediate vicinity of the access road projected to pass through the villages of Solon and Bonyic (see Map 5 above). The influx of migrants will likely include both Naso people from more remote villages and many non-Naso from the surrounding districts that would be attracted to the area by the prospects of temporary construction work or the newly provided access to the officially 'public' lands and resources situated in the Palo Seco Protected Forest (BPPS) and La Amistad International Park (PILA). Intra and interethnic conflicts can also be expected to increase as the project construction phase initiates a boom cycle of investment and employment opportunities that generate additional stresses on the already inadequate public services available in the region.

These changes will increase local property values and encourage a shift towards more intensive and diverse economic activities that will provoke further changes in traditional Naso productive relationships (Planeta Panamá Consultores 2005:VIII-34-37). Naso institutions and their formal organizations involved in resource management issues are not accustomed to operating in an environment characterized by this degree of socio-economic complexity. Only recently have they begun to formalize the kinds of institutional capacity and dedicate the additional human and financial resources required to solve these contemporary problems. These changes will likely serve to further consolidate the Naso turn away from the authority of their traditional king and *regidores* and towards the national government figure of the *Corregidor* discussed in the previous chapter. This is highly probable since these socio-economic changes will be experienced most directly the villages of Bonyic and Solon which are already two of the most ethnically mixed Naso communities.

Added to such external pressures, the increased exposure to wage labour and the market economy that the hydro project will bring is expected to result in fewer Naso choosing to engage primarily in traditional livelihood activities based on agriculture and resource extraction. This trend has already been observed among the younger generations, and has accelerated their loss of awareness concerning the specificities of their local bio-physical environments. The impacts of some of these changes became clear to me through the spontaneous group discussions that followed each time I opened my local wildlife guidebook. The elders commented on how several species were no longer seen in the vicinity, and the youth were captivated (see Figure 21) by the images of the animals that they had perhaps heard of but never before seen. These images prompted stories and reminiscence about traditional legends and surprise encounters while working in their fields. People expressed a sense of pride and attachment to a dimension of the natural world that is increasingly removed from their daily lives.

Figure 21: Young boys enthralled by pictures of local wildlife in a guidebook.

In its construction phase the Bonyic project is expected to employ around 200 workers, including many Naso and non-Naso. As the vast majority of the Naso have only six years of primary school education they can aspire to only relatively

unskilled jobs as labourers, security guards and cooks with the project. Those who do get such jobs will also have to forfeit yet an other opportunity to use their knowledge of traditional Naso cultural practices and the distinct ways in which these practices are related to their natural environments. The cumulative effects of these choices have meant that many Naso now have only limited knowledge of local biological diversity or the traditional cultural practices of their ancestors who are thought to have kept their society in a more harmonious balance with the surrounding natural environment. Once this knowledge of ancestral land use practices is lost, the Naso will have few productive alternatives to improve their livelihoods except to increase timber sales, cash cropping and cattle ranching activities.

In spite of all the talk of fostering and supporting traditional Naso land use practices and the cultural values proper to their subsistence economy, the Bonyic project designers end up emphasizing the importance "... of readapting [Naso] agricultural practices in order to improve soil management techniques, plant nurseries, marketing, etc. and the use of new instruments..." (my translation) (Planeta Panamá Consultores 2005:X-262). This is precisely the kind of contradictory prescription that I believe results from the inadequate understandings of culture deployed in the service of the development projects currently underway in the Naso region. By depicting traditional indigenous culture as some form of quasi-mystical homeostasis instead of as a dynamic repertoire of categories and practices created to adapt to changing social and ecological conditions, resource developers can ostensibly align their projects with the politically palatable goals of cultural diversity and ecological conservation. The very 'vagueness' of this concept of culture is also perfectly suited to the needs of the project designers since it allows for considerable maneuvering in the interpretation of traditional customs and practices.

4.3 The Mesoamerican Biological Corridor

Another revealing example of the distorted application of this concept of traditional indigenous cultures in the Naso region is the Mesoamerican Biological Corridor project or CBMAP by its Spanish acronym. The official mission of CBMAP is to promote

> "... the conservation, use and management of Panama's biological diversity, while taking into account the need to promote and facilitate sustainable development and a better quality of life for the country's rural communities." (my translation) (Corredor Biológico Mesoamericano del Atlántico Panameño 2005).

And yet an official from Panama's Ministry of the Environment recently summed up the project's objectives the following way:

> "... to educate the Ngöbe-Buglé, the Kuna, those from the Madungandí Comarca and the Naso Teribe people about how to use their hydraulic resources, flora and fauna without destroying them." (my translation) (Sween 11/09/2005)

This quote highlights similar contradictions as seen in the Bonyic hydro project between the policy rhetoric deployed in the official project documents and the ethnocentric and professional biases guiding operational staff.

CBMAP officials claim to have supported institutional coordination between the traditional authorities of the Naso people and the Ministry of Environment (ANAM). The stated objectives of these efforts were to jointly design and implement a management plan for the protection of biodiversity and the traditional livelihoods of the Naso people in the vast areas of overlap between their ancestral territory and the State's protected areas (i.e. Palo Seco National Forest (BPPS) and La Amistad International Park (PILA)) (Autoridad Nacional del Ambiente 2004).[67] The environmental consultants associated with this initiative identified three positive factors in favour of an expanded role for the Naso people in the design of the guidelines and strategies required to reconcile the projects twin conservation and development objectives in the region:

[67] In 1988 the governments of Panama and Costa Rica combined efforts to create the 2,007,000 hectare La Amistad International Park (PILA). The area eventually became part of the core conservation zone for a 655,558 hectare UNESCO designated biosphere reserve.

1. The leadership capacity of the Naso authorities,
2. The supposed positive attitude of the Naso towards the existence of the protected areas in their territory (BPPS and PILA),
3. The Naso's previous experience with conservation and development projects supported by international organizations (ex: Conservation International, etc.).

In spite of such favourable conditions, the extent of Naso participation in this resource management planning process appears to have been limited to that of simply being consulted. The proof that the Naso played only a marginal role in this process is reflected in the La Amistad International Park management plan sponsored by CBMAP. This plan emphasizes the immediate need for the creation of institutional mechanisms for coordinating the effective co-management of the park with the Naso people. Its authors allege that since the co-management framework is still a relatively new and unproven administrative model, the State authorities should seek to gradually increase local participation, "...such that ANAM makes all initial decisions which are then submitted for adoption by consensus." (my translation) (Asociación Nacional para la Conservación de la Naturaleza y Consultores Ecológicos Panameños 2004:85).

Almost half of the Naso households with whom I spoke had received some form of benefits through an agro-forestry component of the CBMAP project. This particular component has had some success diversifying the many hectares of monilliasis-plagued underproductive cocoa fields with plantains and economically important tree species such as tropical cedar (*Cedrela odorata*) and laurél (*Cordia alliodora*). In order to be eligible to receive the tools, seeds and training offered by the project promoters, the Naso had to affiliate themselves as community-based producer organizations with a legally constituted NGO. The Naso eco-tourism organization ODESEN played this role in Siekin, while the CBMAP group in Sori fulfilled this obligation by contracting with a nearby Ngöbe agricultural producers' association. These initiatives have helped to build local organizational capacities and to provide economically viable income generating options that also permit the rehabilitation of local ecosystems. And yet in spite of

some such promising experiences, I received many comments from Naso villagers about the lack of cooperation and the inequality of benefits that continue to plague many such donor and government-sponsored investment initiatives in the region. These latter problems, together with several acts of vandalism and physical intimidation, also seem to be related to broader cultural issues of political patronage and the socio-economic pressures of increasing integration into regional markets and the national society.[68]

In 2006 alone Panama's National Environmental Authority (ANAM) approved 18 environmental impact assessments for hydroelectric projects which are proposing to invest over U$1000 million in order to add another 751.8 megawatts to Panama's current electrical generation capacity of 1300 MW (Muñoz 2006). In a personal communication a local officer of the National Environmental Authority (ANAM) in Changuinola assured me that in the next ten years the forests and rivers of Bocas del Toro will be transformed by a series of dams, artificial lakes, access roads and transmission lines. Three of these projects are being built on the Changuinola River which runs through a section of the Palo Seco Protected Forest (BPPS) on the neighbouring Ngöbe indigenous people's territory. These are the El Gavilán (Chan-75), Cauchero II (Chan-140) and Cauchero III (Chan-220) dams expected to flood more than 2240 hectares and to displace over 1000 people.[69]

Given the economic and environmental importance of these hydroelectric investments, the PILA management plan recommends that Government authorities investigate the interest and capacity of these energy project promoters to support management operations within the protected areas. The plan's authors suggest that an innovative mechanism to foster private sector contributions to protected area management programs would be to modify the concession

[68] On June 20th 2006, Felix Sanchez, an anti-hydro Naso activist filed a charge of harassment against the National Police in Changuinola, Bocas del Toro with Panama's human rights ombudsman (Defensor del Pueblo). Sanchez claims that the Police intended to disrupt a peaceful protest action organized in a Ngöbe community affected by the construction of the AES Corporation dam on the Changuinola River. (www.defensoriadelpueblo.gob.pa).

[69] In January of 2006 Arlington, VA. based global energy giant AES Corporation (www.aes.com) bought the rights to develop the 150 MW El Gavilán project from the local promoter Hydro Teribe S.A.

agreements authorized by Panama's Public Services Regulatory Commission (el *Ente*) so as to charge the companies fees for the environmental services that they receive access to (Asociación Nacional para la Conservación de la Naturaleza y Consultores Ecológicos Panameños 2004:71). The Ente Regulador de los Services Publicos (Ente) is an autonomous entity of the Panamanian State that regulates the country's telecommunications, electricity, water and sanitation and radio and television systems.

In the case of Bonyic, despite the rhetorical importance that Hidro Ecológico del Teribe (HET S.A.) accorded to the role of social and cultural factors in determining the long-term environmental viability of their project, HET did not contemplate having to pay any additional sums for the right to exploit the environmental services that it obtained through its state-granted concession (Ente Regulador de los Servicios Públicos 1999).[71] Quite the contrary, the company expects to make additional profits through the sale of greenhouse gas emissions reduction certificates. HET officials estimate that they will be able to market somewhere in the vicinity of 50,000 tonnes of CO_2 annually at a price of between U$3.00-U$5.00 per tonne (Hidro Ecológica Del Teribe S.A. 2004).[72]

The La Amistad management plan specifies that one of the main reasons for the creation of the park back in 1988 was to "Protect the upper reaches of the Teribe and Changuinola rivers' hydrological basins in order to ensure an adequate quantity and quality of water for the production of electricity." (my translation). The other major objective of the PILA is said to be to "Protect a significant sample of the biodiversity of an area of the Republic of Panama that is rich in plant and animal life and relatively unaltered." (my translation) (Asociación Nacional para la Conservación de la Naturaleza y Consultores Ecológicos Panameños 2004:2). While in theory these two objectives may be complementary, in practice it is hard to understand how both the authors of the PILA management plan and the ANAM officials who recently approved the Environmental Impact

[71] Public Services Regulatory Commission (Ente) Resolution No. JD-1497 of August 12, 1999.
[72] For an overview of greenhouse gas markets and global emissions offsets see (CO2e.com 2002).

Assessments for four dams on rivers that flow out of PILA, failed to be concerned about the prospect that these dams will cut off various species of migratory fish and shrimp from one sector of the park. This particular risk was brought to the government's attention by ANAI during a public forum held in June of 2005 in Changuinola to listen to concerns about the Bonyic project (McLarney 2005).

The Environmental Impact Assessment (EIA) for the Bonyic hydroelectric project includes an "Environmental Management Plan" which is composed of a series of measures designed to prevent, mitigate, compensate or otherwise monitor the project's expected impacts. According to the EIA "The plan is designed to achieve an adequate and sustainable management of the Palo Seco National Forest and the indigenous communities that will be affected by the project's construction..." (my translation) (Planeta Panamá Consultores 2005:X-99). The EIA purports to achieve these objectives through a "...special and rigorous control of the territory..." administered directly by the energy company Hidro Ecológico del Teribe (HET S.A.). To establish the legal framework that would permit such an exclusive and thorough control over the region, the EIA recommends 'evaluating the feasibility' of creating a new category of protected forest in the area immediately surrounding the dam. The purpose being to designate this area as raw material for the exclusive use of power generation (Planeta Panamá Consultores: X-101). Once again the Naso people are expected to sacrifice their access to and use of the local natural resources coveted by the State and project developers. I therefore sincerely doubt that either of the resource management plans proposed for the PILA or the Bonyic dam are even compatible with the effective participation of the Naso people in the management their territorial resources.

4.4 The Comarca Naso Tjër Di

Since 2003, Panama has made some progress towards the legal recognition of the Naso's rights to possess, use, and manage their territorial resources according to their customs and traditions (Comisión Permanente de Asuntos Indígenas 2003). Since the previous setback over the rejection of Law No. 50 in June of

2004, the Naso Comarca bill was renamed Law No. 19 and was just recently sent back to a special committee of Panama's National Assembly for additional revisions (Aparicio 2006). This legislation would grant the Naso jurisdiction over 160,616 hectares of land, of which 125,141 hectares were previously designated part of the La Amistad International Park, and 21,722 ha. of which will continue to belong to the Palo Seco Protected Forest. This will leave 13,753 ha. (or 8.6%) under the semi-autonomous jurisdiction of the Naso People (Comisión Permanente de Asuntos Indígenas 2005). The Naso have preferred to designate this remaining portion of their traditional territory as collective property intended for the exclusive use of the Naso people. Lands situated within the boundaries of the Comarca cannot be mortgaged for credit or privatized, and neither will they be subject to alienation by any means including prescriptive acquisition, adjudication or embargo.

The Naso generally anticipate that the *comarca* legislation will help to improve their land tenure security and thus contribute towards ensuring the continuity of their language, culture and traditional livelihoods. Francisco Herrera, an anthropologist familiar with indigenous rights issues in Panama has suggested that the government's apparent willingness to recognize a Naso *comarca* is characteristically tied to the construction of the Bonyic hydroelectric project on lands claimed by the Naso. An important aspect of this legislation is that it will empower the traditional Naso authorities to enter into legally binding agreements with third parties interested in developing the commercial potential of the Naso's territorial resources. Without the adoption of such a law recognizing Naso jurisdiction and the legal authority of their traditional leaders, the legitimacy of any deals signed in the name of the Naso people could be challenged in court. In Herrera's view, were it not for this factor, the Naso *comarca* legislation would likely have continued to languish as it has for the past 30 years (Herrera 2003).

Later sections of this chapter describe in greater detail the complicit role that officials of Panama's government have played in assuring construction of the Bonyic dam on Naso territory. As of August 2006, officials from Panama's office

of Indigenous Affaires and the National Land Administration Program (PRONAT) were still trying to sort out two significant boundary conflicts between the areas proposed for the Naso *comarca* and the 57 private landholders whose properties will border on the new jurisdiction. These conflicts involve on the one hand a long-simmering dispute with the owners of the Ganadera Bocas cattle ranch located in the Druy – San San Tigra region, and, on the other, a long since abandoned – but clearly not forgotten – conflict with the neighbouring Bri Bri people who are claiming part of the Naso territory for their own *comarca*. While these two boundary disputes are being worked out, no one seems to be concerned about the potential for administrative and normative conflicts between the proposed Naso *comarca* and pre-existing environmental legislation regulating the BPPS and PILA protected areas.

Figure 22: Sign posted in Sieyic that proclaims: "La Amistad International Park Boundary. No cutting of trees, No hunting, No agricultural activities." Signed by "Local Authorities" and the National Association for the Conservation of Nature (ANCON), a Panamanian NGO that works closely with ANAM.

The preamble for the Naso *comarca* law states that with the adoption of these measures the Naso people will obtain the benefits of "... full rights over their lands and resources, in order to consolidate the wellbeing of their inhabitants in a

manner that is consistent with their customs and traditions." (my translation) (Comisión Permanente de Asuntos Indígenas 2005). It is quite revealing to compare the 'development with identity' tone of this official legal discourse with several of the specific articles contemplated in Law No. 19. For instance, on the subject of natural resources Article No. 24 of the Comarca legislation confirms that the 145,000 hectares of protected area lands (BPPS and PILA) that will become part of the Comarca Naso Tjër Di "...will be protected and conserved according to the present law and applicable environmental legislation." (my translation)

In order to harmonize these two positions – i.e. where: 1) the Naso hold complete rights to all territorial resources within the entire 160,616 ha. jurisdiction of their *comarca*, while 2) existing national protected area legislation is recognized and enforced over the 91% of this same territory that correspond to the Palo Seco and La Amistad sectors – we have to imagine that traditional Naso subsistence activities such as collecting plant materials and hunting, agriculture and forestry, etc. (all actions that are now explicitly forbidden within the boundaries of PILA) are somehow incompatible with Naso customs and traditions! Notwithstanding the absurdity of this claim, the respective interests of the diverse actors involved (i.e. governments, indigenous peoples, ecological NGOs, etc.) have combined to maintain the fiction that "... the ecological culture of the indigenous peoples is compatible with the goal of environmental preservation,..." (my translation) (Delca Consultores 2000:72). Not surprisingly, in Panama and a number of other countries with similarly contradictory legal arrangements, conflicts are pitting the rights of indigenous peoples to autonomy in the management of their ancestral territories against the environmental rights regimes represented by protected area officials and their management plans.[73]

[73] For additional examples of some of these contradictions and conflicts between indigenous rights and environmental regimes in other countries see: (Anderson and Berglund 2003, Lu 2001, Nygren 2004, Redford and Mansour 1996, Stevens and De Lacy 1997).

4.5 Revolution and the Naso monarchy

Controversy over land tenure and hydroelectric dams is nothing new to the Naso region. Neither have the Naso been immune from the kinds of conflicts that such land use changes almost inevitably inspire. Since 1988 Naso involvement with a series of political and economic projects that targeted their region has played a significant role in the downfall of three successive Kings or Queens. First there was Rufina Santana, daughter of the previous King Simeón Santana, who was forced to resign from her post in 1988 because of her close association with the military dictatorship of General Manuel Noriega.

Table 12: Recent chronology of the Naso monarchy (1970-2006).

King / Queen	Relation to Predecessor	Years
Lázaro Santana	Unknown	?-1973
Simeón Santana	Lázaro Santana's son	1973-1979
Manuel Aguilar	Simeón Santana's advisor and legal representative	1979-1982
Rufina Santana	Simeón Santana's daughter	1982-1988
César Santana	Rufina Santana's uncle	1988-1998
Tito Santana	César Santana's nephew	1998-Present (2004)
Valentín Santana	Tito Santana's uncle	(2004-Present)

Rufina's resignation preceded the 1989 United States of America military invasion dubbed "Operation Just Cause" that captured General Noriega to face drug trafficking charges in the US. Naso relationships with the Noriega regime became increasingly significant after a deal was reached in 1977 whereby in exchange for a promise to recognize and delimit Naso land rights, the Government built a 120 hectare jungle warfare training facility called Panajungla

[75] William Friar, author of Moon Handbooks Panama, (2006) includes Wekso in his list of "Must-See" Panama destinations: "A visit to Wekso is one of the most memorable experiences Bocas del Toro has to offer," For additional information see: http://www.odesen.org/index.html

on the site known to the Naso as Wekso. Ironically as one of the members of the Naso Organization for the Sustainable Development of Ecotourism (ODESEN by its Spanish acronym) once told me, Noriega did them something of a favour as the group has since been able to convert the facility's surviving infrastructure – under concession from ANAM which now officially owns the property – into a successful eco-tourism operation. [75]

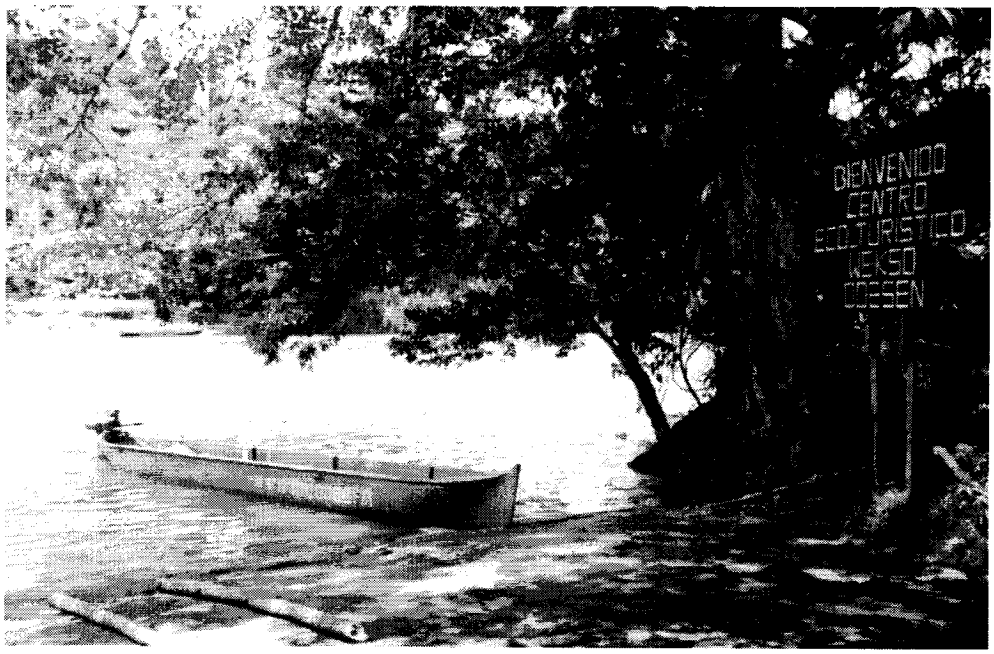

Figure 23: Sign welcomes visitors to ODESEN's Wekso ecotourism facility on the grounds of the converted "Panajungla" jungle warfare training center.

Discontent with Rufina's rule prompted the Naso to select César Santana, the ex-queen's uncle to be their new King. César's leadership lasted for ten years until in 1998 his own nephew, Tito Santana, began to campaign for César's removal on the grounds that his uncle was misusing government funds allocated to the Naso people. The project that did the most to discredit César Santana's reputation was the 1998 decision by Panama's National Assembly to create a new *Corregimiento* or sub-municipal district of El Teribe for the Naso region. The bill was presented by a Ngobe legislator from the province of Bocas del Toro and was seen by the Naso as an act of treason against their historic aspirations to be recognize as a *comarca*. Tito Santana and his followers argued that with the new law local

authority would pass from the traditional Naso *regidores* to the newly elected *Representante* and *Corregidor* bound to uphold the legal and administrative codes of the State just like in any other jurisdiction of the country. Tito Santana maintained that such changes would have disastrous implications for the area's natural resources and the Naso culture in general (Machuca 1999).

Tito Santana capitalized on popular resentment provoked by the Corregimiento to orchestrate César's removal and his own election as Naso king. After the bill's official adoption in 1998 Tito Santana organized several assemblies to mobilize support against his uncle César and in favour of his own candidacy for king. Within months Tito and César Santana had agreed to form an electoral commission composed of equal numbers of each of their representatives. The Commission went on to negotiate a series of 31 ground rules concerning who could vote and how many votes would be required for a Naso king's election to be considered valid. These rules established a precedent that has since been invoked by another of Tito Santana's uncles, Valentín Santana, as the only culturally legitimate way to resolve the Naso leadership crisis of 2004-2005.

Tito Santana eventually won the 1998 election with 530 votes against the 479 obtained by his uncle César. The total number of ballots cast was therefore greater than the 801 previously agreed to by both sides as the minimum benchmark for the election to be considered valid (i.e. 50% + 1 of the 1600 registered Naso voters). After the results of the vote were known César Santana acknowledged defeat and stepped aside, but not before accusing the new king and his supporters of being motivated more by personal ambitions than by the good of the Naso people as a whole. The deposed king Cesar was referring to his rivals' interests in securing for themselves a larger portion the growing international investments being made in the Naso region. A similar view was publicly voiced by Father Roberto Cirauqui, a Catholic priest based in Changuinola and long-standing ally of the Naso people (Cirauqui 2004). In addition to the modest economic resources and political opportunities introduced through the Corregimiento, the Biological Corridor (CBMAP) and the hydroelectric projects already discussed, a National

Land Administration project (PRONAT) supported by the World Bank and the Inter-American Development Bank had also identified the Naso region as a priority for land tenure regularization and the consolidation of protected areas (The World Bank 2000).

After a great deal of virulence and conflict surrounding the creation of the Corregimiento del Teribe, several of its most outspoken critics went on to present themselves as official candidates for the position of *Representante de Corregimiento* on behalf of the various political parties that contested the 1999 national election in Panama. The crowded field seeking the nomination as the official candidate for *Representante* on behalf of the Partido Revolucionario Democratico (PRD) – the party affiliated with Rufina Santana, Manuel Noriega and his much revered predecessor General Omar Torrijos (father of current Republic of Panama President Martin Torrijos) – allowed César Santana to win the PRD nomination only a matter of months after having been driven from office in the Naso Palace. César then became the first elected *Representante* for the new *Corregimiento* of El Teribe (1999-2004). As I show in the next section, the political fortunes of Naso leaders continue to be vulnerable to local perceptions of their skill and altruism in the management of external relations with governments and investors.

4.6 Bonyic: the Naso factor

Once Empresas Públicas de Medellín (EPM) had bought out the Bocas Fruit Company's control of Hidro Ecológico del Teribe (HET S.A.) in 2003, they immediately set about negotiating with the Naso leadership in order to obtain their consent for a series of additional geological studies that they wished to conduct in order to update the original Environmental Impact Assessment approved by Panama's environmental authorities (ANAM) five years earlier (Cirauqui 2004). Negotiations between HET and the Naso led to the signing of an "Agreement on Principles" in the presence of Padre Cirauqui in Changuinola on November 1st 2003. The agreement recognized the jurisdiction of the Naso people over the

territory where the dam was to be built, and reserved a role for the Naso traditional authorities in the contracting of Naso laborers.

Despite growing concerns among the Naso population over the potential risks and the limited benefits the project represented for them, and despite then President of the Naso Council of Leaders Adolfo Villagra's refusal to sign the Agreement on Principles, King Tito Santana signed the agreement along with seven of his Councilors and supporters. HET's next move in December of 2003 was to begin work upgrading an existing road link between Changuinola and the village of Charagre on the Teribe River. Charagre is the mixed Naso-Latino community from where the new access road would have to be built to the dam site on the Bonyic River. This decision to send in the tractors and heavy equipment seems to have catalyzed Naso fears about the project and intensified divisions within their leadership. Naso opponents of the dam demanded that the road work be suspended until the Naso people had given their formal consent to the overall project. At which point the dam's promoters (i.e. HET working with Tito Santana's supporters) agreed to step back and began to improvise a process of community consultations that would consider the project's impacts and alternatives before calling on the Naso to approve or reject the dam in an eventual referendum.

The Naso people were becoming increasingly polarized over the prospects of the hydro project. Those leaning against the Bonyic dam were generally not opposed to all forms of hydro development on their territory. A distinct majority of this group simply felt that any major project of this nature should only be considered after the *comarca* legislation recognizing their land rights and jurisdiction had been approved. The fact that Tito Santana was willing to negotiate a deal with the hydro company in the absence of any guarantee that the National Assembly would eventually pass the Naso Comarca law only served to strengthen the resolve of his detractors to remove him. Naso opponents of the Bonyic dam also conditioned their eventual support for any such project on three key provisions:

1) the Naso should be made partners in the planning and management of the project;

2) the Naso should be given preference in project-related employment;

3) the project's promoters should also support a range of sustainable development projects that would help to maintain Naso access to local resources.

These people resented the fact that their King had not made more of an effort to inform them about the details of the negotiations that he was involved in with the hydro company on their behalf. This lack of communication encouraged speculation as to the inequity of the distribution of the benefits that HET S.A. was willing to offer the Naso in exchange for their consent to the dam. Allegations of fraud and corruption continued to plague the negotiations between King Tito Santana and the power company, which further exacerbated internal divisions among the Naso.

For his part, Tito Santana continued to draw support for the hydro project from close allies of his administration based in the Naso capital of Sieyic, and from among the families settled mainly in the eastern lowlands (i.e. Santa Rosa, Sori, Bonyic) and the nearby squatter settlements in and around Changuinola. In 2005 Tito Santana was himself engaged in an illegal land invasion in the nearby town of El Silencio. The Naso king's presence among these squatters motivated lawyers for the affected land owner to publicly accuse the Mayor of the district of Changuinola of having succumbed to political pressure in favor of allowing the squatters to remain (Arrocha 2005). It is in these latter areas where the population is more ethnically mixed and integrated into the wage economy that the benefits of the Bonyic dam seem most appealing. In these areas it is not hard to find people who whole heartedly welcome the job opportunities and better road links to nearby towns that the project will provide.

Finally there is also a third group among the Naso whose numbers are more difficult to measure. Many in this group report not having been given adequate time or information upon which to make up their minds about the Bonyic hydro

project. This last group includes a number of people who – even though they recognize many of the significant threats and opportunities that the dam represents – are not yet prepared to commit their own futures and especially those of their children to one particular outcome or the other. Many in this undecided group also say that they do not particularly trust their own political leaders on either side of this issue.

In March of 2004, Hidro Ecológico del Teribe attempted to counter the deepening divisions that the Bonyic dam was provoking among the Naso by signing an agreement for an ad hoc Coordinating Commission charged with organizing a series of community consultations and negotiating the details of the compensation and benefits package. As part of this agreement HET contracted the Fundación Dobbo Yala to facilitate both the consultative and deliberative phases of this process. The Fundación Dobbo Yala proposal called for a four-month process of community consultations in anticipation of a collective decision by the Naso people on the Bonyic dam and associated compensation and benefits agreements. The total amount budgeted for this activity was U$36,718.00. While these measures appear to have been well intentioned and designed to address legitimate Naso concerns over the Bonyic project, the events that would soon follow suggest – as many of the project's opponents had already concluded – that they simply amounted to "too little…too late".

Tensions between the project's Naso supporters and opponents reached a new threshold during a Council of Leaders meeting held one month latter on April 19th, 2004, when a motion was passed by the pro-hydro faction stripping then Council President Adolfo Villagra of his position. The Naso leaders who supported the motion argued that by refusing to participate in the negotiation process underway with HET, Mr. Villagra had failed to live up to his responsibilities as Council President. He and several members of the ad hoc Coordinating Commission who were likewise seen to be obstructing the agreements were officially replaced by a new slate of 'leaders' who would prove to be more amenable to the Bonyic dam proposal. The new Council of Leaders

proceeded to grant HET permission to conduct additional studies in the region, and announced that construction work on the dam and access road would not begin until after the community consultations and the Naso's formal acceptance of the project.

Meanwhile, the ex-President of the Naso Council of Leaders, Adolfo Villagra, started planning a General Assembly of the Naso people to mobilize opponents of King Tito Santana's handling of the Bonyic negotiations. In May of 2004 Villagra and his allies traveled to Panama City to seek the support and advice of contacts within three national NGOs: Alianza para la Conservación y el Desarrollo (ACD), Centro de Asistencia Legal Popular (CEALP), and Centro de Estudios y Acción Social Panameño (CEASPA). Then on May 30th, 2004 Mr. Villagra and his allies brought together 512 supporters for an extraordinary session of the Naso General Assembly in Sieyic. These members of the General Assembly declared themselves to be the maximum decision-making body of the Naso government and then adopted the following three resolutions:

1. To remove Tito Santana from office for abuse of power and his replacement by Valentín Santana (Tito's uncle) as Naso King.
2. To demand approval of the Naso Comarca legislation before considering any other projects in the region.
3. To reject the Bonyic hydroelectric project on the grounds that it would essentially benefit the promoters while the interests and the heritage of the Naso people would be negatively affected.

For his part Tito Santana defended his rightful position as Naso King claiming that the decision to convoke an Assembly of the Naso people must be officially endorsed by the Council of Leaders. According to him, since the May 30th Assembly was never approved by the Council, its decisions cannot be considered legitimate expressions of the will of the Naso people. HET did not appear to be overly concerned by these events which, if nothing else, called into question the legitimacy of Tito Santana's claim to be negotiating on behalf of all the Naso

people. The company thus chose to ignore recommendations contained in the Bonyic Environmental Impact Assessment (EIA) report that it had commissioned and which underscored the "... the dangers of continuing with the project without first having established an excellent understanding with the Naso people and the traditional leaders who would emerge legitimated from the process in which they are currently involved." (my translation) (Planeta Panamá Consultores 2005: p.V-171).

In defence of this decision to continue negotiating with Tito Santana in spite of the contested nature of his leadership, HET officials pointed to the official recognition that Tito Santana recently received from the National Directorate of Indigenous Affairs (Dirección Nacional de Política Indigenista). Four days after the May 30th Naso General Assembly that revoked Tito Santana's mandate as King, Dorian Ríos, then Panama's National Director of Indigenous Affairs, issued a public statement confirming "King Tito Santana as the highest authority of the Naso Teribe region and his new Council of Leaders, ... appointed on the 19th of April, 2004." (my translation) (Ríos 2004).

Emboldened by this official support, Tito Santana accused the organizers of the May 30th Assembly of plotting a 'coup d'état' to overthrow him. In a subsequent interview with a reporter for the national daily newspaper La Prensa Santana qualified his political opponents as a miniscule band of rebels who do not even respect their own cultural traditions (Pimentel 2004). This latter charge of violating Naso traditions refers to the questionable position adopted by Tito Santana that all General Assemblies of the Naso People must, by tradition, be previously approved by the Naso Council of Leaders. I mentioned previously that during the 1970's the Naso and other indigenous peoples in Panama were encouraged to write down their traditions as part of the process of cultural and territorial affirmation supported by the government of General Omar Torrijos. In the Naso case this led them to adopt the 'Internal Regulations of the Teribe Indians' described in the previous chapter. Despite the unofficial status accorded to this document as the 'legal code' of the Naso people, it makes no mention in

any of its 49 articles and amendments of any obligation that a General Assembly be previously authorized by the Council of Leaders.

No one, except Tito Santana's supporters, could tell me where this formal obligation came from. Those who defended the existence of such a rule alluded to an unspecified precedent adopted at a Council of Leaders meeting and then generally added that in the past the word of a Naso king or *regidor* was the undisputed law of the land. On the other hand, most of the Naso whom I met were under the impression that a simple majority of the Naso people was all that was required to make decisions that affected them all as a people. It was this latter interpretation that inspired the drafters of the Law No. 50 of 2003 version of the Comarca Naso Tjër Di legislation. Article no.8 of this bill in fact states that

> "The Assembly of the Naso People is the maximum decision-making authority of the Comarca and is composed of all members of the Naso people." (Comisión de Asuntos Indígenas 2003) (my translation).

Article no.9 of the same bill is even more to the point:

> "The Assembly of the Naso People will convene annually and exceptionally when called for by the Council of Leaders, the King or Queen, *or by a majority of the members of the Assembly of the Naso People*." (my translation and emphasis) (Comisión de Asuntos Indígenas 2003).

It is interesting to compare this wording to the revised version of the Naso *comarca* bill that has been awaiting a second reading in Panama's National Assembly since the month of May 2005. [77] Re-numbered as Law No. 19, gone is any reference to the "maximum decision-making authority" of the Assembly of the Naso People. In its place Article no. 8 of Law No.19 now states that:

> "The King or Queen is the maximum traditional authority and Legal Representative of the Comarca Naso Tjer Di, and the spokesperson of the Comarca before the National Government and both public and private entities, and will be elected in accordance with the *Carta Orgánica* and Naso customs

[77] In an extraordinary session of the national Legislative Assembly that took place on June 22nd, Law No. 50 of 2003 that was created to recognize the Naso people's land rights and political autonomy failed to gather enough votes and was therefore defeated (Ruiz 2004).

and traditions." (my translation) (Comisión Permanente de Asuntos Indígenas 2005:p.7).

The revised Articles no. 10 and 11 are even more explicit: the Assembly of the Naso People is now simply to be recognized as "...**a decision-making body** of the Comarca..." (emphasis in original text), which meets once a year and "...extraordinarily when convened by the Council of Leaders, in coordination with the King or Queen." (ibid: p.7).

Thus the latest version of the Naso *comarca* law (i.e. No. 19 of 2005) conveniently strips the majority of the Naso people of the right to convene a General Assembly without the consent of their traditional leaders. No longer will it matter how many people show up to express their opinion on significant topics of concern to the collectivity. Without the prior approval of the Council and the King extraordinary Assemblies like the one that took place on May 30th 2004 will henceforth be treated as public disturbances or even riots!

The nature and timing of these modifications to the Naso *comarca* legislation suggest a clear pattern of collusion between government officials, a foreign utility company and that segment of the Naso leadership in favour of hydro development to legally disqualify any challenge to the legitimacy of their conduct. Such a disreputable course of action must have seemed necessary to the project's proponents at the time because in HET's words, if Tito Santana were to lose his position as Naso king "...the [hydro] project would be completely paralyzed." (Planeta Panamá Consultores 2005:Anexo 1,p.12).

Confronted in this way by the government's refusal to acknowledge their grievances, Tito Santana's political opponents rallied around the second king Valentín Santana and continued to press for internal elections. As a result of these pressures Tito Santana eventually signed an agreement with his uncle Valentín calling for an election to be held on September 19th 2004. However, shortly after signing this agreement the Naso Council of Leaders adopted Tito Santana's proposal to cancel the voting in favor of holding an extraordinary session of the Assembly of the Naso People to approve the Bonyic hydroelectric project. Tito

Santana's 'authorized' Assembly was also scheduled for September 19th and would be held in the village of Bonyic. The question of the necessity of an election to validate his authority as Naso king would likewise be submitted to the September 19th Assembly.

Figure 24 : Police Major Olmedo Moreno seated next to Tito Santana at an opposition protest rally in Sieyic, Bocas del Toro, while Council of Leaders President Ricardo Pitterson (standing behind head table) justifies the Council's decision to cancel voting on September 19th in favor of holding a General Assembly to approve the Bonyic Hydroelectric project.

Incensed by the Naso King and Council's maneuvers to thwart the election agreement, supporters of Valentín Santana staged a three day protest at the Palace in Sieyic. During previous gatherings tensions between both factions had led to a growing number of incidents of physical intimidation and threats of political violence. Perhaps in recognition of the volatility of the situation the Governor of the province of Bocas del Toro dispatched Police Major Olmedo Moreno to mediate the conflict brewing in Sieyic. Major Moreno successfully negotiated a temporary solution to the crisis by inviting both kings to meet with municipal and national authorities to find a way out of the impasse. With only one week left

before the Assembly in Bonyic, supporters of Valentín Santana demanded that the issue of elections be withdrawn from the agenda of the event and that preparations begin immediately for a legitimate election on October 31st. Valentín's supporters argued that the best solution to the leadership crisis was a voting process similar to that which took place in 1998 when Tito Santana successfully challenged his uncle César Santana for the Naso throne. Tito Santana's camp refused to cooperate, maintaining that the Assembly in Bonyic would determine if there was indeed the need for such elections or not.

4.7 "Naso Hydro Project Approved!" [78]

Hidro Ecológico del Teribe officials must have been following these negotiations quite closely, as they clearly wished to avoid any further costly delays in their construction schedule. Imagine their relief when on September 17th, only two days before the Assembly convened by Tito Santana to approve the Bonyic project, the newly appointed National Director of Indigenous Affaires, Ignacio Rodríguez, issued an official statement confirming that according to his office "...Tito Santana is the highest authority of the Naso Teribe region." (my translation) (Rodríguez 2004).[79] Without further ado on September 19th around 1000 'Naso' supporters of the hydro project descended upon the village of Bonyic for a day of socializing and speeches, and most importantly to sign the attendance lists required to legitimize the approval of the project by the majority of the Naso people. HET had advertised the event on local radio well in advance of September 19th, and for the day of the Assembly they contracted ten motor boat operators to ferry the hundreds of participants arriving from the banana zone up river to the village of Bonyic.

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[78] Title of an article that appeared in the *El Panamá América* newspaper shortly after the Bonyic Assembly on September 19th, 2004 (Guardia 2004).

[79] On September 1st 2004 Martin Torrijos became President of Panama for a five year term. Mr. Torrijos was elected as candidate for the Partido Revolucionario Democrático (PRD). In Panama's republican system of government the executive administration makes a series of political appointments throughout the country's public agencies. These nominations start with National Directors and cabinet ministers but extend right down to night watchmen, cooks and gardeners at the local health clinics.

In the presence of local invited government officials, union and media representatives, etc. the Executive Director of the Fundación Dobbo Yala, Eligio Alvarado, congratulated the Naso people and their 'legitimate traditional political authorities' for the momentous decision that they had come to make for the benefit of their own and future generations. Mr. Alvarado was in fact very well positioned to comment on the adequacy of the Naso decision. Not only had Dobbo Yala been hired by HET to carry out the Bonyic project community consultations and to advise the Naso authorities in negotiations with the hydro company over the benefits and compensation agreements, but Mr. Alvarado had also recently been appointed to the office of the Under Secretary for Indigenous Affaires of the newly elected Partido Revolucionario Democrático (PRD) of President Martín Torrijos.

A short time after the Bonyic Assembly, HET issued a report claiming to have received a mandate from the 1042 members of the Naso Assembly who unanimously approved of the hydro project-related negotiations underway with Tito Santana. This report specified that the 1042 legitimate 'Members' of the Naso Assembly present in Bonyic on September 19th were all:

> "...Naso, mestizos (sons and daughters of Naso with non-indigenous), people who had lived in the Naso region for more than five years and have been recognized as such by the King, and people who are not Naso but their spouse is or is at least mestizo." (my translation) (Planeta Panamá Consultores 2005:Anexo 1 - p.11).

It is noteworthy that these criteria used by HET to define membership in the Naso Assembly are much broader than those determined by the Naso themselves for the purpose of voting in the Naso election that brought Tito Santana to power in 1998. For instance, Article 23 of the elections agreement signed in 1998 states that "Non-Teribe spouses of both sexes who have been married for 5 years cannot vote unless they possess documents from the King recognizing their residency within the territory." (my translation). On the voting rights of mestizos, Article 22 of the same agreement stipulates that: "People with 25% Naso blood [*i.e. one*

Naso grand-parent] can only vote if they were born in and continue to live in the Naso territory."

According to the dam's Naso supporters it seems the membership regulations for voting in a Naso General Assembly need not be identical to those required to participate in the election of a Naso King. These rules may have evolved over the years to account for the greater social and economic mobility of recent Naso generations. But if this were in fact the case, the Council of Leaders who convened the September 19th General Assembly or even the ad hoc Coordinating Commission responsible for briefing the Council on the results of the community consultations should have formally addressed the issue of voting rights in the September 19th Naso Assembly. I was in Bonyic on that day in 2004 and I witnessed how the 1042 names on the attendance lists were collected. Not once did I see any of the signatories being asked to furnish proof of family affiliation, marital status, age of consent or residency within the territory. This observation makes me question, along with the Naso opponents of the hydro project who boycotted the Bonyic Assembly altogether, the sincerity of HET's claim that such an important decision for the future of the Naso people and the province of Bocas del Toro was truly adopted by only legitimate members of the Naso Assembly.

Despite such doubts about the legitimacy of the process used to obtain the Naso's consent to the Bonyic project, at the end of September 2004 the stars finally appeared to be aligning in such a way as to permit HET to begin selling the electricity it wanted to produce at Bonyic by late in the year 2006. People thought that the new PRD-dominated National Assembly in Panama City would soon approve Law No.19 for the creation of the Naso Comarca. HET was nearing completion of the studies it needed to optimize the basic engineering for the project's structural components. No one expected that the project's Environmental Impact Assessment would have any difficulties obtaining ANAM's approval.[80] The company still needed about U$35 million to cover the project's estimated

[80] ANAM eventually approved the category three Environmental Impact Assessment (EIA) for the Bonyic hydroelectric project in June of 2005. (Dirección Nacional de Evaluación y Ordenamiento Ambiental 2005).

total costs U$50 million. This problem too appeared to be well on its way to being resolved since HET had applied for a loan of this amount from the Private Sector Department of the Inter-American Development Bank (IDB) (Private Sector Department 2004).

With the mandate HET believed it now had from the Naso General Assembly the company turned its attention to the remaining legal obligation to reach an agreement with the Naso on benefits and compensation. Such an agreement was signed on December 18th 2004 by HET President Jorge Alberto García and Naso representative Tito Santana. The accord announced a series of investments in road building, land purchases and renovations to public buildings that HET agreed to make in the Naso region. The total value of these direct benefits is estimated to be around U$322,000 or 0.6% of the total project costs estimated at U$50 million. Ernesto Monter Flores of the Private Sector Department at the Inter-American Development Bank characterized this amount as considerably lower than the average of 1% of costs generally allocated in direct benefits to communities in project-affected areas (personal communication, 2005).

According to other experts on benefit sharing from dam projects, it is always difficult to determine what constitutes a fair share of the economic benefits of dam projects for project-affected populations (Égré, Vincent Roquet, and Carine Durocher 2002). These authors suggest that a basic factor to consider when assessing the equity of such agreements should be the actual needs of the population in the affected area. Accordingly, poor regions like the Naso area with few public services and no infrastructure should receive a proportionally higher share of dam benefits. Adequate mechanisms that promote efficient and equitable sharing of project benefits can provide stable long term revenues that enable local and regional entities to set their own priorities and to minimise their dependency on developers and the State. Benefit sharing also facilitates planning and adaptive management within the context of the social and ecological changes brought about by the project. Nowhere is this more important than in remote regions like

the Naso territory that have only limited access to public investments in infrastructure and services (Égré 2006).

As a case in point the "Paix des Braves" agreement signed between the provincial Government of Québec and the Cree Nation in 2002 has become something of an international 'best practice' example of how mutual respect and benefit sharing can characterize relations between indigenous peoples, resource developers and government authorities (The World Bank 2004). The "Paix des Braves" agreement commits the Province of Québec to pay the Cree $50 million a year over 50 years in exchange for the rights to develop a series of hydro projects expected to cost $4 billion. Perhaps even more importantly for the Cree, the agreement also included negotiated settlements applying to land rights, forestry and mining (Secrétariat aux affaires autochtones, 2002). Closer to Panama, its neighbour Colombia requires that all new hydroelectric power generation plants of more than 10 MW installed capacity transfer 3% of project revenues to local watershed agencies and concerned municipalities. Another 1.5% of project revenues must be transferred to the municipalities bordering on the reservoir and 1.5% of project revenues must be devolved to the municipalities located in the watershed upstream of the dam. Colombian legislation also stipulates that these amounts must be used for infrastructure projects that have been identified in municipal development plans (Égré, Vincent Roquet, and Carine Durocher 2002:33).

Mr. Flores of the IDB agreed that the overall value of the benefits received by communities affected by hydro electric projects usually varies according to their economic status and financial management skills. In the Bonyic case, HET officials justified the rather stingy benefits package on the grounds that the Naso people lack the institutional and technical capacity required to participate effectively in any kind of revenue or equity sharing arrangements or development funds. Another reason I was given by HET shareholder Cesar Romero was that HET forecasted needing all revenues from the first seven years of energy sales to pay off the debt incurred during construction of the dam. By arguing that the Naso

had many more pressing needs that could not wait until seven years into the future, project promoters were able to convince the Naso negotiators of the relative advantages of having one bird in their baskets over two in the bush.

The presence of a contingent of union activists from SUNTRACS – a very active and quite radical national organization that represents thousands of workers from the construction and allied industries – during the Naso General Assembly in Bonyic on September 19th also deserves a brief explanation here (See Figure 25). Earlier in September 2004 I interviewed a SUNTRACS member who agreed to tell me about the investigative mission that his union organized to the temporary work camps HET had established along the Bonyic River. The camps were established to carry out the remaining studies required to update the project's Environmental Impact Assessment. SUNTRACS' goal was to verify whether or not the developer was respecting the basic labor laws of the country, and to offer the Bonyic project workers the option of becoming SUNTRACS union members in which case they could benefit from the collective bargaining agreement the union had negotiated with the construction industry association CAPAC (Cámara Panameña de la Construcción).

Figure 25: Activists with flags of the construction workers union SUNTRACS make their presence known during the Naso Assembly to approve the Bonyic hydroelectric project on September 19th 2004.

This union member explained that the SUNTRACS provincial representative for Bocas del Toro, a man named Jaime Caballero, obtained the Naso king Tito Santana's explicit permission to enter the area for two days in September in order to talk to some of the workers whose names appeared on the record of

employment information SUNTRACS obtained from HET. This union member mentioned that the daily salary of U$11.55 paid to project workers was indeed slightly better than the legal minimum wage, but that workers complained of not being paid for overtime or for time spent traveling by foot to reach the isolated camps. Other problems that the SUNTRACS delegation detected were that social security and education deductions taken from workers paychecks were larger than the amount permitted by law, that camp food consisted mainly of plantains from one of the sub-contractor's packaging operations, and finally that safety and first aid equipment was generally unavailable.

I may have eventually decided against using this information in this thesis were it not for the fact that I later received a personal letter denying these allegations from none other than Jaime Caballero, Sub secretary of SUNTRACS responsible, as it turns out, for the Chiriquí – Bocas del Toro section – i.e. the union boss of the unnamed member whom I had interviewed in September (See Appendix III). It seems that Mr. Caballero had received a forwarded copy of the three page summary of my first phase research results that I shared with various actors whom I had interviewed between August and October of 2004 (See Appendix IV). Strangely enough though, Mr. Caballero received my document from the above mentioned Cesar Romero, the Changuinola based associate of the Colombian hydro company and minority shareholder in Hidro Ecológico del Teribe (HET S.A.). Although I did not meet Mr. Romero personally until the middle of December 2004, he had somehow obtained a copy of my phase one research results and wanted to set the record straight about some of the more critical things that I had written in this report.

During an eventual interview at Cesar Romero's office in Changuinola – and in a subsequent email response that he sent me – Mr. Romero took particular issue with my comments concerning labor conditions in the work camps. Romero apparently requested that Mr. Caballero of SUNTRACS draft the above mentioned personally addressed letter that I received which formally disavows all the irregularities and violations of Panama's labor standards that had been

reported to me by his fellow union member. Mr. Romero also complained about being the victim of an unjustified campaign to tarnish the good international reputation of Empresas Públicas de Medellín (EPM) – and therefore by association Hidro Ecológico del Teribe (HET S.A.). Romero stressed the respect that HET has demonstrated in its relations with the Naso authorities, and gave various socio-economic justifications for why the Bonyic dam is a good project for everyone involved. For instance: the Naso are poor and the hydro project will give them jobs; an adequate resource management plan will foster the economic development necessary for them to maintain their cultural identity; other communities also have a right to cheap and reliable energy.

Furthermore, what gives Mr. Romero's reply all the makings of a mini corporate manifesto is the fact that he copied his email response to no less than 25 people! The support networks that Cesar Romero was apparently attempting to mobilize behind his particular interpretation of recent events included Panama's Minister of Government and Justice Olga Golcher, various officials at the Ministry of the Presidency, the Public defender, the Inter-American Development Bank, the energy transmission company (Empresa de Transmisión Eléctrica S.A), various employees of EPM and HET, several Naso leaders and more (see Appendix V). Judging by these actions, Mr. Romero and Mr. Caballero clearly recognized and were attempting to influence the processes of opinion-forming and decision-making which, increasingly in the case of large infrastructure projects like the Bonyic dam, are deeply embedded in "...complex and transnational settings characterized by shifting alliances"(Mosse 2005b:18). At the close of 2004, many similar attempts to legitimize the practices associated with the Bonyic dam were still required to produce a 'successful' project.

4.8 "Teribe king dethroned" [81]

By the time the agreement on compensation and benefits was signed in December 2004, more than three months had passed since separate Naso

[81] Title of an article that appeared in the La Prensa newspaper on June 1st, 2004 (Chery 2004).

delegations representing Tito and Valentín Santana had met with government officials in Changuinola to discuss new dates for Naso elections. The government had simply ignored the October 31st proposal submitted by Valentín Santana's supporters, and Tito Santana appeared more determined then ever to prevent a vote for King from taking place. His opponents decided to take the somewhat uncharacteristic step of organizing a petition to demand that the Ministry of Government and Justice, to which the Bureau of Indigenous Affairs reports, honour its commitments to the Naso people and announce the date set for the agreed elections (see Appendix VI). The idea of gathering signatures on a petition may have been novel to the Naso as it did in fact originate as a suggestion that I made, but the process that resulted in the collection of more than 500 signatures was likely as old as the Bocas hills. Critics of Tito Santana's handling of the hydro project took copies of the petition back to their respective villages where they discussed Tito Santana's handling of the hydro project with their families and neighbours. I was impressed by how quickly those who supported neither Tito nor Valentín in the leadership struggle recognized the non-partisan nature of the petition and agreed to sign on. "May the best man win!" was how one signatory put it.

For whatever reasons, the government again chose to ignore Valentín Santana's supporters' calls for elections. This time, frustrated by the government's lack of response and impatient about progress being made on the Bonyic hydro project, Valentín Santana's supporters decided to take matters into their own hands. As of Jan 4th 2005 they occupied the Naso Palace in Sieyic making it known that Tito Santana was no longer welcome as King. As these events unfolded in the Naso region, I was back in Montreal preparing for my third and final phase of fieldwork. To my complete surprise on January 28th, 2005, the Panama City-based daily *La Prensa* published an article quoting the recently overthrown Naso king Tito Santana in which Santana personally accused me of financing the rebels that had seized control of power in the Naso region (see Appendix VII: "King Tito Santana hopes to recover his throne" (Pimentel 2005).

There it was in black and white, my name (with a typo nonetheless) duly recognized as a Canadian doctoral student accused of financing a palace coup! Romantic hyperbole aside, I immediately became concerned for my personal safety. After all, there were some very significant economic interests aligned behind the Naso faction represented by the deposed King Tito Santana.

Two days later on January 30th, 2005 another article was printed in the same newspaper denying the by now ex-King Tito Santana's charges of violence and foreign intervention involved in his expulsion (see "Confirmation that the people overthrew the teribe king". Redaccion de La Prensa 2005a). I followed this up by sending a letter to the editor of La Prensa clarifying the nature of my mission in the country. This letter was published a few days later under the heading of "Name correction and election of king Tito" (Paiement 2005). I then tried to evaluate the significance of these events with three Panamanians who were familiar with the Naso situation:

1. Manolo Zarate, Sr. Environmental Consultant responsible for the Environmental Impact Assessment on the Bonyic hydroelectric dam planned for the Naso region.
2. Professor Francisco Herrera, a historian at the Universidad Nacional de Panama who has done a lot of research in the area over the past 30+ years and continues to follow local events quite closely; and
3. Osvaldo Jordan (also personally denounced by Tito Santana in La Prensa), a Ph.D. Candidate at the University of Florida and member of the Panamanian NGO Alianza para la Conservación y el Desarrollo (ACD). ACD had previously made public its opposition to the Bonyic hydro project on ecological grounds, and Osvaldo had just returned from the Naso region where he had met with the Nasos and various government officials about the hydro project.

These three individuals each reassured me that my personal safety would not likely be compromised as a result of these events. They based their assessments

upon the following criteria: as a legitimate student with an officially recognized research project registered with INAC (see Appendix VIII and IX), most people – including Tito Santana himself, whom I personally provided with a one-page summary of my research objectives and my survey questionnaire – understood the nature and the value of my reasons for being in this region. These contacts agreed that Tito Santana's attempt to lay the blame for his ouster at the feet of illegitimate foreign interests was the desperate act of a politician who knew his days in power were numbered. Finally, Panama is (thankfully!) no Guatemala or even Colombia for that matter where such accusations can never be taken lightly. While in the past the level of tension and animosity brought on by the conflict over the ex-king's support for the hydro project did result in anonymous threatening phone calls against the ex-king's most visible opponents, none of these threats were ever carried out.

I also turned to my thesis committee advisors at McGill for advice on these matters. They largely agreed with the assessments provided above by my Panamanian colleagues, but went perhaps one step further in suggesting that I try to lay low for a while and wait until the situation cooled off before going back to the Naso region. In the words of my supervisor Laurel Bossen:

> "The 1/30 *La Prensa* article is not quite enough to reassure me, since it is simply the opposing side's version of events. If you are not there, your significance as a scapegoat will probably fade fairly quickly and other scapegoats will be sought before the election. You can follow the issues in the press and through emails with your contacts, and in the meantime, you can continue your work on material already in hand."

Professor Bossen also reminded me of the importance of appearing neutral in these matters. She argued that such a stance was necessary in order to collect reliable data from different sides, itself a precondition for the legitimacy of my own account. I attempted to maximize the objectivity of my analysis by sharing drafts with all my informants. A related issue in this respect has been my comparatively limited access within the ex-king's (Tito Santana) circle of supporters. Out of necessity, upon arrival in the Naso region I depended on the Naso ecotourism group ODESEN – among whose members happen to be several

of the Tito Santana's principal political opponents – for boat rides into the region and contacts with interview participants. By virtue of this association, Tito Santana's supporters quite naturally viewed me with suspicion if not hostility, especially given that they had recently been criticized internationally by a Panamanian ecological NGO for their support for the hydro project. I attempted to balance this likely factional predominance in my opinion sample by approaching key members of the ex-king's Council of Leaders with information about my research project, preliminary results, sample interview questions and a request to be formally introduced at a Council meeting. I also interviewed the company officials promoting the hydro project (ex: Julio Zuluaga and Marino Gomez of Empresas Públicas de Medellín (EPM) and Cesar Romero of Hidro Ecológico del Teribe (HET), the ex-king's indigenous advisors (ex: Eligio Alverado of Fundación Dobbo Yala) and various Panamanian government officials (ex: Jose Mosaquites of ANAM) who recommended that the Naso should support Tito Santana and the hydro project in spite of its many difficulties and drawbacks discussed earlier.

By the time I returned to the Naso region in March 2005, I found that the rhetoric was still quite heated, but that the atmosphere was surprisingly calm. For example, a local radio station had stepped up its on-air attacks against the anti-dam faction now in power in the Naso region. One local announcer by the name of Ramon Staff Morales even used his popular radio talk show on Caribe Stereo 90.1 FM to suggest that the money I spent on travel to and from Canada could be better spent helping local people to buy essential goods, and that in any event "...didn't Canada already have enough of its own problems with hydro dams on indigenous land?"

The relative calm that I witnessed at the beginning of 2005 was a pause as both factions in the Naso conflict attempted to adjust to the new balance of political strength. I happened to meet one of Tito Santana's most vehement supporters in El Silencio one day while waiting for a boat to take me to Siekin. This impromptu meeting occurred just as the pro-hydro faction was returning

from a meeting with HET officials in Changuinola. It seems that the hydro company had wanted to brief Tito Santana's supporters about their plans for dealing with the Naso leadership crisis. The encounter went surprisingly well and was in fact quite cordial and factual. Generally the ex-kings supporters preferred to maintain more guarded and officious attitudes whereby they stuck closely to the script and towed the party line about the officially sanctioned structures of authority and legitimate procedures for electing local representatives and collective decision-making. This resident from the nearby village of Santa Rosa agreed that the accusations against me were exaggerated, and that both Naso leadership factions should continue to engage in constructive dialogue as the only viable solution to resolving the conflict. Thus he appeared to have adopted a more conciliatory attitude, much like that of the hydro company officials whom Tito Santana's supporters were surely taking their cues from.

After this highly publicised turn of events, Panama's government finally decided that it was time to act. Within days the office of indigenous affairs agreed to organize a new election to determine who should be the legitimate Naso traditional authority. After all, they said, wasn't an election exactly what the petitioners had wanted? The only problem was that now *de facto* king Valentín Santana's supporters viewed the government's attempts to organize these elections as an affront to their customary rights and as part of a plan to restore the deposed Tito Santana. Valentín's supporters argued that the Naso people have their own internal regulations for electing their kings (i.e. the Electoral Agreement signed between César and Tito Santana in 1998), and that the role of the national government in such matters should be to act as simple observers.

Figure 26: Valentin Santana (the man in the center of the picture holding a wooden spear to symbolize his authority as Naso King) seen here greeting supporters outside the Naso Palace on election day, April 3rd, 2005.

The government went ahead anyway and signed an elections agreement with Tito Santana, the only candidate who would appear on the ballot (see Appendix X and Figure 27). Together they then set about preparing a new list of eligible voters who would be authorized to vote in Ministry of Government and Justice sanctioned Naso election scheduled for April 3rd 2005. The electoral list was compiled by a Ministry official who went door to door accompanied by a member of Tito Santana's electoral committee. The opposition accused Tito Santana of pressuring people to sign the voter registration cards in order to be eligible to receive the ex-King's favours once the Bonyic hydro project eventually went ahead. With legal assistance from Hector Huertas of Panama City-based NGO CEALP, Valentín Santana filed an official complaint with Panama's Electoral Tribunal to have these elections stopped. However in Resolution No. 36-2005 – ADM rendered March 30th 2005 the Tribunal's magistrates rejected the petition on the grounds that the April 3rd Naso election was not an official Electoral Tribunal organized event. The Tribunal had simply been asked to provide technical support to the legitimate organizers – i.e. the Ministry of Government

and Justice who were therefore responsible for the actual conduct of the exercise (Tribunal Electoral 2005).

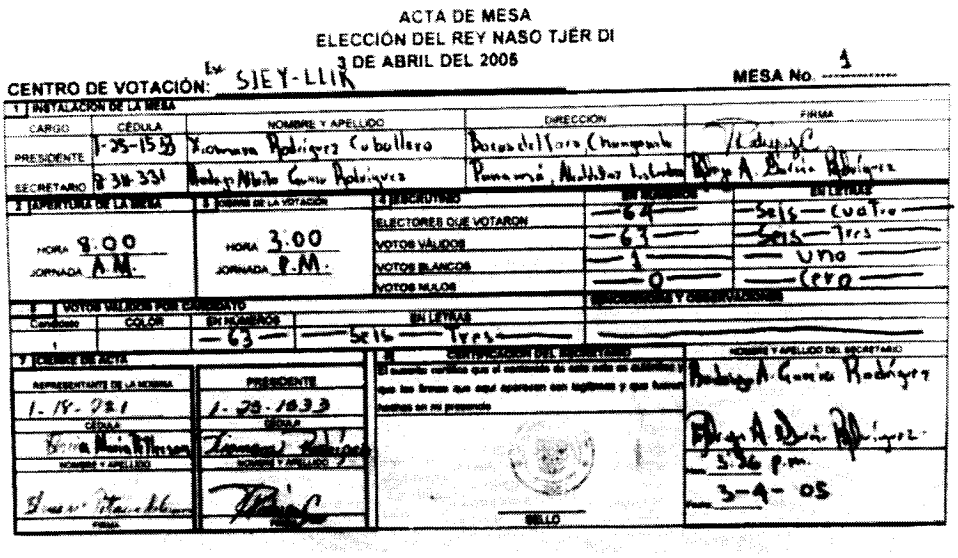
ACTA DE MESA
ELECCIÓN DEL REY NASO TJÉR DI
3 DE ABRIL DEL 2005
CENTRO DE VOTACIÓN: Ex SIEY-LLIK
MESA No. 1
1 INSTALACIÓN DE LA MESA
CARGO | CÉDULA | NOMBRE Y APELLIDO | DIRECCIÓN | FIRMA
PRESIDENTE | 1-35-153 | Tomas Rodriguez Caballero | Boca del Toro (Changuinola)
SECRETARIO | 8 34-331 | Rodrigo Alberto Cuevas Rodriguez | Panamá, Albrook Ancon
2 APERTURA DE LA MESA: HORA 8.00 JORNADA A.M.
3 CIERRE DE LA VOTACIÓN: HORA 3.00 JORNADA P.M.
4 ESCRUTINIO
ELECTORES QUE VOTARON: 64 — Sesenta y cuatro
VOTOS VÁLIDOS: 63 — Sesenta y tres
VOTOS BLANCOS: 1 — Uno
VOTOS NULOS: 0 — Cero
5 VOTOS VALIDOS POR CANDIDATO
Candidato | COLOR | EN NÚMEROS | EN LETRAS
1 | | 63 | Sesenta y tres
7 CIERRE DE ACTA
REPRESENTANTE DE LA MESA: 1-18-921
PRESIDENTE: 1-28-1033
SECRETARIO: Rodrigo A. Cuevas Rodriguez
3:36 p.m. 3-4-05
SELLO

Figure 27: Official Naso election transcript from Sieyic poling station. April 3rd, 2005. A total of 63 valid votes were cast for the only candidate (Tito Santana). No incidents or additional observations were reported. Authenticity certified by the seal of the Electoral Tribunal.

The voting went ahead as schedule on April 3rd and without any major incidents. The official results, certified by the Electoral Tribunal, declared Tito Santana to be the winner with 378 votes of the overall 388 ballots cast (10 voters cast blank ballots). Tito Santana's supporters would have preferred a more resounding endorsement as in the previous election that brought Tito to power in 1998, when a voter participation rate of 50% was required for the results to be considered valid. But not this time around. See Table 13 below for a regional breakdown of voting patterns. To almost no one's surprise voter support was strongest in the Naso settlements in and around the city of Changuinola. Equally predictable was the ex-King's poor showing in the San San, Druy, and La Tigra sectors where he managed only 10 votes.

Table 13: April 3, 2005 voting results certified by the Electoral Tribunal.

COMMUNITY	No. Votes Cast	Total Naso Population
Santa Rosa	91	212
Changuinola	74	500
Sieyic	64	402
Bonyic	36	236
Sodi	35	88
Guabito	34	500
Siekin	23	366
Solon	21	208
Druy	7	411
San San	3	125
Tigra	0	82
Loma Bandera	0	50
TOTAL	388	3180

Note: Total Naso population figures include persons less than 18 years of age who were ineligible to vote in this election. Population figures are based on the 2002 household survey conducted by Fundación Dobbo Yala. Naso communities of Kuikin and Yorkin did not have poling stations.

For his part Tito Santana complained that many more of his supporters had attempted to vote only to have been prevented from doing so because their full names did not match those on the voter list or else they were told that they could only vote in their home communities. Officials from Panama's human rights watchdog (Defensoría del Pueblo) were also in Sieyic to observe the voting on April 3rd. Hermel Rodriguez of the Defensoría said candidly that he did not believe that the election process organized by the Ministry of Government and Justice was the right way to resolve the Naso leadership crisis. However the Indian Affaires division of the Ministry persisted and declared Tito Santana to be the elected king of the Naso people. The following Sunday, April 17th was set to

be the day when Tito Santana would be formally reinstalled in the Palace at Sieyic (Redaccion de La Prensa 2005b).

Bolstered by the meagre turnout, Valentín Santana's supporters reiterated their complete rejection of what they characterized as a fundamentally flawed, arbitrary and illegal electoral process "...that violated the human rights of the Naso people in order to benefit a foreign company." (Santana 2005). They also made it clear that they had no intensions of vacating the Palace so that Tito Santana might reclaim that which the government alone maintained was rightfully his.

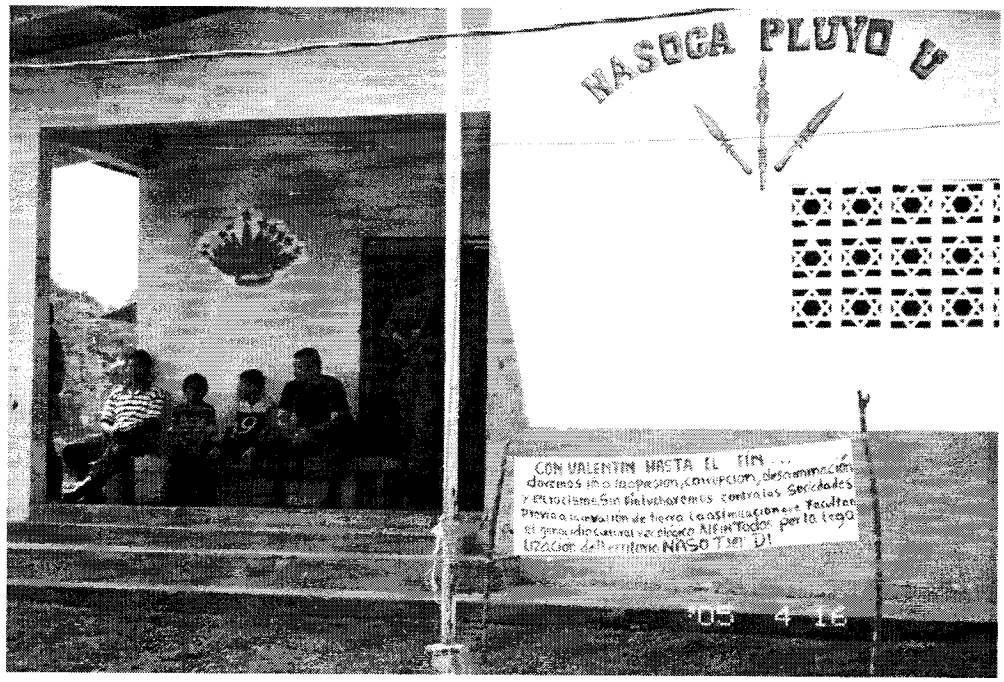

Figure 28: Banner placed in front of the Palace of the Naso People to protest the controversial April 3rd 2005 election of the Naso King. "With Valentín until the End... We will put an end to oppression, corruption, discrimination and racism. We will never give up the struggle against the invasion of our lands, and against the assimilation that sanctions cultural and ecological genocide. United we stand for the legalization of the Naso Tjer Di territory." Note the military police entering the Palace with the M-16 rifle strung over his back.

As the 17th of April drew nearer, Valentín's supporters gathered at the Palace in Sieyic to show their defiance against the government's plan to re-install Tito Santana as King (See Figure 28). A detachment of some 20 National Police

guards equipped with high calibre rifles and teargas grenades also appeared at the scene (See Figure 29 below). The police were under the command of Captain Ismael Arguello who was dispatched to Sieyic from his usual posting in the Darien region along Panama's lawless eastern border with Colombia. Captain Arguello explained that his orders from the Ministry of Government and Justice were to ensure respect for the law and to prevent any acts of violence from being committed.

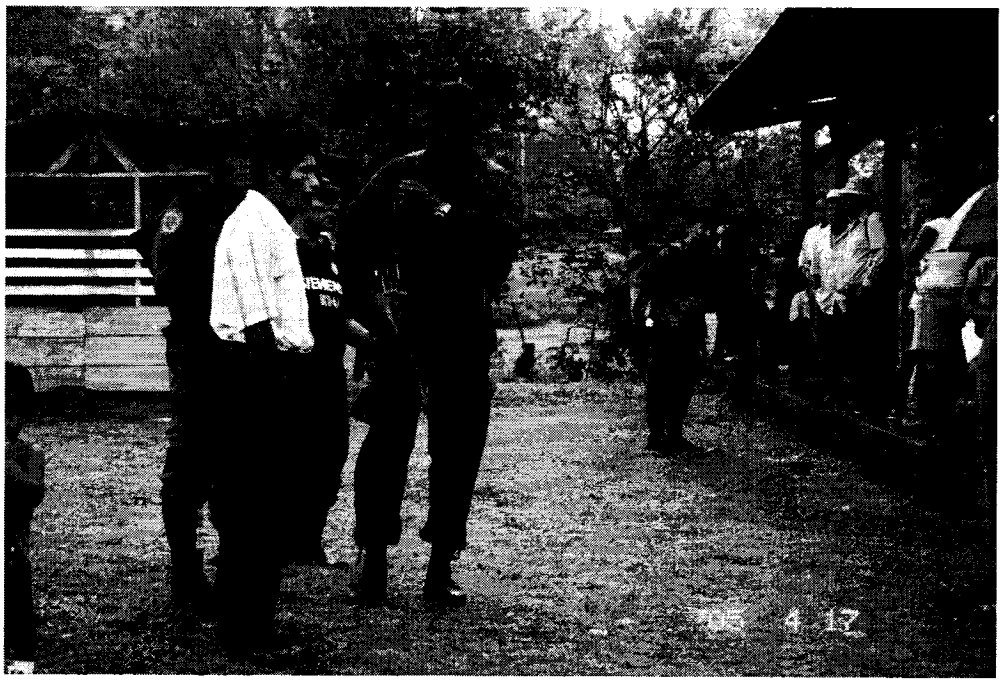

Figure 29: Some of the twenty odd Nation Police guards dispatched to Sieyic to maintain order during Tito Santana's government sponsored reinstatement as Naso King. April 17th, 2005.

Valentín's supporters were visibly intimidated by the police presence as many could still remember back to the 1980's during the dictatorship when police brutality was commonly used to silence political opponents. But times have changed in Panama and Captain Arguello is living proof (See Figure 30). The Captain sat down to talk with Valentín Santana's supporters in order to learn more about the reasons behind the conflict between the uncle and his nephew. Valentín's supporters produced a series of documents that testified to the multiple organizational and legal actions they had taken since the conflict started over a

year ago in April 2004. The Captain was visibly impressed by the passion, eloquence and the patience of the Naso protesters, and he quickly made it known that he would not be the one to impose any solution on their leadership crisis. Captain Arguello laid that responsibility squarely at the feet of the elected officials whom he publicly chastised for attempting to use the police to solve a political problem.

Figure 30: National Police Captain Ismael Arguello (seated on left) listens as supporters of Valentín Santana explain the reasons for their protest. Sieyic, Bocas del Toro. April 16th, 2005.

Because of the Captain's decision to remain neutral, the government officials who had come to Sieyic to declare Tito Santana King of the Naso people had to perform their ceremony in the backyard of a local Council of Leaders member's home – instead of at the Palace which Valentín Santana had declared a restricted area until such a time as an impartial mediation of the conflict could take place. Fortunately for most (myself included!) as the Captain Arguello observed in Panama "the times have changed" in the 15 years since the end of the military dictatorship.

4.9 Cracks appear in the Bonyic dam

Word of these tensions reached the Inter American Development Bank (IDB) whom the Colombian promoters of the Bonyic hydro project had approached for financing. The IDB elected to send a team of independent consultants to the Naso region in order to advise them as to the best strategy to evaluate the social and environmental "Due Diligence" of the proposed project. Then, shortly after learning the results of the Naso election Hiroshi Toyoda, Manager of the Private Sector Department for the Inter American Development Bank in Panama sent a letter to Félix Sanchez – a Naso activist allied with Valentín Santana. The letter dated April 21st 2005 reiterated IDB's commitment to ensure that their evaluation of the merits of the Bonyic hydroelectric project be based on all relevant environmental, social, health and safety and labour aspects. Mr. Toyoda's letter specifically confirmed the following four points:

1) IDB had not yet reached a final decision as to whether or not it would participate in financing the Bonyic hydro project.
2) IDB would analyse the Environmental Impact Assessment and the recommendations of an independent social consultant they hired to evaluate specific social and environmental aspects of the Bonyic project before making their decision.
3) IDB considered the elections that took place on April 3rd of 2005 to have been "inclusive, transparent and consistent with the traditions of the Naso people."
4) IDB expected that the National Assembly would act quickly to legalize the Naso Comarca (Toyoda 2005).

The Naso did not have to wait long before their hopes of seeing their Comarca approved were yet again dashed. During the month of May 2005 Law No.19 did in fact receive a second reading in the National Assembly, but it was promptly returned to the Commission on Indigenous Affaires for further modifications. It has remained at the Commission stage ever since. Although the legislators'

decision clearly represents a setback for the Naso's historical aspirations to be recognized as a Comarca, HET was quick to specify that:

> "Although the creation of the comarca was initially believed to be necessary before considering or accepting the project, the community consultations process revealed that the project and the comarca were not incompatible themes." (Planeta Panamá Consultores 2005: Anexo 1-p.17).

This perspective, however, clearly contradicts the results of the interviews conducted for the social assessment aspects of the Bonyic project's EIA. For instance: "The viability of the Bonyic hydroelectric project cannot be analysed independently of the Naso people's struggles for demarcation of a Comarca." (Planeta Panamá Consultores 2005: p.V-170). On page V-165 of the same EIA we can also read that:

> "Their principal need and demand is for approval of the Naso Tjër Di comarca ...which would allow them to negotiate "between equals, as associates" with whichever external project comes to the region." (My translation) (ibid 2005).

Not surprisingly, HET does not specify what happened during the consultation process to account for this shift in priority accorded to the Comarca among the Naso.

In his letter to Félix Sanchez, Mr. Toyoda (Private Sector, IDB) also mentioned that the Bank was especially concerned to evaluate whether the community consultation process sponsored by HET complied with IDB policies concerning access to information. Here again we see similar contradictions between what HET reports and what the Environmental Impact Assessment concludes. For instance, in paragraph 8 of the annexed report quoted above, HET specifies that:

> "The information and consultation process facilitated the participation of the communities, their representatives and various institutions active in the region, ...the *clear and truthful* information presented helped to clarify doubts and expectations concerning the project and its impacts, and also to reach consensus about their management through measures based on knowledge of the social and environmental reality of the indigenous communities." (My emphasis and translation) (Planeta Panamá Consultores 2005:Annex 1:p.17)

Meanwhile, the main report of the EIA comes to the exact opposite conclusion! On page V-177 of the report we read that:

> "In conclusion, we can say without fear of being wrong, that until now the information available about the project has been *insufficient and unclear.* There are many distortions concerning the impacts the project will have on the environment and natural resources; the restrictions that the project will or will not imply; ways and means to protect Naso culture and traditions; the levels of participation in decision-making and other advantages that would accompany the proposed investments in social services and projects." (my emphasis and translation) (ibid:p.V-177).

One could suggest that the reason for these diametrically opposed assessments of the quality and adequacy of the project-related information available to the Naso people is that the socioeconomic studies for the EIA were conducted at a time before the community consultations process was carried out by the Fundación Dobbo Yala in July 2004. But this does not appear to be the case as page V-170 the EIA report actually mentions two attempts having been made to overthrow King Tito Santana. As reported earlier at least one of these attempts took place on May 30th 2004, so it is unlikely that a simple temporal sequence would account for the significance of this difference of opinion.

It appears however that these guarantees of transparency and accountability were not sufficient enough to convince the Inter-American Development Bank of the merits of funding the Bonyic project. For shortly after the Government of Panama approved the Bonyic project's Environmental Impact Assessment in June of 2005, the IDB issued a letter citing concerns about the potentially negative social and environmental impacts of the project as reason for their decision ***not*** to provide the requested funding (Montgomery 2005). To quote Mr. Montgomery, Head of the Environmental and Social Unit within the Private Sector Department at IDB:

> "We consider the environmental and social related issues presented in your letter important, in particular the potential impacts and political issues associated with the Naso indigenous group and potential environmental impacts especially related to the protected areas in the project area of influence."

Thus in another somewhat ironic twist to this fairly sordid tale of political intrigue and economic speculation the IDB's decision – coming as it does from a multilateral investment bank that does not exactly enjoy a reputation for being the most ardent defenders of the environment or indigenous rights – appears to justify the positions adopted by the dam's opponents. The IDB's decision to drop the project is also interesting because the promoters of the Bonyic hydroelectric project have a good international reputation, and they had tried very hard to present the Bonyic project as one of a new generation of small dams capable of adequately mitigating all significant negative social and environmental effects.

But these 'cracks' in the Bonyic dam hardly spell the death of the project. Hidro Ecológico del Teribe still has all the necessary concessions, licenses and permits to build and operate the project, and is presently looking to the private sector for potential investors. In the likely event that HET does obtain private funding for its dam building activities, it is unlikely to be subject to the same social and environmental criteria as those invoked by the Inter-American Development Bank as reason for pulling out of the project. It could also prove more difficult for the project's opponents to negotiate with and obtain concessions from a private lender. For contrary to the multi-lateral development banks whose board members represent the interests of their national governments and citizens, a private bank is legally accountable to produce profits for its shareholders. Even so, the factors responsible for the IDB's negative social and environmental evaluation of the Bonyic project mean that there remain significant risks and obstacles to the development and operation of a hydroelectric station in the Naso territory of Panama.

By the end of 2006, not much had changed which could affect this rather negative outlook. Panama's officials seem to have other bigger fish to fry than the Naso conflict: including multi-billion dollar plans to expand the country's all important inter-oceanic canal, and a new bill encouraging private real estate development in the already hot market for tourism and retirement homes that the islands of Bocas del Toro have become. Furthermore, plans are underway to build

an electrical transmission line that would allow neighboring Costa Rica to meet some of the electricity needs of Panama's Bocas del Toro province. Both Kings Valentin Santana and his nephew Tito Santana continue to rule over their respective Naso followers. Nonetheless, Tito Santana is still being identified in the national press as Naso King. In September of 2006 he remained optimistic that the National Assembly would approve the Naso *comarca* (Redaccion de La Prensa 2006). Until such a time, Panama's government officials appear content to simply maintain their traditional, informal and partial recognition of some Naso people.

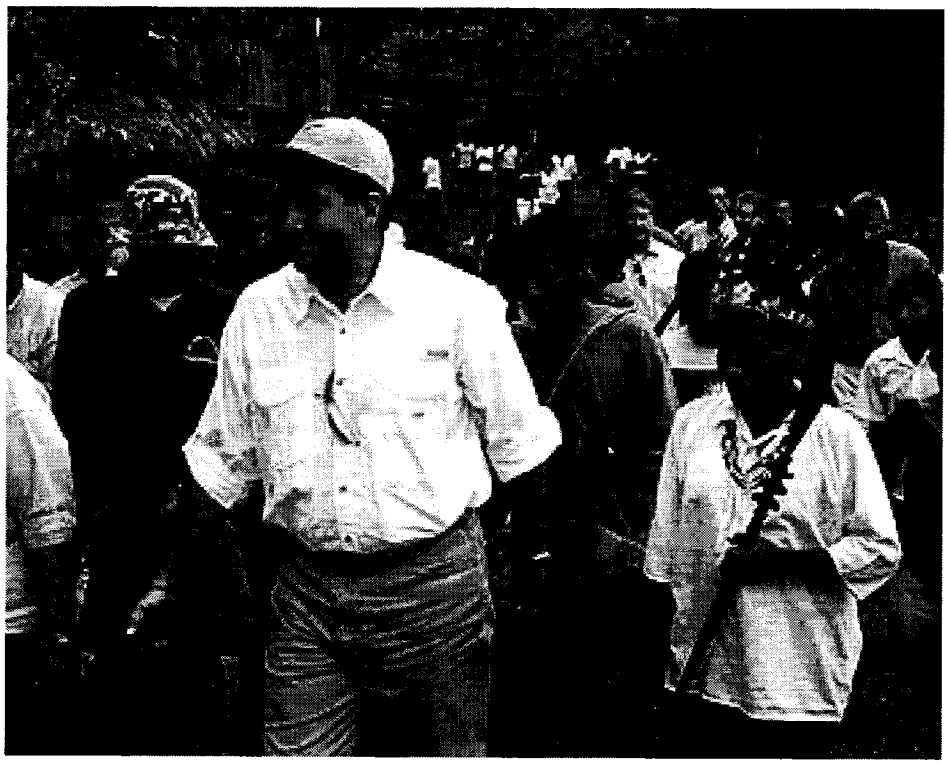

Figure 31: Naso King Valentin Santana (wearing a feather headdress and carrying a wooden spear) accompanies Panama's President Martin Torrijos (wearing a baseball cap) during a stopover in the community of Bonyic on October 2nd, 2006. The President delivered emergency communications equipment, three portable generators, and more money for scholarships and sidewalks. Source: (Redacción 2006).

Chapter 5: Conclusion

Development is by its nature social. Its ends embody social values. Its means are social processes and institutions. Its benefits and costs are distributed across communities, social groups, and organizations.

(Francis and Jacobs 1999:341)

5.1 Summary of main findings

Contemporary approaches to analyzing the relationships between indigenous peoples and the environment in Central America have emphasized the conscious choices made by people engaged in a series of cultural and political transactions shaped by changes in the legal and policy frameworks and by the surrounding ideological climate of the times. The anthropologist Guillermo Bonfil Batalla for example, has suggested that indigenous responses to increasing socio-economic development can best be seen as consisting of three interrelated processes: resistance, innovation, and appropriation (1990:206-209; cited in (Young and Bort 1999). The environmental conflicts and cultural contradictions currently affecting the Naso people appear to confirm the constancy of these complex social dynamics.

Naso resource management organizations and the socio-cultural institutions from which they derive their legitimacy and effectiveness have provided an excellent framework within which to observe the perpetual frictions and accommodations that these three interrelated processes imply. The divergent roles of Naso categories such as *Regidores* and the amorphous nature of their voting procedures for electing traditional authorities are reflections of the Naso's changing cultural universe on their formal organizations and informal institutions. These cultural categories and practices are inextricable elements within a repertoire of shared memories and values that allow the Naso people to continuously adapt their individual and collective survival to the constant evolution of their social and environmental contexts.

But instead of recognizing and taking into account the extent of this dynamic complexity and indeterminacy in Naso socio-economic and environmental

relations, the architects and administrators of local natural resource management policies and programs have preferred to imagine the recovery and projection of a mythical harmonious past into the future. Starting from the doubtful premise that the traditional culture and institutions of the Naso indigenous people have historically ensured stable and sustainable relations between their society and the natural environment, current projects in this region have pledged their considerable support to strengthen the neo-traditional Naso monarchy.

This is precisely the kind of contradictory prescription that I believe results from the inadequate understandings of culture deployed in service of the development projects currently underway in the Naso region. By depicting traditional indigenous culture as some form of quasi-mystical homeostasis instead of as a dynamic repertoire of categories and practices created to adapt to changing social and ecological conditions, resource developers can ostensibly align their projects with the politically more palatable goals of cultural diversity and ecological conservation. The very 'vagueness' of this concept of culture is also perfectly suited to the needs of the project designers since it allows for considerable innovation in the interpretation and official sanctioning of traditional customs and practices.

The fact that a national government would be complicit with a foreign company that seeks to develop natural resources located on indigenous lands against the popular will of a majority of the local indigenous population is not an especially novel or astonishing conclusion. However, the importance of my account lies in having made explicit how particularly significant interpretations of the Comarca and Bonyic projects' activities were established, promoted and defended through the social and professional lives of known actors in specific organizations. My detailed account of the interplay between the ideas and relationships particular to the Naso case reveals how such alliances and strategies are generated, maintained and concealed in the complex social and conceptual processes legitimized through ongoing development projects in this region.

This analytical approach reveals important compatibilities and contradictions between economic development, nature conservation, legislative reforms and issues like social justice, indigenous territorial rights, and representations of identity, community and culture. For example, my findings suggest that prominent interpretations of the functions and capacities of the traditional indigenous resource management institutions discussed above may be fundamentally misguided. Naso institutions and the practices that maintain them are generally more responsive to changes in regional socio-economic and environmental circumstances than to any particular set of formal rules and regulations. Practices such as the use of fire to clear brush from fields and the power of traditional authorities to control the migration and employment opportunities of their people that were once deemed culturally appropriate have fallen out of favour under current demographic, environmental and social conditions.

And yet I have also attempted to show that it is often too simplistic to ascribe the erosion of traditional resource management institutions to commercial and/or demographic pressures alone. This analysis of Naso resource management institutions and practices suggests that the causes of the socio-economic and cultural diversity that characterize the Naso region today should be understood as the products of complex interactions between community-level forces acting 'from below' and national and increasingly international structures acting 'from above'. Among the later I highlighted the impacts of state policies and legislation regulating property rights and access to protected areas, and the transparency and accountability of the decision-making processes available to change discriminatory laws and policies.

Traditional indigenous cultural institutions are not the magic solution to conservation and development problems that project designers and their supporters would so often like us to think they are. And yet these institutions can make significant contributions to enhancing the viability of local sustainable livelihoods, particularly when approached within broader strategies for overcoming the many serious social, economic and environmental constraints

with which they are faced. This recognition has found some expression in the proposed Naso *comarca* legislation, for example by increasing the local autonomy of local authorities and recognizing Naso rights to their territorial resources. But because of the many conceptual and jurisdictional contradictions and ambiguities contained in these measures, the same legislation has actually been used to undermine these very same objectives.

The concepts of traditional institutions and cultural land use practices – similar to those of rights and collective identity – are not natural, unchanging and universally accepted; but rather they are culturally constructed, historically shifting ideas, practices and normative visions set in varied and dynamic contexts. My account has portrayed these ideas as contemporary expressions of geopolitical tensions and ongoing controversies over land, resources, governance, and ethnic and cultural identities in XXI century Panama. The evidence considered in the Naso case therefore suggests that partnerships between states, companies and indigenous peoples based solely on the recognition of rights are likely to falter. The key conclusion of this thesis is thus that instead of focusing exclusively on rights and obligations, all the actors involved should attempt to foster opportunities for more collaborative relationships based on mutual respect and dedication to shared objectives. This conclusion also highlights the urgent need to begin to look for new opportunities for designing and implementing more creative and equitable solutions to the kinds of social and environmental problems currently affecting the Naso region. The kinds of opportunities presented in the Naso *comarca* legislation and in negotiations over construction of the Bonyic hydroelectric dam which have so far generated mostly bitterness and disappointment on all sides.

It has not been the objective of this thesis to advocate either in favour or against the Bonyic hydroelectric project on Naso territory. To do so honestly would require a more adequate consideration of the project's contributions to Panama's increasing demand for electrical energy, and the viability of the various alternative solutions to meeting that demand (conservation, wind, solar, improved

efficiency, etc.). My only professional commitment in these matters has been to assess whether or not the resource conservation and development projects affecting the Naso region were being designed and implemented in a manner consistent with the highest international standards and principles that I believe the case deserves. I am referring to principles such as those articulated by the World Commission on Dams report which – even though they are now widely accepted among governments, international agencies, NGOs and the private sector – were not generally honoured in the Bonyic case.

I described how changes incorporated to the legislation proposing to recognize Naso land rights and jurisdiction in the form of a *comarca* (i.e. Proyecto de Ley No. 19 de 2005) suggest a clear collusion between the Government of Panama, the utility company promoting the hydro project and the Naso leader supported by the faction of his people favourable to the project. This constitutes a clear violation of legitimate participatory decision-making processes. I also described some of the problems resulting from the way the benefits and costs of the Bonyic project are being shared, for example the inadequacy of the compensation agreement. If Hidro Ecológico del Teribe (HET S.A.) ever does eventually succeed in building its hydropower project on the Bonyic river, these detrimental outcomes leave very little hope that an adequate solution to the social and environmental conflicts affecting the Naso region will ultimately be achieved.

This state of affairs is particularly unfortunate given that the Bonyic project actually presented a number of win-win scenarios for the Naso people, the province of Bocas del Toro and the developer. The Naso quite desperately need the jobs, infrastructure and public service investments, and institutional capacity building opportunities that the project presented. And the rapidly expanding urban areas of the province quite desperately need reliable and affordable alternatives to imported diesel to meet their energy demands. But by the end of 2006, these benefits seemed less likely to materialize than they had only three years earlier. This state of affairs leads me to the conclusion that they were forfeited because the social impacts associated with the proposed resource management changes

were not adequately managed. By social impacts I essentially mean the conflicts the project provoked among the Naso. These events exposed all parties involved to an unnecessarily high level of risk (reputation, financial, political and security). A more sustained commitment on behalf of the promoter to ensure equitable benefits for the affected communities would likely have significantly reduced these risks. This evaluation highlights the fact that some of the tensions and contradictions between the means and the ends of development projects may be fundamentally irreconcilable. Tradeoffs appear unavoidable, making the institutional arrangements that shape the incentives and constraints facing resource users a crucial sphere for policy and project innovation.

5.2 Suggestions for further research

The way ahead will require forging a greater consensus over the criteria required to adequately identify and assess the potential social impacts of natural resource development and conservation policies and projects. For example: what constitute adequate policies, guidelines and criteria for addressing the distribution of project costs and benefits? The importance of this need for greater consensus was demonstrated most forcefully in the Naso case when community leadership conflicts were allowed to escalate to the point where the risk of violence continues to threaten the viability of the Bonyic hydropower project. Lingering resentment and uncertainty on all sides is also believed to be responsible for the government's recent unwillingness to approve the Naso *comarca* legislation.

One way to get beyond such unsatisfactory outcomes would be to look at the different ways these projects describe the nature, scale and magnitude of their impacts on poor people in particular, and to evaluate the extent to which appropriate mitigating measures and levels of compensation are implemented if negative outcomes were expected. One potentially promising option in this respect would be to adjust Michael Cernea's 'Impoverishment Risks' model as a tool for the stakeholder analysis component of the framework for evaluating the likelihood of reaching an agreement on benefit-sharing. This model based on eight common components of risk associated with development projects (landlessness,

joblessness, homelessness, marginalization, food insecurity, illness and disease, loss of access to common property resources and services, and loss of social capital or community disarticulation) would be a good starting point from which to develop indicators for attempting to measure the social impacts that a hydropower project or its alternatives could have (Cernea 2000).

Secondly, more attention should be devoted to identifying the factors that help to ensure that appropriate measures to mitigate the adverse impacts of development projects are effectively implemented. For example, how well do current legal and institutional frameworks protect the land and water rights of affected people, and how do they ensure effective compliance? In the Naso case, environmental and forestry legislation created to regulate access to strategic resources of national and international importance for biodiversity conservation and energy production are clearly incompatible with a strong interpretation of indigenous territorial rights over those same resources. How then can we help to ensure that the people affected by such resource conservation and development projects receive appropriate information and adequate opportunities to express their concerns about these projects? And how should we evaluate if negotiations over compensation and benefits packages were suitably transparent, inclusive and consistent with the needs and priorities of particular groups of social actors?

The Environmental Impact Assessment report for the Bonyic hydropower project was quite explicit about the prevailing level of uncertainty among the Naso over the dam's potential impacts. But not only were key messages about the project's design and impacts largely missed, the project's promoters also made little effort to build trust, facilitate a dialogue among all stakeholders, or to assess the distribution of the costs and benefits associated with the project. One suggestion that could help to promote more inclusive and informed decision-making would be to undertake a comparative study of the legislative and regulatory frameworks for designing, negotiating and implementing appropriate benefit-sharing mechanisms with the people and communities affected by hydropower projects. Such a series of good practice examples of how guidelines

on benefit sharing have been adapted by specific development projects would help donors, clients and stakeholders to identify and assess more equitable solutions to problems with the distribution of the costs and benefits associated with large infrastructure projects. A review of these guidelines would also be consistent with a main objective of the second phase of the United Nations Environment Programme (UNEP) Dams and Development Project (2005-2007), namely, the production of practical non-prescriptive tools to help decision-makers. These results could also help to clarify the integrated and multidisciplinary nature of the approaches required to take full advantage of the additional opportunities for poverty reduction that infrastructure investments present.

A final recommendation that requires more serious and creative consideration is the issue of the compatibility of traditional and scientific knowledge. For instance, how can we design programs that will foster the social and individual capacities required to achieve a more coordinated management of the cultural and biological diversity that can still be found in places like the Naso region that are so rapidly being integrated into the national and global development mainstream. Decentralized institutional arrangements for sharing resource management responsibilities between indigenous peoples and the various levels of government (i.e. co-management agreements) are relatively recent phenomena in most of Panama. Better understandings, on all sides, of the historic context of competing perceptions and claims over resources could help to reduce social conflicts by increasing the influence and thus compliance of local users with the management rules affecting the resources upon which they depend (Spaeder 2005a:166). These would be just three essential elements towards a more equitable reconciliation of the rights and priorities of the different groups of people interested in the sustainable production of energy and the living conditions of those most affected by its production.

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Appendix I: Naso household survey questionnaire.

Derechos Indígenas y Manejo de Recursos Naturales en el Distrito de Changuinola, Panamá.

Hola, mi nombre es Jason Paiement y estoy haciendo un estudio sobre el manejo de recursos naturales en el distrito de Changuinola, Bocas del Toro. Se trata de un proyecto para recibir el grado de doctorado en antropología en la Universidad McGill de Canadá.

Numero de entrevista:

- Fecha: Hora: Lugar:
- Personas presentes:

Identificación del hogar

- Nombre del jefe y comunidad de residencia:
- Tipo de hogar *(ex: familia nuclear, monoparental, viuda, etc)*:

Hijos y demás miembros	1	2	3	4	5	6	7	8
Relación de parienta								
Sexo								
Edad								
Estado civil *								
Grado escolar								
Ocupación principal **								
Ocupación secundaria ***								

* 1= soltero, 2 = casado, 3 = divorciado, 4= separado, 5 = viuda, 6 = segundo matrimonio

** 1= Agricultura, 2= Empleado publico, 3= Empleado privado, 4 = Vendedor ambulante, 5= Tienda, 6 = Artesano, especifica

*** 7= Maderero, 8= Albañil, 9= Carpintero, 10= Peón, 11= Turismo, 12= Confección y reparación de botes, 13= Transporte, 14= Techo de Palma, otro (especifica)

Equipo y herramientas *(ano adquirido)*

- Características de la vivienda: Piso: _____ Techo: _____ Paredes: _____.

Radio	Estufa gas	Refrigeradora	Maquina de coser	Motor f/b	Bote	Rifle	Motosierra

- Otros para: Agricultura – Artesanía – Carpintería – Mecánica – Pesca.

Origen socioeconómico

- Usted nació aquí en esa comunidad?
- Por que viniste tu o tus padres a ese lugar?
- Como cuantos anos tienes de vivir aquí?
- Que idioma usan para comunicarse entre ustedes mismos: Español – Naso – Otro (especifica).
- Participes o en algún momento has participado usted o algún miembro de su hogar en alguna organización formal o asociación voluntario? *(ex: Consejo de dirigentes Junta local, Padres de familia, iglesia, etc.)*

Percepción de seguridad de acceso a la tierra

- Cuantos de sus hijos tienen sus propias parcelas y en donde las tienen?
- Como adquieran sus parcelas? *(herencia, matrimonio, compra, donación, etc.)*
- Cuantos hermanos tienes? *(varones)*
- Cuantos de sus hermanos tienen sus propias parcelas y en donde las tienen?
- Como adquieran sus parcelas? (herencia, matrimonio, compra, donación, etc.)
- Cuantas hermanas tienes?
- Cuantas de sus hermanas tienen sus propias parcelas y en donde las tienen?
- Como adquieran sus parcelas? *(herencia, matrimonio, compra, donación, etc.)*

Características de las parcelas del hogar

Numero de la parcela	1	2	3	4
Distancia del hogar				
Colindantes				
Tamaño *(Ha.)*				
Grado de pendiente *(1 = plano,2 = suave,3 = muy inclinado)*				
Tipo de suelo *(1= arenoso,2 = arena-arcilla,3 = arcilla,4= rocosa,5 = otra)*				
Fertilidad del suelo *(1= baja, 2= moderada,3= buena,4= muy buena)*				
Manera en que fue adquirido *(1= Herencia,2= Compra, 3= Posesión, etc.)*				
Ano en que fue adquirido				
Uso(s) de la parcela a la hora que fue adquirido				
Uso(s) actual de la parcela				

Tenencia de la tierra

(1 = No, 2= Si con notificación y permiso, 3= Si solo con notificación, 4= Si sin notificación o permiso)

Tenencia de la tierra *(derecho colectivo, titulo privado, tierras nacionales, otro)*				
Derecho para vender la parcela				
Derecho para designar la herencia de la parcela				
Derecho para regalar la parcela a otro				
Derecho para alquilar la parcela				
Derecho para sembrar y cortar árboles maderables				
Derecho para sembrar y cosechar productos anuales *(maíz, arroz, etc.)*				
Derecho para sembrar y cosechar productos pernéales *(cacao, frutales, etc.)*				
Derecho para pastorear ganado				

- Notas sobre estado de parcelas y tenencia de la tierra.

Mercado de tierras

- Has usted o algún miembro de su hogar comprado o vendido alguna parcela?

Vendedor	Comprador	Parcela entera?	Tamaño	Certificado o registrado?	Ano

División de parcelas

- Han dividido sus parcelas en los últimos 15 anos?
- En cuantas parcelas fueron divididas?
- De que tamaño quedaron las parcelas divididas?

Conflictos territoriales

- Alguna vez tuviste disputas o conflictos sobre una de sus parcelas? *(cuando, con quien, etc.)*
- Cual fue el resultado? *(ex: perdida de derechos, modificación de los limites, ganancia de derechos, aun no resolvió).*

Productividad de la tierra

Uso de la tierra	Arroz	Maíz	Fríjol	Otro cultivos*	Rastrojo	Bosque primaria
Hectáreas						

* 1= Naranja, 2= Cacao, 3= Plátano, 4= Yuca, 5= Ñampi, 6= Ñame, 7= Pifa, 8= Uyama, 9= Ají, 10= Piña, 11= Banano.

- Desde que tu adquiriste sus parcelas ha aumentado o disminuido la producción?
- Razones posibles por estos cambios?

Tipo de mejoras

Numero de la parcela	1	2	3	4
Trincheras para drenaje o terrazas				
Cercas o otras plantas de linderos				

Siembra de árboles / agro-foresteria				
Otras (ex: bodegas, etc.)				

Insumos agrícolas

- Alguna vez has faltado de mano de obra para realizar sus labores agrícolas?
- Puedes conseguir ayuda adicional cuando lo necesitas? *(ex: familia, vecinos, asalariado, etc.)*

Donde consigues las semillas que usas?	Abonos	Fertilizantes	Pesticidas	Herbicidas

- Usted o algún miembro de su hogar ha beneficiado de algún proyecto productivo en los últimos 5 anos?

Ano	Proyecto	Promotor	Población elegible	Tipo de beneficio	Contraparte

- Usted o algún miembro de su hogar ha tenido algún crédito de alguna fuente en los últimos 5 anos?

Ano	Uso	Cantidad / Calidad	Tiempo para pagar	Tipo de collateral

Venta de productos agrarios (ciclo 2003 – 2004)

Producto*	Cantidad	Precio	Comprador

1= Naranja, 2= Cacao, 3= Plátano, 4= Yuca, 5= Ñampi, 6= Ñame, 7= Pifa, 8= Uyama, 9= Ají, 10= Piña, 11= Banano, 12= Aguacate, 13= Mango...

Cría de animales

Especia	Cantidad presente	Cantidad propia	Mayor cantidad poseído	Ano que fue	Adquirido *(compra, herencia, reproducción)*

Venta de productos animales (ciclo 2003 – 2004)

Producto	Cantidad	Precio	Comprador

Venta de madera (ciclo 2003 – 2004)

Producto*	Cantidad	Precio	Comprador

- 1= Laurel, 2= Cedro, 3= Bateo, 4= Mayo, 5= Criollo, Otro.

Recursos colectivos y de subsistencia

Recuso	Uso	Cantidad	Precio (2004)	Comprador

Casería				
Pesca				
Madera *(casa, botes, artesanía)*				
Leña				
Palmas para techo				
Plantas medicinales				

Muchas gracias por sus participación. No se si a usted se le ocurrió algo mas que podríamos discutir sobre el tema o que talvez quisieras que guardo tu información en privado por ejemplo usando un nombre falso para identificarte. Si____ o No____ .

Interviewer's comments on interview: (e.g. conditions, interruptions, other people present who might inhibit or influence opinions.

Appendix II: Bonyic Hydroelectric Project Abstract.

PROJECT ABSTRACT

This Abstract was last updated on September 30, 2004.
Project Number: PN-0155
Project Name: Bonyic Hydroelectric Project
Country: Panamá
Sponsors: Empresas Publicas de Medellín
Administradora Serviagro
Consultores Asociados de Ingenieria, S.A.
MacEnergy Limited
Total Project Cost: US$50.0 million
IDB Participation: IDB A-Loan: US$15.0 million
IDB B-Loan: US$20.0 million (if applicable)
Department: Private Sector Department
Status: Due Diligence

Project Description

The project consists of the design, development, construction, operation and maintenance of a 30 megawatt ("MW") run-of-the-river hydroelectric power plant and a small regulating day reservoir along with transmission facilities, including an 11 kilometre, 115 kilovolt transmission line and associated substation, to interconnect with the national grid (the "Project"). The Project is located on the Quebrada Bonyic located in northwestern Panama in the Province of Bocas del Toro. Power will be transmitted via the Project's transmission line to the city of Changuinola and will terminate at a new substation constructed for the Caldera-Changuinola transmission line that is to be built by the Government of Panama ("GPN"), which will be the delivery point for the Project's power.

The Project is being developed by Hidroecológica del Teribe S.A, ("HET") a special purpose company owned by Empresas Publicas de Medellín of Colombia, Administradora Serviagro and Consultores Asociados de Ingenieria, S.A. of Panama and MacEnergy (Cayman) Limited. HET was granted a concession (the "Concession") to generate hydroelectric power up to a capacity of 30MW for a period of fifty years by the Ente Regulador de los Servicios Publicos ("ERSP") (Resolution N°JD-1497) on August 12, 1999. Water usage rights to utilize water from the Rio Bonyic for fifty years for hydroelectric generation has also been granted by the ERSP. The Contraloría of Panama approved the Concession on June 22, 2001. Total project costs are estimated at US$50.0 million and a financial plan comprising US$15 million of equity and US$35 million of debt, corresponding to a debt-to-equity ratio of 70/30, has been proposed. Senior debt financing from the Bank through an A/B loan structure is being contemplated including a US$15 million A-loan and a US$20 million B-loan.

Project Benefits

The Project will have a positive developmental impact particularly in the Province of Bocas del Toro, which is among the poorest regions of the country. The Project will generate electricity with more effective generation costs than those prevailing in the existing isolated system, which consists of out-dated, expensive, more environmentally sensitive diesel generation. In addition, the Project will provide a reliable source of electricity in the region. Upon interconnection with the national grid, due to its economic viability (dispatch), the Project should contribute to lower energy prices in general while being dispatched.

IDB Participation

Consistent with Bank objectives in Panama, the Project will contribute to the achievement of objectives set forth in the Panama Country Paper with respect to increasing private sector investment, achieving environmentally sustainable growth, and making the provision of services, in this case electricity, more efficient. In addition, the Project is consistent with the objective of the promotion of foreign investment and private sector participation in infrastructure projects. The Project is also aligned with the Bank's fostering of sustainable and renewable sources of energy as specified in the Energy Sector Strategy as the Project is small-scale and utilizes a renewable energy source.

In Panama, renewable energy has been supported by the GPN. Bank participation in the Project is consistent with the priorities of the Panamanian Government and furthers support for renewable energy projects.

Appendix III: Letter from SUNTRACS representative Jaime Caballero.

SINDICATO UNICO NACIONAL DE TRABAJADORES DE LA INDUSTRIA DE LA CONSTRUCCIÓN Y SIMILARES (SUNTRACS)
Por la senda de Victoriano: Trabajadores y Campesinos al Poder
Telefax: 274-0727 **Página Web: www.suntracs.org**
Teléfono: 267-0006 **Nuevo Veranillo, Calle L Final, Casa L1843**
Correo Electrónico:suntracs@hotmail.com

Chanquinola, 17 de Diciembre de 2004

Señor:
Jasón Jacques Paiement
Antropólogo

Sr. Paiement:

Por medio de la presente le manifestamos nuestra molestia por las declaraciones emitidas por su persona toda vez que hemos tenido acceso a un estudio supuestamente realizado por su persona en el cual menciona a nuestra organización y aun representante nuestro con aseveraciones que son totalmente falsas.

En el punto #5 de dicho estudio menciona usted que nuestra organización, el Sindicato Único Nacional de Trabajadores de la Construcción y Similares, SUNTRACS, realizó una inspección al proyecto Bonyic y que en dicha inspección entrevistamos a 23 de 93 trabajadores y que detectamos serias anomalías y violaciones a las normas de trabajo.

1. Primeramente debo decirle que nuestra organización siempre se ha caracterizado por respetar el derecho del pueblo Naso a decidir si dicho proyecto se construye o no, ya que esta es una decisión exclusiva de dicha etnia.

2. Ante la posibilidad de que pudiera desarrollarse dicho proyecto, es nuestra obligación constatar que se cumplan las leyes mínimas en el aspecto laboral y además dar a los trabajadores la posibilidad de que se rijan por la convención colectiva CAPAC-SUNTRACS.

3. Dicha visita a los campamentos de Rancho Quemado y de Michilá la realizamos los días 1 y 2 de septiembre y no en Agosto como usted afirma.

4. En dicha inspección pudimos determinar que se cumplían las condiciones mínimas establecidas por la ley en materia laboral en nuestro país. Se pagaba Seguro Social, se proporcionaban contratos de trabajo, el equipo de seguridad estaba en orden y las condiciones en general eran óptimas.

SUNTRACS, UNO GRANDE, CLASISTA, COMBATIVO Y REVOLUCIONARIO

Appendix IV: Summary of research phase one (August 14th – October 1st, 2004).

Jason Jacques Paiement Universidad McGill

Resumen de la primera fase del estudio (14 de agosto al 1 de octubre)

Objetivos específicos

La primera de las tres fases del estudio tuvo tres objetivos específicos:

1. Identificar y contactar a las personas que aceptarían de participar con mi estudio.
2. Preguntar a los interesados que me cuentan sobre sus experiencias y opiniones con respecto a los siguintes tres temas:
   - la Comarca Naso Tjër Di,
   - el proyecto Hidro Ecológica del Teribe (HET S.A.) sobre el río Bonyic,
   - varios proyectos productivos tales como de agroforestería, artesanías, piscicultura, etc. que han sido promovidos en el área por el estado, la comunidad internacional y por organizaciones no-gubernamentales.
3. Investigar la disponibilidad de otras fuentes de información sobre los tres temas mencionados en el punto No. 2.

Metas alcanzadas

Durante las aproximadamente siete semanas que permanecí en Panamá, hice cinco visitas de cuatro a siete días cada uno por el área Naso. Mediante eso pude entrevistarme con aproximadamente cincuenta personas quienes viven por su mayor parte en las siguiente comunidades: Sodi, Bonyic, Solon, Siekin, Sieyic, San San, San San Druy, La Tigra y Loma Bandera. Estas visitas fueron coordinadas con la dirigencia de la ong Naso ODESEN, por motivo del cual pagué un total de $325.00, sumo que se cobro para gastos directos de transporte en bote y terrestre, cuatro noches y comidas en el centro eco turístico de Wekso, y servicios de guías quienes me acompañaron durante las entrevistas. Mis gastos adicionales para el alojamiento y la comida en las comunidades los pague $7.00 por día directamente al jefe o jefa de la casa donde me quedaba. Además, logre entrevistar a varios representantes y profesionales de entidades estatales, de los medios de comunicación y de la sociedad civil basadas en las áreas de Changuinola, Guabito y en la ciudad de Panamá y quienes han trabajado en la región Naso. Estas entrevistas facilitaron mi acceso a la información adicional sobre los tres temas que me interesan y así contribuyeron a la exitosa realización de mi tercer objetivo específico.

Con respecto a mi segundo objetivo puedo hacer las siguientes observaciones:

1. El asunto de la Comarca sigue siendo de gran importancia para el pueblo Naso. La mayor parte de la gente con quien pude hablar lo describan como más que un anhelo histórico, ya que lo vean también como un derecho colectivo a un reconocimiento nacional que puede garantizar la seguridad de sus tierras y así asegurar la continuidad de su lengua, cultura y modo de vivir.
2. Desde el punto de vista de los no-Nasos, la aprobación de una ley por la cual se quiere crear la Comarca Naso Tjër Di solicita opiniones contradictorias. Por ejemplo, algunos han sugerido que la asamblea legislativa quiere aprobar la ley 50 de la Comarca para otorgar un valor jurídico a las instituciones y autoridades tradiciones y así legitimizar su derecho de tomar decisiones en nombre de todo el pueblo Naso. Otros crean sencillamente que todos los panameños deberían de tener los mismos derechos.
3. En cuanto al proyecto hidroeléctrico sobre el río Bonyic, los Nasos son más divididos. Talvez es por la falta de transparencia en la toma de decisiones con respecto a las negociaciones con la empresa HET que no hay consenso sobre el tema. Aun mas se puede decir que la manera controversial por la cual se ha venido administrando los

primeros fases del proyecto ha contribuido a agravar la crisis de legitimidad de las autoridades tradicionales y hasta poner en peligro la seguridad de algunos de los implicados.

4. Hay un grupo, liderado por el actual Rey Tito Santana y sus seguidores dentro del Consejo de Dirigentes, que promueve el proyecto. Entre los integrantes de este grupo, talvez no alcanza la mayoría de los que viven propiamente en las once comunidades que conformaran la futura Comarca. En ese grupo se encuentran también la mayoría de las familias que están recibiendo un ingreso directo de la empresa HET.

5. Un representante del sindicato de trabajadores de la construcción (SUNTRACS) hizo una inspección de las condiciones de trabajo en el campamento situado en la media cuenca del río Bonyic en agosto del 2004. El representante dice haber entrevistado a 23 de los 93 trabajadores cuyos nombres aparecieron en la lista del personal. Así fue que el pudo constatar una seria de anomalías y violaciones de las normas de trabajo.

6. La principal oposición al proyecto esta constituida por una facción bastante numerosa quienes se quejan más por la forma en que el proyecto ha sido administrado por sus lideres que como resultado de un rechazo de antemano de cualquier desarrollo hidroeléctrico en su área. Sin embargo, a menudo que la crisis interna de legitimidad no se resuelve de manera justo y legal, la situación actual esta sirviendo a radicalizar las posiciones de la oposición al proyecto. A raíz de este problema se formó – con la apreciable mediación de las autoridades nacionales y de la policía – un consenso amplio sobre la necesidad de elecciones para ubicar el legítimo representante del poder institucional entre los Nasos.

7. La importancia de estas elecciones se ubica en parte por que el ganador será autorizado para participar en las negociaciones que ya están marchando con la intermediación de Dobbo Yala, entre el Rey Tito Santana y empresa privada para la firma de acuerdos sobre compensación, indemnización, beneficios, monitoreo y seguimiento de lo acordado.

8. Por fin, existe un tercer grupo de tamaño impreciso quienes ni apoyan ni rechazan el proyecto hidroeléctrico. Los miembros de este grupo dicen no contar con la información adecuada para decidir si o no al proyecto. Talvez hay aquí algunos que aunque si tienen bastante conocimiento de las oportunidades y amenazas que representan el proyecto, solo difícilmente llegan a evaluar su futuro y el de sus hijos con o sin la represa. Si nos acordamos de todos los cambios socio-tecnológicos, ambientales, culturales, políticos y incluso demográficos que ocasionó la construcción de un canal interoceánico en Panamá, podemos imaginar algunos de los efectos – si bien a escala mucho mas reducida – del proyecto hidroeléctrico sobre el río Bonyic.

9. Sobre proyectos productivos el panorama esta más difuso con ciertos avances prometedores y otros fracasos delusorios. Quizás fue por la importancia excepcional en la actualidad acordada a los temas de la comarca y la hidroeléctrica que no logre aprender mas que una pequeña parte de las experiencias y opiniones de los Nasos y los promotores de este clase de proyectos (ex: agroforestería, piscicultura, plantas medicinales, áreas protegidas, artesanías, ecoturismo, etc.)

10. Cuando me refiero a proyectos exitosos, vale mencionar el proyecto eco turístico de ODESEN en Wekso. El proyecto – patrocinado por la ong ambientalista Conservation International (CI) – ha permitido que un grupo de jóvenes Nasos reciben la capacitación y las herramientas necesarias para operar un negocio económicamente viable y que les permite aprovechar sus talentos y conocimientos variados sobre la historia, ecología, y tecnología propia de su área. Sin embargo, ODESEN esta experimentando ciertas problemas internas en cuanto al manejo de las ganancias y de los recursos colectivos. En otras ocasiones, por tener otros compromisos, se han descuidado el buen funcionamiento del proyecto. Quizás este tipo de problemas son casi inevitables para un grupo recién formado y con poca experiencia anterior en la materia. La verdadera prueba del éxito de ODESEN vendrá probablemente cuando se acaba el financiamiento externo por CI y el grupo debería sobrevivir de las ganancias generadas por su propia gestión del turismo.

justa la forma en que se esta tratando de desvirtuar lo actuado.

En documento titulado,"RESUMEN DE LA PRIMERA FASE DEL ESTUDIO (14 DE AGOSTO AL 1 DE OCTUBRE)" usted informa que se ha relacionado con el grupo de dirigentes de la ONG, "ODESEN" quienes fueron los coordinadores de sus giras. ¿No es este el grupo de dirigentes que dirige la oposición al Rey Tito Santana? ¿Es esta dirigencia representativa de la cultura Naso? ¿Se comunican en el dialecto Naso? ¿Viven en el área tradicional? Si los coordinadores de sus giras dirigen esta oposición: ¿Esta usted seguro que las personas entrevistadas por usted fueron escogidas al azar? Me llamo la atención que usted no conocía al Rey Tito Santana, ni al Presidente del Consejo Naso, Señor Ricardo Pitterson hasta el 14 de diciembre de 2004 que se encontraron por casualidad en mi oficina. ¿Su estudio solo necesita de la participación de una facción? No debe olvidar la responsabilidad moral y ética de ser un portavoz imparcial de la herencia y riqueza que la cultura NASO representa y significa para nuestro país, así como la obligación de contribuir a la solución de los problemas originados por la dinámica contemporánea. Sus planteamientos deben emanar de un pensamiento cuidadoso, que impida que los sentimientos de pertenencia en forma personalizada se transformen en factor de oposición a lo externo... debemos respetar las identidades culturales pero reconociendo que pertenecemos a un solo mundo.

El numeral 5 que menciona la visita del Sindicato Único Nacional de Trabajadores de la Industria de la Construcción y Similares (SUNTRACS) a los campamentos de Rancho Quemado y Michila en el rió Bonyic en agosto de 2004, representado por los Señores Jaime Caballero y Balbino Price me sorprendió porque a su regreso ellos no plantearon a la empresa lo que usted informa. Por eso solicite a esta organización sindical, dándole una copia de su resumen, una explicación. Adjunto la nota que SUNTRACS le envío y amablemente nos copio por el interés mostrado en mejorar nuestra relación obrero-patronal.

En los numerales 6, 7 y 8 usted propone el aplazamiento del proyecto hasta que el Pueblo Naso realice nuevas elecciones, no por oposición a un desarrollo hidroeléctrico sino, por consideraciones de transparencia. ¿Acaso los que solicitan esta transparencia han sido transparentes con lo que ellos manejan? En el numeral 10 usted lo afirma y solicita comprensión por ser un grupo recién formado o con poca experiencia.

En el resto del resumen usted individualiza: esperanza o futuro en cierto proyecto o actividad con resultados económicos por ver, falta de equidad en la distribución de un beneficio, cultura de "clientelismo político" clasificación dada por usted a un tipo de corrupción, falta de comunicación y de soluciones por entidades gubernamentales. ¿Vemos árboles o el bosque? ¿NO ES LA FALTA DE UNA ECONOMÍA DE SUSTENTO GRAN PARTE DE LOS PROBLEMAS DE LA ETNIA NASO? Me decía un viejo Naso que cuando tenia para el café no tenia para azúcar; que cuando tenia recursos para llegar al hospital no tenia recursos para la compra de medicinas y que los oponentes al desarrollo tienen de alguna forma su pan

asegurado. La mayoría no tiene cobertura del régimen de seguridad social... por no tener empleo. El que tiene empleo no vive en las comunidades Naso. La agricultura es de subsistencia y lo poco que tratan de vender es sin acceso a un mercado confiable. La educación secundaria es fuera del área Naso. El costo de movilización cada día les es mas difícil por el aumento en el costo del combustible. La convivencia comunitaria NASO transmite su cultura, sus costumbres, su dialecto, en fin, su identidad. ¿No se están desintegrando las comunidades en el territorio Naso? ¿Cual es el motivo de un precarismo NASO en la comunidad del Silencio... fuera de su territorio? ¿No buscamos sombra cuando calienta el sol? Don Jasón, no pretendo saber sobre su especialidad y menos refutar sus planteamientos de forma científica pero si estoy convencido que el proyecto hidroeléctrico traerá mas beneficios que perjuicios a la Etnia Naso. La garantía de un manejo adecuado de los recursos naturales con el respeto y valoración de las diferencias culturales que forman parte fundamental y legítima del modo de vida de la Etnia Naso con el desarrollo de cierta infraestructura solicitada o aceptada por ellos ayudara a iniciar el fortalecimiento económico necesario para que las comunidades mantengan su identidad. No olvidemos que otras comunidades, que pertenecen a este mundo, tienen derecho a una energía, mas barata, mas confiable, para fomentar el desarrollo de actividades alternas al mono cultivo bananero. El mundo comercial aunque "GLOBALIZADO" permite a los países desarrollados imponer barreras arancelarias para proteger sus intereses. Mientras la OMC discute esto, gran parte de la población (80,000) que depende del cultivo bananero quedara sin ingresos salariales o tendrán que optar por salarios de 15 a 25 centésimos de dólar la hora (Nicaragua y África).

Un saludo, Feliz Pascua y Año 2005.

2006-06-19

Appendix VI: Petition demanding government support for Naso elections.

El Pueblo Naso Reclama

¡ELECCIONES YA!

Considerando que:

1. El día 9 de septiembre de 2004 moradores y dirigentes de diferentes comunidades del área Naso reunidos en la casa comunal de Sieyik con el Mayor Olmedo Moreno de la Policía de Bocas del Toro acordaron formar una comisión de ambas partes en el conflicto interno para coordinar la fecha de elecciones para designar el legítimo Rey Naso Tjër Di.
2. Los días 13 de septiembre y 19 de octubre los miembros de tal comisión se reunieron en el distrito de Changuinola con la Alcaldesa, Gobernadora y representantes del Ministerio de Gobierno y Justicia para decidir sobre una fecha a mediano plazo para la celebración de dicha elecciones.
3. A más de 2 meses después de haberse reunido con las autoridades todavía no tenemos ningún compromiso formal sobre la fecha prevista para estas elecciones tan importantes para nosotros y el futuro de la región.

Pedimos al Ministerio de Gobierno y Justicia que:

- Cumpla con los compromisos establecidos con el pueblo Naso para anunciar la fecha de elecciones sin más tardar.

	Firma	Comunidad	No. de Cedula	Fecha
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				

Appendix VII: Newspaper article on Naso leadership conflict (January 28th, 2005).

DERROCAMIENTO.
GRUPOS ADVERSOS AL MONARCA ELECTO RETIENEN EL PODER

Rey Tito Santana espera recuperar su trono

Los nasos son un pueblo pequeño que se mantiene casi puro y es la única monarquía que sobrevive en el Istmo.

ANGEL SANTIAGO PIMENTEL
ESPECIAL PARA LA PRENSA
nacionales@prensa.com

EL SILENCIO, Bocas del Toro. Han pasado 24 días desde que la única monarquía que subsiste en la República de Panamá, la de los nasos o teribes, volvió a ser víctima de las intrigas y la violencia.

LA PRENSA/A. SANTIAGO PIMENTEL

Eneida Gamarra, esposa del destronado rey naso Tito Santana, y sus hijos, luego de escapar del cerco de sus enemigos.

Fue la quinta vez que un grupo de indígenas se tomó el palacio de su rey, Tito Santana, y trató de raptar a su esposa e hijos, en la comunidad de Sieyic, región del Teribe.

A pesar de que Santana acudió a las autoridades del Ministerio de Gobierno y Justicia, sigue destronado, sin palacio y como un paria, ha tenido que pedirle ayuda a una hija en Changuinola.

Todo indica que tendrá que esperar hasta el 3 de abril, cuando se convoque a una nueva elección para saber si lo ratifican en el trono o el poder cambia de soberano.

No obstante, su tío, Valentín Santana, un anciano de corto hablar, poca educación y carácter pasivo, dejó muy claro que no quiere elecciones, mucho menos ahora que detenta el poder.

Los nasos o teribes

El pueblo naso es un grupo étnico pequeño, 2 mil 800 miembros según el censo de 2000, el cual tiende a desaparecer. Se caracteriza por su endogamia (matrimonio sólo entre miembros de una misma comunidad) y con ramificaciones en Costa Rica. Está localizado al suroeste de la población de

De noche
Restaurantes
Recetario
SEPARATAS
Pulso de la Nación
AYUDA
Guía del sitio
Tarifas
¿Quienes somos?
Contáctenos ¡NUEVO
VISITA
Defensoría del pueblo

Changuinola, a una hora en lancha, aguas arriba por los ríos Changuinola y Teribe.

La conspiración

Los hechos se suscitaron el 4 y 5 de enero pasados. Eneida Gamarra, esposa del monarca, relató a **La Prensa** que a eso de las 3:00 a.m. de ese martes 4 hubo mucha conmoción. La gente llegaba más y más. Trató de comunicarse con su esposo para informarle lo que sucedía, pero los rebeldes se tomaron el teléfono público.

Eneida acusó a Adolfo Raúl Villagra de ser el responsable de la conspiración en la tierra naso, y agregó que tuvo que salir luego de que el sargento Ciro Bonilla le advirtió que huyera para evitar cualquier riesgo, sobre todo cuando los insurrectos lograron capturar el bote del monarca.

Habla el rey

Decepcionado, el rey Tito Santana explicó que cuando se suscitó la revuelta el 4 y 5 de enero, estaba en la ciudad de Panamá con funcionarios del Ministerio de Educación para tratar de implementar un plan bilingüe para los pueblos indígenas. En eso recibió una llamada de un familiar, que le informaba que el grupo encabezado por Adolfo Villagra, Félix Sánchez y su tío Valentín Santana se había tomado el palacio, violentando sus derechos reales como autoridad y los de su familia.

Narró que los alzados rompieron candados, sacaron los bienes de sus hijos y los personales, entraron al palacio y destruyeron documentos históricos sobre el origen de su pueblo que estaban archivados en la oficina real.

"La intención de ellos era secuestrar a mi familia para que yo abandonara el poder, porque hasta ahora no han podido justificar ante el pueblo mi separación del cargo", comentó.

Los alzados rechazan al rey electo en 1998, por apoyar el proyecto hidroeléctrico Bonyic y una ley comarcal.

Autoridades pasivas

En Panamá, Santana presentó su inquietud ante el Ministerio de Gobierno y Justicia, el pasado 21 de enero, y se le convenció de que era mejor esperar una nueva elección, la cual se celebrará el 3 de abril. Pero antes de llegar a esa fecha, se realizará un censo de población el 17 y 18 de febrero próximos.

Intereses ocultos

El rey Santana dijo que Adolfo Villagra y Félix Sánchez están motivados por un interés muy grande y que su disconformidad radica en que no desean que se construya el proyecto hidroeléctrico sobre el río Bonyic, el que él, Tito Santana, sí apoya, así como el proyecto de ley que crea la comarca naso.

Santana reveló que el proyecto de la comarca está caminando; que hace un mes se revisó el documento en su primer borrador, de lo cual se encargó la Comisión de Asuntos Indigenistas de la Asamblea Nacional.

Además, denunció que los que se oponen a su reinado están siendo financiados por extranjeros. Enfiló sus acusaciones contra Osvaldo Jordán,

asesor de ODESEN, una organización no gubernamental que trabaja en el área, y que apoya a los sublevados.

"Yo, Tito Santana, responsabilizo a mi tío Valentín, a Adolfo Villagra y a Félix Sánchez de todo lo que le acontezca a mi familia".

"El Consejo y el pueblo naso no han dado permiso al asesor Osvaldo Jordán para hablar en nombre de los nasos", dijo.

Asimismo, denunció que el canadiense Jason Piagement, quien realiza un estudio sociológico de los nasos para obtener un doctorado, está financiando a los sublevados para lograr su derrocamiento.

Golpistas prohíben acceso de periodistas al Teribe

Aún ayer, el grupo de nasos sublevados mantiene bajo su poder el palacio del rey Tito Santana. Su tío, Valentín Santana, prohibió el acceso de los periodistas a Sieyic y ordenó a dos nasos armados vigilar las riberas del río para someter al monarca si osa acercarse.

La primera autoridad de Bocas del Toro, la gobernadora Ester Mena de Chiu, está a la espera de que la Dirección Nacional de Política Indigenista del Ministerio de Gobierno y Justicia, se reúna con las partes para bajar las tensiones y propiciar la celebración de las elecciones.

Los comicios del 3 de abril serán supervisados por el Tribunal Electoral, el cual adelanta los preparativos que garanticen la pureza y la transparencia del sufragio.

Además en nacionales

- Rey Tito Santana espera recuperar su trono
- Primer plano: Protestas en proyecto del MIVI
- Primer plano: Ladrones se llevan 2 mil dólares
- Primer plano: Entregan estudios para mercado
- Construirán relleno sanitario en Renacimiento
- Registran dos nuevos casos de malaria
- Reclaman más médicos
- Productores analizarán el TLC
- MEDUC distingue a graduandos
- Homenaje póstumo al músico Rony Blanco
- Ordenan restitución de funcionario
- Alemán acepta reunirse con transportistas

Corporación La Prensa TEL (507)222-1222
La Prensa Web TEL 323-7292 / 323-7338
Apartado 6-4586 El Dorado Ave. 12 de octubre, Hato Pintado Panamá, República de Panamá

Appendix VIII: Government of Panama research permit No.04-04.

Instituto Nacional de Cultura
INAC
"Crear, Fomentar y Comunicar Cultura"
Central Telefónica 211-4000/4800/4900

AUTORIZACIÓN PARA INVESTIGACIÓN ANTROPOLÓGICA
No. 04-05

El suscrito, Director Nacional del Patrimonio Histórico encargado, en uso de sus facultades legales,

Considerando:

1. Que el Antropólogo Jason Jacques Paiement, de nacionalidad canadiense, de la Universidad de McGill, Montreal, Quebec, Canadá, ha solicitado permiso para realizar un proyecto de investigaciones antropológicas titulado "Derechos Indígenas y Manejo de Recursos Naturales en el Distrito de Changuinola" en la provincia de Bocas del Toro.

2. Que el Antropólogo Jason Jacques Paiement ha presentado una propuesta científica de trabajo completa indicando que el área de estudio incluirá el corregimiento del Teribe; que los trabajos incluirán entrevistas a los campesinos, indígenas y funcionarios del gobierno panameño que habitan la zona, desde marzo a diciembre de 2005 y que no incluirán excavaciones arqueológicas ni recolección de materiales culturales de ninguna índole.

3. Que esta propuesta ha sido evaluada por personal especializado de esta Dirección, encontrándola completa y satisfactoria.

4. Que se realizó una entrevista con el Antropólogo Jason Jacques Paiement donde se discutieron ampliamente los pormenores del plan de trabajo y la perspectivas de la investigación.

Resuelve:

1. Autorizar la investigación antropológica titulada "Derechos Indígenas y Manejo de Recursos Naturales en el Distrito de Changuinola" en la provincia de Bocas del Toro por el Antropólogo Jason Jacques Paiement.

2. Informar al Antropólogo Jason Jacques Paiement que deberá permitir las inspecciones y supervisión que estime conveniente esta Dirección, de acuerdo a lo estipulado en la Ley 14 de 5 de mayo de 1982 y modificada por la Ley 58 de 7 de agosto de 2003.

3. Informar al Antropólogo Jason Jacques Paiement que deberá presentar un informe final del proyecto de investigación en el idioma castellano a esta Dirección.

4. Informar a la Antropólogo Jason Jacques Paiement que este permiso será extendido según lo estime conveniente esta Dirección, facultada por la Ley 14 de 5 de mayo de

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Appendix X: Election agreement between the Ministry of Government and Justice and Tito Santana.

ACTA DE ACUERDO
ELECCIONES NASO TJER DI
21 DE ENERO DE 2005

En el día de hoy 21 de enero 2005, en reunión en el Hotel Gran Changuinola, Provincia de Bocas del Toro, con la Dirección Nacional de Política Indigenista, La Alcaldesa de Changuinola, funcionarios del Tribunal Electoral y la Comisión de la región Naso Tjer Di para fijar la fecha de las elecciones para elegir al nuevo Rey Naso Tjer Di.

Se llegó al siguiente acuerdo:

1. Se establece el día de las elecciones para el 3 de abril de 2005, la convocatoria se hará 30 días antes del proceso electoral y previo a la confección del padrón electoral.

2. Las postulaciones se presentarán mediante memorial firmado por el aspirante, previo cumplimiento de los requisitos y la postulación tendrá que hacerse de acuerdo a la costumbre Naso tjer Di. Tendrá un periodo de postulación del 21 de enero al 18 de febrero de 2005.

3. Se utilizará una boleta de votación con numeración y color asignada de acuerdo al orden de postulación de los candidatos.

4. Habrán once centros de votación que a continuación se detalla:

1. Siey-llik
2. Siey-king
3. Solong
4. Bonyuc
5. Sori
6. Santa Rosa
7. Changuinola
8. Dluy
9. Sansan
10. La Tigra
11. Guabito