

**MARKING LAND, PRODUCING MARKETS:
THE MAKING OF A GUATEMALAN RURAL LAND MARKET**

by

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Abstract

Markets are often conceptualized as disembodied and removed from daily life. Set against this view, this dissertation examines particular processes through which a market is formed. What are the conditions of possibility for this market? What practices are carried out in its name? How do such practices help to constitute meanings and materialities of subjects and territories? Drawing on archival research, interviews, and twenty months (2003-2005) as a participant observer, this dissertation explores these questions by tracing the emergence of a specific market: a market for rural land in Northern Guatemala. I begin by recounting how World Bank experts succeed in linking a series of rationales, procedures, and experiences into a policy instrument capable of making land markets. I then describe how during nearly five hundred of years of agrarian struggle, rural land and land claiming subjects have come into being in the northern Guatemalan department (province) of Petén. To understand how these rural territories and subjects became articulated with the Bank's land policy instrument, I examine the making of World Bank-financed land policy in Guatemala during the 1990s. I document the visions and practices of consultants, planners, economists, and government officials as they operationalize the policy. By the early 2000s, the work of creating a land market in Petén consists largely of efforts to make state-sanctioned private property rights in land. To create these rights, technicians working for agrarian institutions distribute legal documents to land claimants, demarcate and map thousands of land claims, and struggle over the costs, responsibilities, and risks of property-rights making. While policy makers claim that this process merely formalizes existing arrangements, I argue that the work of technicians constitutes subjects and territories according to a performative logic. Specifically, I contend that the making of rural property rights constitutes land claimants as individualized national subjects, produces landscapes as national, uncontested and naturally divided into private claims, and contributes to effacing historical and recent processes of dispossession. These results underscore the importance of unearthing the hidden arrangements through which markets are made.

Table of Contents

Abstract.....	ii
Table of Contents	iii
List of Tables	vii
List of Figures.....	viii
List of Photos	ix
Acknowledgements	x
Introduction.....	1
The Making of a Guatemalan Rural Land Market	1
Agrarian History of Guatemala	4
Going Researcher	9
Conceptualizing Market Policies: Processes, Epistemologies and Performances	11
Arrangements and Scales of Policy	11
Epistemologies of Development Policy.....	13
Land Market Performances	15
Documenting the Conditions of Possibility for a Land Market	18
Plan of the Dissertation	21
Chapter 2: Not Just a Matter of Maintaining Law and Order: The Emergence of Land Market Policy	26
Introduction	26
Precursors of Land Policy	27
Thailand and the Birth of the World Bank's Land Policy.....	31
Everywhere and Nowhere.....	31
The Thailand Land Titling Project.....	33

Researching the Thailand Land Titling Project	35
Eastern Europe and the Rebirth of Land Policy	39
Land Market Policy.....	39
Land Market Proliferations	42
Continuities and Conclusions.....	45
Chapter 3: And Then Gods Were No Longer Seen: The History of a Property Rights	
Regime.....	49
Introduction	49
Defining Terms: Race, Racialization and Whitening.....	51
Colonial Encounters: the New World and the New Laws	52
Forming the Savage	53
The Birth of the Rural	54
National Visions, Rural Lives: National Territories and Subjects in the Making.....	56
Nationalist Cartography	57
Forest Industries: Timber and Chewing Gum.....	60
Frontier Colonization at the Confluence of Nationalism and Counterinsurgency	62
Colonizing Institutions	64
Consolidating National Space and the Geopolitics of Infrastructure.....	68
Agricultural Practices and the Consolidation of the Rural/Urban Binary	70
The Uterus/Matrix: Legal and Lived Dispossession.....	73
The Other Face of Counter-Insurgency: State Terror	77
Hearts, Minds and Biodiversity: Conservation and Development in Petén.....	80
Conservation Encounters	80
Gods Were No Longer Seen: Land Policy after FYDEP	83
Conclusion.....	84

Chapter 4: Peace Created the Space for This: The Making of a Guatemalan Land

Policy	93
Introduction	93
Central America during the Cold War	95
RUTA: Building Neoliberal Networks, Performing Institutional Boundaries.....	99
The Problematization of Land Tenure: Territory, Subjects and Institutions of Lack	103
The Guatemalan Peace Agreements as a Trojan Horse	109
Conclusion.....	116

Chapter 5: Mandates, Templates and Techno-politics: Land Market Institutions in the Making

Making	119
Introduction	119
Contested Mandates: Land in the Guatemalan Peace Agreements	120
Templates, Historical Trajectories and the Proliferation of the Land Market Policy	125
From Regional Unit of Technical Assistance to Technical and Juridical Unit.....	126
Project Appraisal Documents and the Making of Land Market Policy in Guatemala	128
Historical Trajectories and Elites Interests	133
Techno-Politics: (re)Configuring Agrarian Institutions, Downloading Risk.....	135
Outsourcing Rural Land Market Policy	137
CONTIERRA and Conflict Resolution.....	139
FONTIERRA and the Making of Private Property in Land	140
Monitoring Novotechni.....	141
Concluding Remarks	150

Chapter 6: Land Market Performances in Rural Guatemala

Land Market Performances in Rural Guatemala	152
Introduction	152
Land Market Policy Procedures	155

Promoting Cadastral Culture.....	157
(in)Forming Subjects.....	158
(in)Formation Technologies and the Collection of Identification Documents	163
Producing Uncontested Territory: Monuments, Acts, Surveys and Risk	165
Downloading Risk.....	166
Monuments.....	168
Acts	172
Survey	174
Territorializing Subjects.....	178
Conclusion.....	182
Chapter 7: Concluding Remarks.....	191
Introduction	191
The “Technical”	193
Violence	195
Neoliberalism	197
Guatemala.....	198
References	202
Appendix A: University of British Columbia Behavioural Research Ethics Board	
Certificate of Approval.....	215

List of Tables

Table 1: World Bank Policy and the Commitments of the Socioeconomic Accord..... 118

Table 2: Stages in the Creation of State Sanctioned Private Property Rights 155

List of Figures

Figure 1: Guatemala in regional (A) and national (B) context.....	24
Figure 2: Zone where land market policy was implemented.....	25
Figure 3: Maya Biosphere Reserve	92

List of Photos

Photo 1: Oliverio Cassasola Pictured in Front of Map of Petén.....	86
Photo 2: A Catholic Priest at the Inauguration of the Saw Mill.....	87
Photo 3: Sawing Planks at the New Saw Mill.....	88
Photo 4: Stylized Map of Guatemala Showing Roadbuilding Equipment in Petén	89

Disciplinary Institutions

Photo 5: Border Station.....	90
Photo 6: FYDEP Headquarters	90
Photo 7: Government Office	91
Photo 8: School.....	91
Photo 9: Taxes and Customs Office	91

Photo 11: Using a Bullhorn to Publicize the Project	184
Photo 12: Information Technology Expert with Land Title Applications.....	185
Photo 13: Placing a Mojon at the Corner of a Land Claim	186
Photo 14: Signing Acts of Conformity	187
Photo 15: Conducting Land Surveys with a Global Positioning System	188
Photo 16: Advertisement for Public Exposition	189

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For my parents

Introduction

The Making of a Guatemalan Rural Land Market

Since the ascent of neoliberalism in the 1980s, governments around the world have sought to create market mechanisms to manage everything from healthcare to natural resources and even warfare (Harvey 2005; Klein 2007). While few would accept the idea that a triumph of capitalism has brought the end of history, more nuanced assertions that market logics have become hegemonic are harder to dispute (Peck and Tickell 2002). The recent stock market crash has done little to decrease the widespread faith in markets. Politicians and scholars debate what sort of stimulus package (or austerity) is the most appropriate response to revive the market, but few question the notion of the market.

Timothy Mitchell is one scholar who has sought to problematize markets in novel ways. In recent publications, Mitchell has explored the ontological status of markets, showing that the contemporary notion of the market is of relatively recent origin and is anything but natural (2002). In a study of colonial land policies in Egypt, Mitchell shows that the current idea of the market was produced as recently as the early 20th century (2002). Mitchell demonstrates that these land policies and related social and political processes created the now taken for granted separation between the market and society. In related studies of contemporary Egypt, Mitchell shows that new land policies continue to (re)define the division between “the market and the non-market [consequently] reorganizing how people live, the political claims they can make, and the assets they can control” (2007: 248). For Mitchell, the power of land policies in the colonial period and in the present lies in their capacity to create a series of new arrangements and exclusions which become naturalized as land markets.

In the spirit of Mitchell’s work on markets and land policy, this dissertation examines the making of a land market in the northernmost department (province) of Guatemala called Petén (See Figure 1). For approximately the last ten years, representatives of the Guatemalan government have sought to create a market in this province through a World Bank-financed land policy (See Figure 2). The advocates of the policy believe that they can create this new market by modernizing land institutions and distributing state-sanctioned private property rights to *de facto* landowners. To accomplish their goal, policy makers and others have assembled

tremendous resources including new institutions, experts, and sophisticated machinery. Rather than assessing whether the policy is being implemented correctly by its own criteria, the objective of this dissertation is to examine the particular material- and meaning-making processes through which this land market has come into being. Before I go further I should clarify that this is not only a study of policy practices. I also consider the epistemological and ontological foundations for these practices, the conditions of possibility that make a land market policy possible.

The dissertation begins by exploring the origins of the World Bank's land policy. Instead of taking the existence of this policy for granted, I have sought to understand how it was constituted as an instrument with the power to make markets. Then in the Guatemalan context, I trace the emergence of the "targets" of policy. Drawing on colonial-, national-, and Cold War histories, I examine the emergence of the *de facto* landowners as a class of subjects as well as the origins of the kinds of territories in which they are situated. On this foundation-- and without letting go my focus on meaning-making-- I address the proliferation of this land policy in Guatemala.¹ The remainder of the dissertation explores how the World Bank's land policy is transformed into a Guatemalan national policy with all of the epistemological and material transformations that that entails. I also attend to how this new national policy gives rise to new sorts of institutions and new ways of thinking about land and subjects in Petén. And I then focus on the everyday work of creating a land market in Guatemalan territory and institutions. In this final stage of the dissertation, I demonstrate how the practices of market-making constitute subjects and territories.

What is at stake in studying how a market is made? After all, in a sense everyone knows that markets are constructed; nearly every week there are headlines describing efforts of different countries to bail out their national economies by transferring funds to one sector or another. Clearly markets are not really separate from society or government. And yet, we also constantly hear that this or that country, city, business or natural resource has been damaged by market forces. Such statements have tremendous discursive power. For this reason, I am interested in examining the conditions which allow such statements to be taken seriously. This dissertation explores processes through which the distribution of land in Petén could start to be imagined as

¹ Throughout the dissertation I use the term "proliferation" when describing the movement of policy. I think the notion of policy being "taken up" or being "transferred" automatically creates too static a picture of the movement and the spatiality of policy. Using the word "proliferation" I do not wish to suggest that the policy is multiplying, but that it is expanding as it becomes articulated with new materials, spaces, and possibilities.

the effect of markets rather than the result of ongoing and often violent social struggles. By denaturalizing the market I hope to open spaces for alternative conceptualizations of how violence is (and has been) perpetrated in Guatemala and elsewhere. I feel that it is especially important to show such processes in Guatemala because of the strong connections linking violence there to the work of the World Bank and the foreign policy of the United States government.

The making of markets requires myriad practices and connections. Where should a study of this complex process focus? Economic geographer, Jamie Peck observes that to understand market policies, we must investigate not the invisible hand of Adam Smith's market forces but the "hidden hands" of technocrats (Peck 2004: 399). According to the *Politics of Expertise in Latin America*, technocrats are "personnel who use their claim to knowledge (as opposed to representation or authoritarian control) to affirm their right to rule" (Centeno and Silva 1998: 2; see also Whitehead 2000).² In my work on land market policy I study the practices of technocrats including economists, planners, project managers, and engineers. However, land market policy is not only carried out by technocrats. Lower status employees of state organizations and firms also play crucial roles in carrying out the policy. Without the everyday labor of surveyors, community organizers, cartographers, computer programmers, interpreters, and accountants, land market policy would not be implemented. I use the word, "technician," to encompass the elite World Bank consultants, the "street-level" technocrats I mention above (Lipsky 1983), and the various layers of managers in between. "Technician" is an appropriate term to describe this diverse group of policy makers if only because it is the label most of them would choose. That said, "technician" is also a problematic term. The word implies that someone is outside of politics when, in the case of land market policy, nothing could be further from the truth. I agree with Tania Li that achieving the status of technician-- someone who is imagined as outside of politics-- is an ongoing political project in itself (2007). The success of land market policy actually relates to the skill of policy makers to characterize themselves and their practices as outside of politics.

While my identity as a white male from the United States meant that I could access rural communities and *campesinos* as easily as land agencies and technicians, I avoided examining the

² Centeno and Silva actually use the term "technocratic expert" rather than technocrat.

lives of the "beneficiaries" of land policy. This is not because I have focused only on government rationalities and never engaged actual people. This dissertation is filled with people, but the people whose practices I studied are the technicians and planners, not the landowners and landless people. In some respects, this omission relates to my feelings of hopelessness. Petén has been the site of repeated and heavily funded research into the activity, mobility, and identity of *campesinos* (Primack et al. 1998). I have carried out some of this research myself in the past (Gould 2006). While these studies are ostensibly made for the benefit of marginalized people, personally, I see few benefits arising from the studies. As an alternative I have written a critical analysis of government agrarian policy. I hope that my study will be of use in the struggle for alternative agrarian policies in Guatemala and elsewhere.

Before I elaborate on my approach to studying land markets and land market policy, the following few sections help to contextualize my work. I first present a sketch of important moments in Guatemalan agrarian history and then I describe how I began conducting research in Guatemala.

Agrarian History of Guatemala

In the previous section I have briefly described my approach to studying land market policy and its conditions of possibility. I now contextualize my approach by describing previous land policies carried out in Guatemala. Describing such policies not only lends historical and geographical specificity to my argument; it also helps dispel an all too common feature of policy analysis. Scholars often imagine the people and landscapes of the Global South as a blank slate awaiting the beneficial or devastating (depending on the scholar's politics) impacts of economic policies (See Hart's [2002:18] thoughtful analysis of this issue). By attending to earlier policies and agrarian dynamics here and in subsequent chapters of the dissertation, I seek to demonstrate that the Bank's land market policy is only the latest in a long series of interconnected programs and policies.

When the Spaniards who colonized what is today Guatemala did not find precious metals, they sought to enrich themselves by exploiting the local population. During the first few decades of colonial occupation, indigenous people were enslaved and put to work raising cattle and other crops for the Spaniards. By 1550, slavery was officially abolished, but the colonialists developed

a variety of new mechanisms to force indigenous-, African- and mixed-race people to work on agro-export plantations and to pay tribute (Lutz and Lovell 1990). To better control labor, facilitate Christianization and tribute payment, the Spaniards also created forced native settlements (*reducciones*). In the *reducciones* indigenous peoples were allocated common lands where they grew crops for subsistence and to feed the Spanish demand for tribute. Although *reducciones* represented one form of territorial control and were not ubiquitous, by 1600, the Spaniards had created some 300 villages throughout Guatemala. However, indigenous people were not content to remain in these camps; they often fled into the forests to escape the colonial system and its violence (Lovell 1988; Lutz and Lovell 1990).

Colonial Guatemala was a space of terror and violence. Colonialism not only transformed landscape and land use, it also resulted in the deaths of millions of people. At the time of the colonial encounter, there were some 40-80 million indigenous people in the Americas. In the first decades after the colonial encounter, as many as 90% of the population died from sickness, murder, and other hardships (Denevan 1992). The population of what is today Guatemala also declined precipitously from a total of approximately 2 million people in early 16th century (Lovell 1988). It is important to note, however, that as in other parts of Latin America, the effects of colonialism in Guatemala were uneven. The Itza people, who live in the area that is now Petén, resisted the invaders so fiercely that their territory remained unconquered until some 150 years after their initial encounter with the Spaniards.

Slavery, *reducciones*, debt peonage, tribute and a myriad of other colonial policies became incorporated into the meanings and possibilities of everyday colonial lives. As people took part in colonial life—resisting, accommodating, or enthusiastically taken on the new rules and norms—new territories and identities were constituted. Antecedents of the rural and the urban emerged at this time. Subject categories such as the Indian, the Black, the mestizo, the Creole (American born person of Spanish heritage) and countless other identities emerged as well. And the connections between these new territories and subjects were solidified through the lived reality of colonial policies. This process was so powerful that many of the colonial categories endured well beyond the colonial period both in everyday life and in national legislation (Todorov 1984; Appelbaum, Macphersén and Rosenblatt 2003).

The first 50 years of Guatemalan independence from Spain was a turbulent time in which conservatives and liberals battled for control of the government and of national agrarian policy. In 1821 the Captaincy-general of Guatemala (including what are today the states of Guatemala, Honduras, Costa Rica, Nicaragua, El Salvador, and Chiapas) declared independence from Spain. After only two years this arrangement was replaced by the United Provinces of Central America, but this alliance did not prosper either; in 1840 after a Civil War split apart the United Provinces Guatemala became an independent state. During much of the time between 1821 and 1840 the liberals controlled the government; they sought to eliminate the power of colonial authorities especially the church and end the separate legal codes which the Spanish had devised to manage the Indian population. Although in theory the new system provided opportunities for indigenous people, in practice it “exposed them to greater exploitation” (Woodward 1990: 60). The liberal regime was overturned in 1839 with the rise of Rafael Carrera who led a popular uprising that installed a conservative government. The new administration re-instated colonial era policies which maintained Indians as second class citizens but also provided them with some protection against liberals who wanted to modernize the country through agro-export production and the exploitation of indigenous labor.

Beginning in 1871, the liberals got their way. Representing a new class of coffee entrepreneurs, liberal business elites took over the government and created institutions to support “a major export oriented plantation economy” (Smith 1984: 200). This was accomplished through a combined “attack on native land and an assault on Indian labor” (Lovell 1988: 38). Liberals passed legislation which redefined colonial era indigenous common lands as empty (*baldios*). Coffee farmers then bought up vast areas of *baldios*. Indigenous people were forced to work for miserable wages on the farms or to flee their former homes. Liberal policies also mobilized indigenous labor through debt peonage and later through vagrancy laws which required landless people and small-scale farmers to work for 100 to 150 days per year for bad wages (Lovell 1988). In addition to changes in the meaning and ownership of national territory according to the priorities of the coffee elites, labor discipline on coffee plantations resulted in transformation of colonial subject positions and relations (Smith 1990).

In spite of indigenous resistance, brutal liberal labor policies and the dispossession of native lands continued until the mid-20th century when a populist government was elected in what is commonly referred to as Guatemala’s democratic spring. Under the leadership of Presidents

Juan José Arévalo and his successor Jacobo Arbenz, the government ended the most exploitative labor policies, established a minimum wage, and instituted a land reform. Between 1952 and 1954, the land reform transferred land parcels to “between 33 and 40% of rural households” (Wittman and Saldivar-Tanaka 2006: 29, Smith 1984). The reform and the other interventions represented more than mere adjustments to an existing system. The Arevalo and Arbenz administrations were attempting to realize a national vision which took seriously the needs and desires of the country’s poor and indigenous majority. While this is a period that has captured the imagination of Guatemalan nationalists like no other, the results of the land reform in particular were to be short lived. In 1954 The United States Central Intelligence Agency and the leaders of the United Fruit Company orchestrated a *coup d'état*. The results of the land reform were reversed, thousands of leftists were imprisoned and assassinated, and labor unions were dissolved. During the thirty years of military dictatorship that followed, the distribution of land became increasingly inequitable (Berger 1992). According to the 1979 census, which is considered the most reliable for the period, 88% of productive farm units in the country were too small to sustain an average family and 2% of units accounted for 65% of the total available arable land (Wittman and Saldivar-Tanaka 2006).

It is important to highlight that the land reform under Arbenz was the only state led redistribution of land in the history of Guatemala. Although the policy which is the focus of the dissertation is sometimes called “market driven land reform,” it involves no direct redistribution. Instead it seeks only to create the conditions which would allow redistribution to take place through voluntary market transactions between willing buyers and willing sellers (Deininger 1993; World Bank 1998a). In addition to modernization of agrarian institutions, the primary tactic for promoting market transactions is the creation of state sanctioned private property rights for individuals and collectives with *de facto* property rights (possession). The process has many material- and meaning making effects, as this dissertation demonstrates. However, it is crucial to emphasize that this policy is not designed to produce a land reform in the usual sense of redistributing land directly. In fact, for those who participate in the process in Guatemala, it represents a cost in time and also in cash because the government charges land claimants for the state sanctioned rights that they receive through the policy. In effect, people are asked to buy land rights from the government after they have already paid the rights to use the land from the

previous claimant (Schwartz 1995; Gould, Carter, and Shresthra 2006). This process will be explained in detail in subsequent chapters.

Angered by the US intervention, Guatemalan military leaders initiated an armed insurrection in 1960. During the first decade of the war, combat between the military and the rebels occurred primarily in Eastern Guatemala and the capital city. By the early 1970s the rebels had been beaten by a ruthless government counter-insurgency campaign. However, they regrouped throughout the 1970s and three new guerrilla armies formed including two organizations that had the support and participation of indigenous people (Guerrilla Army of the Poor [EGP] and the Revolutionary Organization of the People in Arms [ORPA]). By this time, the revolutionary movement had a massive civilian support base and included ex-army officers, labor leaders, students, and intellectuals (Grandin 2004; Nelson 1998). Others have written extensively about the civil war and the revolutionary movement (Schirmer 1998; Taracena Arriola 2004). The point I wish to emphasize here is that among the demands of the revolutionaries, access to land for the poor majority was one of the most important, and *campesinos* including indigenous people joined the armed movement in the hopes of obtaining land within a more equitable society (Cambranes 1992). A series of increasingly brutal military regimes, which enjoyed the backing of the US, prevented the revolutionaries from taking over the Guatemalan state.

The resurgence of the revolutionary movement was met by massive state violence in the late 1970s and early 1980s when government forces began massacring rural and especially indigenous communities. The United Nations report on the war classified the killings as genocide because the military sought to not only “destroy the social base of the guerrillas, but above all, to destroy the cultural values that ensured cohesion and collective action among Mayan communities” (CEH 1998 in Manz 2004: 4). Largely between 1981 and 1983, the Guatemalan army and associated paramilitary units massacred the inhabitants of some 440 villages killing over 200,000 people, tortured tens of thousands more, and displaced 1.5 million out of a population of 8 million (CEH 1998; see also Falla 1994).

The Guatemalan Civil War officially ended in 1996 without resolving the inequitable distribution of land in the country. In 1998, the National Ministry of Agriculture estimated that 96% of agricultural units were smaller or equal to the subsistence size and that the remaining 4% of units contained 80% of arable land. However, with the end of the war came new plans and

policies in the form of a series of Peace Agreements signed by the government and the revolutionaries. Among the final agreements to be signed was the Agreement on Social and Economic Aspects and the Agrarian Situation. This document contained the blueprint for the land market policy that is the focus of the dissertation.

In summary, between the Spanish conquest in the late 15th century and the Cold War violence at the end of the 20th century, land has remained at the center of political struggles in Guatemala. For this reason, Guatemala is an important place to examine contemporary agrarian policies and the making of land markets. This dissertation is concerned with the production of meanings and materialities that emerge from everyday policy-making. However, this history reminds us that no contemporary policy begins with a blank slate. Land market policy is formed with materials, ideas, and relationships that are the product of this long and violent history.

Going Researcher

While I contend that Guatemala is an important location for thinking about the work of land market policy, my choice to work there and in Washington, DC also relates to my own history. When I began my PhD work, I had already lived in Guatemala for several years. In 1995, I began working in Guatemala for Conservation International (CI), a Washington DC-based nature protection organization. Funded by the United States Agency for International Development, CI had a multi-million dollar contract to promote conservation and development in Petén. When I joined CI, the organization had a mandate to develop new markets for forest products in the region. In theory, the profits from these forest products would lead local people to protect the forests instead of clearing them to plant corn or raise cattle. This approach was not unique to Guatemala. It was typical of "integrated conservation and development programs" which popped up like mushrooms in tropical forests around the world in the 1990s (Brandon and Wells 1993). I would work for CI in Guatemala for the next two years and return to the area to conduct graduate research.

I had studied biology as an undergraduate at Swarthmore College, and my job at Conservation International, was to use my knowledge of ecology to determine whether the new forest-based markets contributed to conservation. With Guatemalan foresters and biologists, I studied the effects of selective logging, ecotourism, and the harvest of various forest leaves,

fruits, and resins on the “ecological integrity” of the forest. This work positioned all of us as technical advisors in the making of new markets. It is unclear whether the new markets we helped to develop transformed land use in Petén as conservationists had hoped (Gould, Howard, Rodriguez 1998; see also Primack et al. 1998). Nevertheless, these projects had their effects. One was to sensitize me to the embodied and arduous work necessary to fashion markets and so-called market driven policies.

Conservation and development projects were built on the humanistic rhetoric of sustainable development, but the work of making markets and delimitating protected areas was often violent. The Guatemalan park service, working in close collaboration with The Nature Conservancy, regularly dispossessed *campesinos* from protected areas established in northern Guatemala. Conservation International’s utopian vision of sustainable forest extraction helped to constitute agricultural strategies used by poor people as destructive and inappropriate (Sundberg 1998). Only in retrospect did I recognize the role of technicians like myself in this violence; by “objectively” evaluating the effects of conservation projects, we helped to solidify the visions and material arrangements that validated the conservation and development regime. My anxiety about the subtle dangers of technical expertise in development programs informs the way I envision the dangers of land market policy.

The time I lived in Petén was also transformative because it led me to abandon a career as biologist. Those carefully laid plans changed in the midst of my work for CI and the people I encountered in Northern Guatemala. I met Juanita Sundberg in Guatemala while she was carrying out her dissertation fieldwork for her doctorate in Geography at the University of Texas. Conversations with Juanita pushed me towards the work of political ecologists and to consider more seriously the violence of conservation and development programs. When I returned to graduate school, I experimented with more applied ecology, with forest economics, and critical theory, and eventually traveled to the University of British Columbia where I began a Ph.D. in Human Geography with Juanita Sundberg and Trevor Barnes.

This dissertation represents a reflection and a distillation of these entangled academic and professional trajectories. For years I worked as a technician promoting market policies. This dissertation has been an opportunity to reach out from that position to theorize the construction of markets. Furthermore, the dissertation has also been an opportunity to retrace my steps in

Petén as well as in Washington and to re-encounter old friends and colleagues. In the following sections I will discuss the literature which inspired the dissertation and the methodology I have employed. However, perhaps more than anything the encounters and re-encounters in the circuits between Washington, DC, Guatemala City, and Petén have been my methodology and my inspiration for this work. After serving as something like a native informant in Juanita Sundberg's dissertation on international conservation projects, this dissertation has been my opportunity to "go researcher."

Conceptualizing Market Policies: Processes, Epistemologies and Performances

This dissertation aims to describe the making of land markets. To further elaborate my approach, I engage with literature that examines contemporary markets and market policies as embodied processes. I begin by discussing recent papers on "neoliberalization." This literature is useful because it provides a model for thinking about the diverse scales at which market policies operate and the new arrangements of institutions, people and materials that such policies authorize. I then examine a multi-disciplinary literature, known as critical development studies, that has emerged to theorize development policy. Critical development scholars extend the work on neoliberalization by exploring how markets and market policies produce scales and constitute subjects and territories. My approach is fundamentally grounded in this literature and especially the way in which these scholars have deployed Michel Foucault's work on power/knowledge. I conclude by describing how I engage Judith Butler's work on performativity to extend the critical development studies approach. Specifically, I use Butler's ideas to theorize how everyday practices of land policy in Petén create new conditions of possibility for subjects and territories.

Arrangements and Scales of Policy

Neoliberal policies are characterized by claims that prosperity will result when resources, services, and government functions are turned over to markets. Furthermore, such policies are associated with the World Bank and other multi-lateral financial institutions (Harvey 2005). Land market policy roughly fits these criteria and the literature on neoliberalism is therefore an appropriate place to begin to examine this policy (Rossett et al. 2006). While the literature on

neoliberalism theorizes land market policy in important ways, I do not want to attribute all of what I am describing in the dissertation to a singular neoliberal capitalism much less to the World Bank. This is because my analysis shows that land market policy was created out of interwoven processes of colonialism, imperialism, nationalism and (neo)liberal capitalism not to mention the materiality of landscapes. However, my approach complements analyses focused on neoliberalism (e.g. Rossett 2006), because I explore the often violent processes through which neoliberalism has been constructed. That said, there is a subset of the literature on neoliberalism which is relevant to the focus of the dissertation. Recently scholars have adopted the term “neoliberalization” to emphasize that neoliberal policies and programs are made through material processes in everyday life (Peck and Tickell 2002). These scholars insist that neoliberalism and neoliberal policies are contingent, political processes that have not reached an end state. This approach has been fruitful in a variety of contexts from work on how “actually existing neoliberalisms” transform cities (Brenner and Theodore 2002) to a rapidly expanding literature on the effects of neoliberal processes on the environment (Mansfield 2007; Heynan, McCarthy, Prudham, and Robbins 2007). The emphasis on process in the neoliberalization literature informs my approach to land policy process. Throughout the dissertation I attend to the mechanisms through the policy proliferated through (and sometimes transformed) diverse institutions and landscapes.

In a review of the geography literature on the role of policy in transitions to neoliberalism, Peck notes that neoliberalization “is neither an ‘inside job’ nor an ‘external imposition’ but a ‘locally embedded yet transnational process’” (2004: 395). The phrase reveals the importance that scholars of neoliberalization and Peck himself place on understanding how (and where) neoliberalization occurs. The literature on neoliberalism and the environment reflects this geographical sensitivity. Scott Prudham’s work on water contamination is exemplary. To document his assertion that Ontario’s neoliberal water policy generates new kinds of risks for consumers, he explores “the conjuncture of a distinct hydrological regime, local and regional livestock production, and the practices of municipal utility officials” (Prudham 2007:164). One reason that scholars working on neoliberal natures provide such a spatially explicit analysis of neoliberalization is that many are geographers and they are strongly influenced by political ecology, “where attention to multiple scales [has been] *de rigueur*” for years (Zimmerer 1994: 117). In my work, I pay particular attention to spatial scale as I trace the practices of technicians

who have helped to form and proliferate the Bank's land market policy in Guatemala and elsewhere.

Epistemologies of Development Policy

It should be no surprise that literature on development is also useful for theorizing the making of markets and market policy. As Wainwright (2008) demonstrates, development is complexly entangled with the spread of capitalism—and of capitalist markets. In this section, I draw from the development studies literature to continue thinking about the interconnected spaces of land market policy.

First, like scholarship on neoliberalization, critical development studies also offers perspectives for rethinking the scales and spaces of land market policy. For example, Gillian Hart uses the notion of a development “trajectory” to express “the ongoing [and everyday] processes through which sets of power laden [development] practices... constantly rework spaces and identities” (2002: 13). Anna Tsing takes a similar approach which she describes as the study of “global connections” (2005). Employing a writing style that borders on magical realism, while revealing the intimacies between the board rooms of gold mining companies, Indonesian environmentalists, and networks of loggers, Tsing conveys the improvisational nature of development policy and of international markets. Through studies of global economic processes Hart and Tsing transcend static representations of scale, e.g. local/global, regional, national. I have sought to emulate the approach of these scholars in my work on the global connections of land market policy.

I have also found critical development literature extremely useful for theorizing power and specifically the power of development policy. Often associated with the work of Arturo Escobar (1995) and James Ferguson (1991), this literature suggests that development is violent but not in the usual sense of hurting the people it is supposed to help or getting in the way of “true development.” Rather, drawing from the writings of Michel Foucault, these authors suggest that the power of development lies in its capacity to constitute the subjects and spaces it purports to develop. According to Escobar “the development discourse maps people into certain coordinates of control.” “The aim,” he contends, “is not simply to discipline individuals but to transform the conditions under which they live into a productive, normalized, social environment: in short, to

create modernity” (1995: 156). In sum, Escobar boldly argues that development discourses have created the subjects and spaces of the “Third World,” and in so doing, have naturalized conditions of inequity inherited from colonialism. The approach of Escobar and Ferguson has become so popular that it led to the creation of a separate subfield of development studies known as post-development studies.

The reason that I have found Escobar’s work (1995) so useful is because his writing is based on the same notion of power that is also the basis for my work. Influenced by Escobar and Foucault, I have come to understand power as a productive force. According to this view, power is not something that one can possess or lose. Rather, power is everywhere and it becomes evident in the “multiple and mobile force relations” that transform the possibilities for everyday life (Foucault 1980: 102). Foucault’s language is deliberately evocative of war, but he was writing about the production of knowledge in the broadest sense. For Foucault, the way that things are understood (knowledge) cannot be separated from relations of domination (power); as knowledge shifts, power shifts. Although the language can be slippery, this is an intuitive conception of power. Spivak points out that Foucault’s insight can be reduced to the idea that “if the lines of making sense of something are laid down in a certain way, then you’re able to do only those things with that something which are possible within and by arrangement of those lines” (Spivak 1993:34 in Pratt 2004: 15). Just to clarify, this is no assertion of the power of having more knowledge or even that those with power decide what counts as knowledge. Rather, the point is that power operates subtly through all knowledge because knowledge creates the conditions for action. Throughout the dissertation I rely on this notion of power/knowledge to think about how power operates through policy practices. Rather than saying more about what I have done with the concept of power/knowledge, I will now briefly introduce a critique of the post-development literature and describe Judith Butler’s work on performativity. I will then discuss precisely how I have theorized my approach to land markets noting connections to the work of Foucault and Butler.

Although the post-development intellectual project has strongly influenced my work, I do not rely uncritically on this literature. I agree with scholars who assert that this literature overstates the coherence and power of development discourse (Bebbington 2000; Goldman 2006; Wainwright 2008). Vinay Gidwani (2002: 5-6) expresses these concerns succinctly:

...to proceed, as post-development scholars do, on the assumption that "development" is a self-evident process, everywhere the same and always tainted by its progressivist European provenance... is to succumb to the same kind of epistemological universalism that post-development theorists... are at such pains to reject.

While Gidwany's is an important critique, not all scholars treat development as a monolith. Several recent monographs analyze development as a process that is mutually constituted with other ongoing socio-political processes including nationalism, capitalism, colonialism, and subaltern struggles (Mitchell 2002, Tsing 2005, Li 2007, Agrawal 2005, Wainwright 2008). While not all of these scholars would ally themselves with the post-development literature, all have studied development practices in ways which foreground the complexity and contradiction of development. In the next section I describe how I seek to emulate this critical development approach through an engagement with Judith Butler's work on performativity.

Land Market Performances

To theorize my work on the construction of land markets I turn to feminist theorist Judith Butler's work on performativity. The latter concept emerged in Butler's writing as a tool to understand the meaning and materiality of sex and gender (1990, 1993). Contrary to conventional thinking of gender as a cultural construction grounded in the (pre-discursive) biology of sex, Butler demonstrates that both gender and sex are produced in the everyday through repetition of gender norms. She refers to these embodied repetitions of norms as performances, and suggests that it is actually these performances that bring subject into being. Despite the theatrical connotation to Butler's terminology, her work does not invoke a voluntaristic process in which subjects act out their genders as actors would take on roles in a play. Rather, gender norms are so powerful that they are "materialized by the body" compelling certain bodily comportments and sanctioning others (Pratt 2004: 17). Butler uses the term heteronormativity to describe the norms that powerfully regulate the performances of gender (Butler 1993).

Since the publication of Judith Butler's original work, other scholars have sought to extend the use of performativity from theorizing bodies to theorizing bodies politic. For example, in what was a path-breaking critique of International Relations theory, Campbell argues that the "performative constitution of gender and the body is analogous to the performative constitution of the state" (1992: 9). He goes on to suggest that, like gender and sex, the state has no pre-

discursive ontological status and is produced through the discourses and practices of security. These practices, Campbell explains, are regulated by norms associated with the dualistic thinking of Western culture (1992: 10-11). A second influential use of performativity to theorize bodies politic can be found in Nelson's study of indigenous political organizing in early 1990s Guatemala. Her work demonstrates the everyday production of two surprisingly intertwined bodies politic: the contemporary Maya and the Guatemalan state. Nelson's version of performativity is more fluid and unstable than what Butler (or Campbell) describe. Nelson explains her memorable chapter title, *Bodies that Splatter*, "as an attempt to get away from the idea of... either an individual or a body politic" and to emphasize that bodies bleed into one another, unable to carry the meanings which are imposed on them by norms of race, gender, and sexuality.³ While there are other examples of the use of performativity to theorize bodies politic (Mitchell 2002; Sundberg 2005; MacKensie et al. 2007), these two serve to illustrate the approach.

I contend that a land market may be conceived as a body politic produced according to a performative logic. In this sense, land markets include particular kinds of subjects and territories which are themselves constituted through these performances. In my work, I focus particular attention on the repeated practices of low-level government workers as they walk the boundaries of land claims, collect legal documents and signatures from claimants, facilitate community meetings, and draw property maps in rural Guatemala. While policymakers represent these practices as transparently describing (or organizing) land claims and claimants, I argue that these practices constitute the meaning and materiality of land markets and their component subjects and territories. Specifically, they efface recent and historical processes of dispossession, produce claimants as individualized national subjects, and constitute territory in particular ways as well.

It is important to emphasize that by invoking performativity I am not suggesting that the creation of land markets is a fully improvisational process that could take an infinite number of paths. Like the performances of gender, states, or the contemporary Maya, land market performances are regulated by norms. I take a somewhat different approach than Nelson or Campbell to describe this process of regulation. At some level, land market performances are

³ The chapter title, "Bodies that splatter," is a play on the title of Judith Butler's (1993) monograph, *Bodies that Matter*.

regulated by dualisms of Western thought as in Campbell's argument, and by discourses of race, gender, and sexuality, as in Nelson's. However, I am interested in thinking about the work of more specific kinds of norms which brings me back to Escobar's (1995) work on development and Foucault's notion of power/knowledge (1980). I conceptualize land market performances as being regulated by a heterogeneous array of power/knowledges. I am thinking specifically of (1) the object status of land policy, (2) the existence of rural land claiming subjects and their claims within a property rights regime, (3) policy as national, and (4) the identities and boundaries of various agrarian and development institutions. While these categories are infused with development discourses, they also borrow from other discursive formations such as colonialism, neoliberalism, nationalism, and imperialism. To clarify, the power/knowledges to which I refer above are not static. They constrain the possibilities of land market performances, but not fully. Like heteronormativity, these power/knowledges are hegemonic, but they are also mutually constituted with the performances that they regulate.⁴

My intervention then is to extend Butler's notion of performativity to theorize the making of a land market in northern Guatemala. Using this theoretical lens I have examined the performances through which markets are produced as well as the making of the normative imperatives that regulate those performances. Thus, mine is a deeply historical approach to the study of contemporary market-making. Also, inspired by Butler's emphasis on materiality and the body, I have sought to show that the making of markets is a fully embodied and always power-laden process. Ultimately, the most important contribution of this work is to have identified often violent, though far from inevitable, social processes that have helped to normalize the making of a present-day market in Northern Guatemala. Furthermore, by looking at the conditions of possibility for a market this dissertation offers an alternative to more straightforward critiques of neoliberalism. Finally, I assert that the rapidly emerging Science Studies literature on performativity, which draws almost exclusively from Actor Network Theory, would benefit from a more serious engagement with Butler's writings.⁵ This literature

⁴ My approach reflects the influence of Timothy Mitchell's work on development policy in Egypt. In *Rule of Experts* (2002), Mitchell argues that the economy, the nation, the state, even the separation between representation and reality were produced through the practices of colonial authorities and others. He documents how these taken for granted categories (economy, nation, state, etc.) define the possibilities for the operation of contemporary development programs. Clearly, my analysis is more narrowly focused than Mitchell's but the form is similar.

⁵ Influential research from this literature consistently notes Butler's work on performativity but does not engage substantively with it (See for example Callon 1998; MacKensie et al 2007; Callon et al. 2007; and for a review of performativity in economic geography, Barnes 2008).

offers a wealth of detailed vocabulary and techniques for thinking about markets but has devoted comparatively less energy to the politics of market arrangements.⁶ Butler's work could offer inspiration in this regard as it did for me.

Documenting the Conditions of Possibility for a Land Market

My dissertation examines land market performances and their conditions of possibility. This means that my chapters describe both contemporary and historical processes. The contemporary investigations necessarily required different methods than the historical research. As well, different histories also presented different challenges. Over the course of twenty months of field work, I carried out research in three primary locations: Petén, Guatemala City, and Washington, DC. In all three locations I collected historical materials and observed land market policy in action. In this section I describe the methods I used to carry out my research.

I began my field work in Guatemala in June 2004 a few days before the 50 year anniversary of a CIA-sponsored coup which reversed Guatemala's only state-led land reform. I spent my first several months in Petén meeting with leaders of organizations working on the project, and I ultimately became a student volunteer for a government organization called the National Cadastre: Technical and Juridical Unit (UTJ). This latter institution was in charge of administering the funds for the World Bank. From a position at UTJ, I met the leaders of other organizations and I was soon given permission to accompany employees in the organizations they directed. Although my position at UTJ helped to facilitate access to policy process, I also had many contacts before I began working with UTJ. I knew many project employees because I had lived and worked in Petén for several years during the mid-1990s, and at that time these people had worked for environmental organizations. I completed field work in Guatemala in October of 2006, a few months before the project was scheduled to be completed. I then spent an additional two months in Washington, DC conducting interviews with land experts, mainly at the World Bank.

Although the project was decentralized with various contractors and subcontractors carrying out the work across Petén, by the time I left Guatemala, I had accompanied technicians in all of

⁶ An exception is Timothy Mitchell's work (2002, 2007) which has clearly been influenced both by Butler and related feminist political economy, e.g. Gibson Graham 1996, and by the Science Studies literature on the performativity of markets.

the organizations involved in the project in Petén and in Guatemala City. I spent weeks or months with the various organizations depending on their roles. In addition to traveling to the countryside with technicians on many occasions, I also spent considerable time in the offices of the various agrarian organizations. I watched the cartographers making maps of land claims, attended long meetings at government agencies, helped to write several reports to the World Bank and to design a survey to evaluate the effects of the project, among other activities. By the end of my time in Guatemala, there were technicians in every organization in Petén who were accustomed to talking with me about the policy work. In addition, much of my social life was spent with technicians. At parties, soccer games, birthday parties and the like, the successes and failures of the project were the most common topics of conversation. As well, I shared a rented house with a Spanish information technology expert who helped to manage the rural land policy work. This dissertation is the result of having been immersed in the land policy process.

As I was accompanying the land policy process, I also conducted interviews. In Petén and Guatemala City, I conducted hundreds. As I accompanied technicians in the countryside, I found that the technicians were often happy to talk with me about their work. Similarly, the most fruitful conversations that I had with World Bank consultants occurred in Petén when the consultants were “on mission” from Washington. Interviews conducted “*in situ*” produced more meaningful information because the interviews often focused on a particular aspect of land policy that was happening at that moment. As well, I spent a total of three months conducting formal interviews in Washington, DC with Bank employees and others working in the land sector. During one month in 2003 and two months in 2005 I conducted more than 40 interviews in Washington, DC. During 2005, I interviewed the key individuals who managed the project for the World Bank between the early 1990s and 2005.

My time conducting field work was crucial to gain access to archival materials. In Petén there is no central repository for documents, and only after getting to know technicians and project leaders did I begin to learn about important collections of documents. During my field work I collected and/or photographed loan documents, technical reports and other grey literature in Washington, DC, Guatemala City, and Petén. Throughout the dissertation, I draw on a range of documents describing socio-political processes between the 16th century and the present. My writing on colonial Guatemala relies on annotated collections of primary literature and secondary sources. For discussions of post-independence Guatemala (19th and 20th century), I worked

from archival materials, legal documents, the correspondences of Guatemalan intellectuals, and the reports of Truth Commissions. The writings of anthropologist Norman Schwartz were especially helpful for documenting the everyday lives and struggles of people who lived in Petén during 20th century. To describe the practices and logics of modernization in rural 20th century Petén, I relied on memoirs, correspondence, and photo-albums produced by Oliverio Casasola, a charismatic leader of Petén's military government in the 1960s and 1970s. Finally, declassified U.S. State Department memoranda collected by Juanita Sundberg at the National Security Archive (Washington DC) provided insights into the articulation between this rural modernization program and US-government sponsored Cold War counter-insurgency.

Whereas the embodied work in a conventional archive is easily hidden from observation, the process of recording thousands of images in offices and libraries throughout Petén and Guatemala City made me visible, especially to Guatemalans, in a very specific way. At a holiday dinner hosted by UTJ, for example, I was introduced in front of several hundred people as a “spy from the CIA.” And this was not the only occasion; many colleagues jokingly referred to me as a spy over the course of my time in Guatemala. My presence, day after day in state institutions photographing documents was one reason that I acquired this reputation. And having this reputation undoubtedly made some people wary of what they revealed in front of me. Others, however, went to great lengths to help me. I will never know to what extent these contrasting reactions were over-determined by the intertwined and often violent histories of the United States and Guatemala.

Looking back on my experience in Guatemala, I believe that the privilege, to which I became accustomed, was over-determined by legacies of militarization and racialization. From the Spanish conquest until 1990, military organizations managed land policy in Petén (Schwartz 1990), and within UTJ, the person who was most helpful to me had been an officer in the Guatemalan military before he began working on agrarian issues. More generally, Guatemalan society as a whole was heavily militarized between 1959 and 1985. During this period, advisers from the United States military have been involved in every level of government in Guatemala (Berger 1992; Schirmer 1998). Throughout the Cold War, US foreign policy helped to produce the development boom in Guatemala and elsewhere in Latin America through Kennedy's Alliance for Progress (Grandin 2006). In the context of this history, people from the United States who look like I do—white and male-- are given special privileges in Guatemala (Sundberg

2003). Furthermore, older colonial histories and geographies -- of which these military legacies form a part -- mean that light-skinned people receive preferential treatment in Guatemala (Casaus 1992). I mention these histories to gesture towards the sometimes violent processes that have made my research possible.

Plan of the Dissertation

This dissertation is an intimate portrait of the conditions of possibility for a land market. My research explores social processes beyond land market policy that supposedly constructs this market. I pay particular attention to the diverse socio-political conditions that made the policy—and its targets—possible. Each chapter describes the often banal, sometimes violent reconfiguring of subjects, institutions, and territories through which the conditions for markets are made.

The first three chapters explore in different ways how land market policy comes to be imagined as a coherent instrument with predictable attributes and effects. Chapter 2 begins with a brief review of the emergence of key visions and technologies which would eventually be incorporated into the policy. I also explore changes within the World Bank which created a “need” for a land policy in the mid-1970s and subsequently for the financing of early land policy projects. The chapter goes on to explore the proliferation of the policy including the changing rationalities that have been developed to justify it, the increasing numbers and varieties of technicians that promote it, and the expanding fields of intervention where it has been applied. Ultimately, the chapter demonstrates that the policy has been assembled from diverse materials and circumstances, and that at the World Bank what counts as land policy has shifted radically in relation to particular circumstances and individuals. This history exposes the fact that the coherence of land policy is itself an ongoing political project.

Whereas the second chapter shows that land market policy takes its coherence from a wide variety of materials and practices, the third chapter examines the production of that which most powerfully authorizes the work of this policy. This chapter examines the production of the target of the Bank’s land market policy in Guatemala: a rural land tenure regime in need of state-sanctioned private property rights. In northern Guatemala, when World Bank and Guatemalan government technicians initiated their policy-making work, they claimed to find precisely such a

regime. Rather than suggesting that the technicians were mistaken, this chapter traces the social and often violent material processes through which these targets of policy were produced. Drawing from primary and secondary sources, I construct a history of the first colonial and later national government rationalities and practices that helped to produce rural land and (limited) the possibilities for individuals to imagine their connections to that land. This chapter reveals that the events of a long and violent agrarian history are the primary conditions of possibility for the Bank's land market policy in Guatemala.

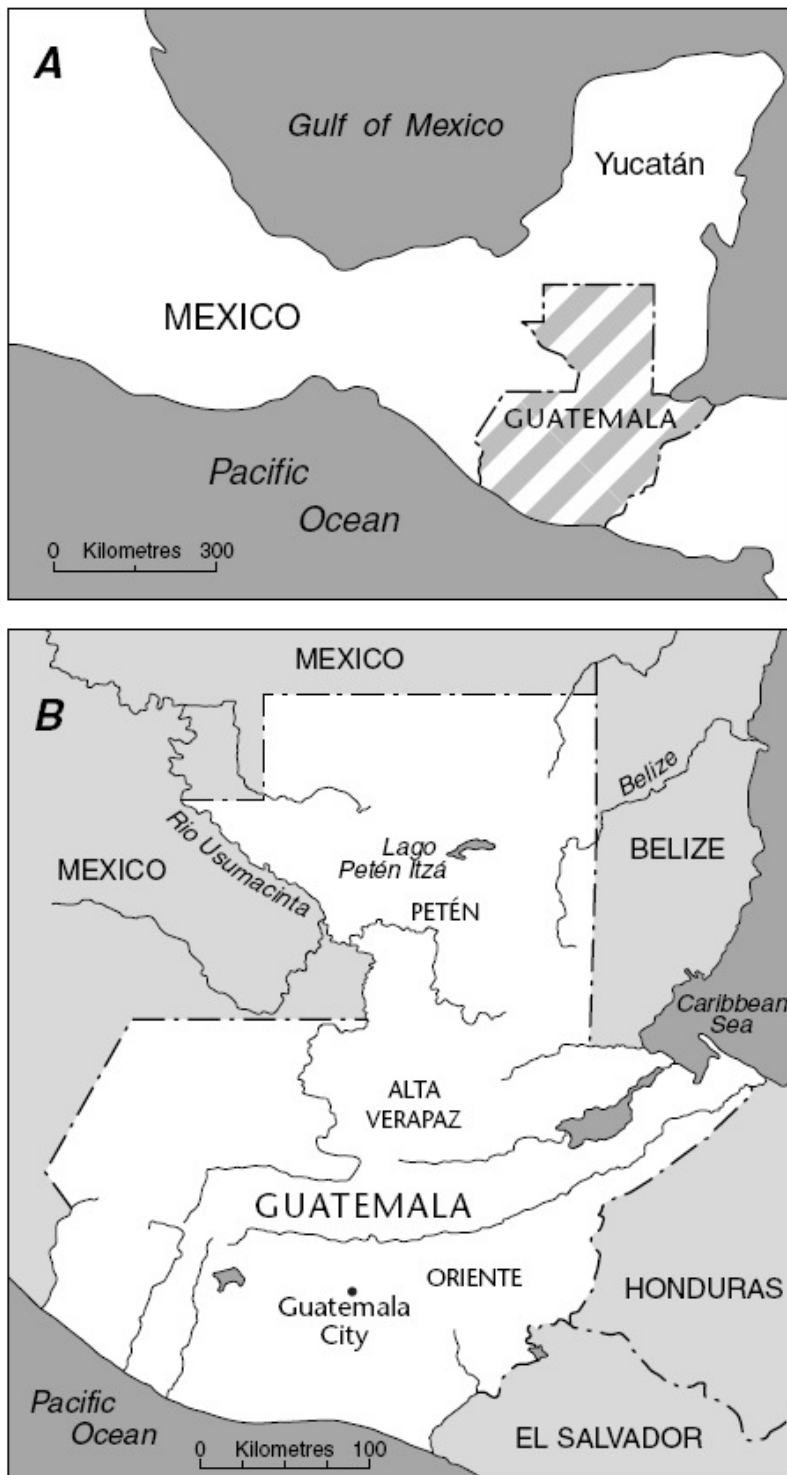
The fourth and fifth chapters examine how the practices and logics that compose the World Bank's land policy proliferate in Guatemala. Chapter 4 shows how the Bank's land policy is transformed into a new sort of national policy instrument in Guatemala. Here again it is possible to see how the coherence of land market policy—its status as a policy instrument—is made and not given. As well, the chapter shows how the everyday practices of policy making constitute and consolidate the relations and identities of institutions and territories. In the midst of the policy-making process, the World Bank is redefined locally as the source of technical expertise that will cure the ills of under-development while the Guatemalan people and its territory are constituted as needing this cure. The chapter then describes how government- and World Bank technicians deploy these institutional identities in their drive to nationalize the Bank's land market policy. They eventually succeed by inserting a blueprint for the policy into Peace Agreements which bring decades of armed conflict in Guatemala to an end in 1996. The importance of this chapter is that it interrupts the taken for granted narrative that imagines policies as smoothly “transferred” from North to South and demonstrates that policy-making is a transformative process.

Chapter 5 examines policy practices carried out in the name of a rural land market. This chapter shows how the mandate of the Peace Accords is used by policy makers as the foundation for a new agrarian institutional architecture in Petén. The institutional changes are produced in large part by the work of elite Guatemalan officials and World Bank consultants. The chapter then examines the work of this architecture and, specifically the uneven way in which it facilitates the proliferation of policy. In cases where the Bank's land policy can be rendered technical, it proliferates widely and there is broad participation by landowners. In cases where there is an attempt to use the policy to advocate for the rights of marginalized landowners, this proliferation is truncated and technicians and *campesinos* are endangered.

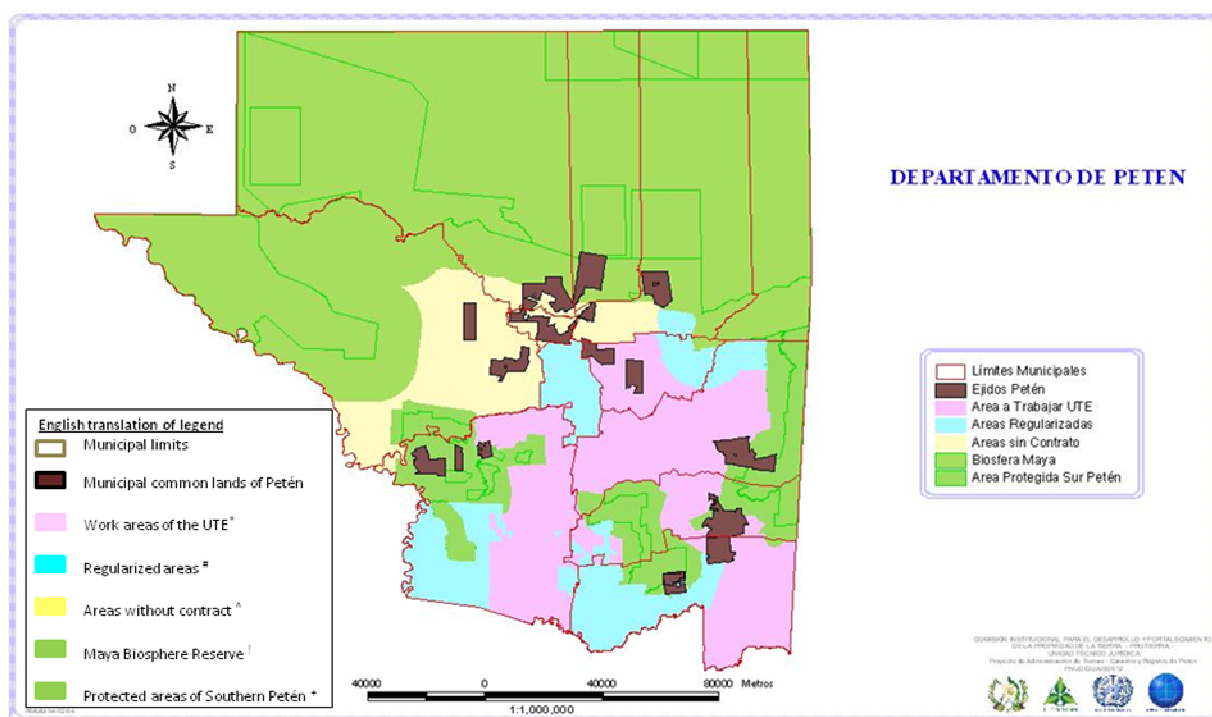
The sixth and final chapter of the dissertation examines how the practices of land policy in Petén constitute subjects and territories. While technicians at work in Petén seek to create a land market, much of the day to day operations are centered on the creation of private property rights in land. Although such rights are never completed during the course of the project, this chapter demonstrates that the everyday policy practices designed to create these rights do have effects, producing subjects and territories for the market according to a performative logic. In the case of land claimants, I contend that these performances help to produce individualized national subjects. Through the course of the titling process, this official and narrow identity brackets out alternative claims and solidarities. Similarly, everyday surveying practices constitute the landscape as national, uncontested and naturally divided into private property rights. It is important to clarify that these performances do not produce territories, subjects, or markets once and for all. Rather, this is a contested process. I conclude by suggesting that this fine grain approach to understanding markets and the proliferation of market policy reveals micro-fissures in a system often imagined as smooth.

The conclusion of the dissertation begins by reflecting on how this study led me to an unconventional understanding of markets and economic policy. I also highlight a few key themes of the dissertation including the relation between so-called technical practices and the political, and the connections between violence and policy. Finally, I discuss the relevance of this study for recent scholarship on neoliberalism and the possibilities for conducting future research on land market policy in Guatemala and beyond.

Map 1. Guatemala in regional (A) and national context (B)



Map 2: Map of zone where land market policy was implemented



Notes

* The pink area is the zone where the Guatemalan rural land market was to be created. “UTE” is an acronym for “temporary union of firms” and refers to the companies which combined forces to carry out land market policy.

Regularized areas are those which have already received state-sanctioned rights according to the designers of the map.

^a Areas without contract refer to those zones where no firm has been contracted to create state sanctioned property rights.

!, + Maya Biosphere Reserve and the Protected Areas of Southern Petén are difficult to distinguish on this map. However, the Maya Biosphere Reserve consists of the various protected areas in the north, and the Protected Areas of Southern Petén, consists of the three green zones in the southern part of the department.

Chapter 2: Not Just a Matter of Maintaining Law and Order: The Emergence of Land Market Policy

Introduction

...When I got into this stuff in the late 1980s everybody was looking for the credit effects [based on] the Thailand work. Feder has been super-influential, probably too influential. And then we started looking in the 1990s more at the market effects and how, maybe all this stuff [land institutions] is really key for getting these land markets dynamized and that [markets] will do all kinds of good things for you. Well, and then by this decade people were talking much more in terms of public infrastructure benefits, [that are] a little hard to quantify-- the evaluation is pretty sketchy...

Senior World Bank Land Specialist, Interview on November 15, 2005

This capacity to stimulate and channel [bureaucratic] activity derives largely from the objectification of policy—the process through which policies acquire a seemingly tangible existence and legitimacy.

Shore and Wright 1997: 5

The first epigraph is an insider's concise history of land policy. The man who made this statement works on the 6th floor of one of the smaller World Bank buildings along with many of the Bank's other land experts. During the interview, I learned that he had worked on land projects with a variety of development and academic organizations since the late 1980s. During his career he first saw land policies justified in terms of improving access to financial credit for landowners. Later, he worked on land projects designed to make markets, and more recently, on other projects imagined to produce public infrastructure. As he tells the story, the Bank employee mentions Thailand and the influence of [Gershon] Feder, a Bank consultant who had conducted studies of land policies in that country. Finally, and most importantly, the narrative lacks a single subject except the vague, "stuff." The speaker seems to be recalling a series of loosely connected experiences during a period in which the meaning of policy coalesced unevenly and transformed repeatedly.

I have described this commentary by the Bank consultant because it provides an opening for telling a different sort of policy history. Histories of policy are often anchored in "economic laws" and narratives about the generalized needs of the world's poor; e.g., Deininger 2003. In

this chapter, I seek to unsettle such histories. I do this by documenting how land policy emerged in relation to particular historical and geographical conjunctures and through the practices of specific actors like the land expert I quoted above. By describing these material processes, I aim to show how land policy gained its coherence as a recognizable instrument with predictable effects. Understanding “policy making” in this unconventional sense is critical to the project of the dissertation. This is because the possibility of creating state sanctioned land markets in Petén required the existence of policy as instrument. This chapter documents the epistemological process through which that instrument was formed.

To describe the formation of this policy, I draw on events that occurred during the past 25 years around the world and involved thousands, if not hundreds of thousands, of technicians, politicians, military officials, and everyday people. I highlight key moments and actors who seemed to play critical roles as the policy formed or shifted its field of application. I pay particular attention to the writings of leading land experts at the Bank and draw on interviews with consultants and technocrats from other multilaterals financial organizations. However, I cannot trace the intricate paths of all the actors and materials involved in the process. In the end, this chapter is a methodological challenge. I have attempted to leave spaces and open possibilities within my analysis in the hopes that future studies will expand on my efforts.

This chapter is divided into four sections. After a brief inventory of some efforts by quasi-states and states to govern territory over the last few centuries, I describe the birth of the World Bank’s land policy in Thailand and its subsequent proliferation to other parts of the world. I then describe some of the conditions of possibility which led to a substantial change in the policy in the early 1990s when land experts from the World Bank and elsewhere began placing substantially more attention on transforming market institutions. Finally, I discuss some of the continuities between these two moments in the history of the Bank’s land policy and the signs that a third vision is becoming dominant. I conclude by reflecting on how this history helps to unsettle official stories that depict the World Bank’s land policy as having evolved according to universal economic laws.

Precursors of Land Policy

Indeed, the very concept of the modern state presupposes a vastly simplified and uniform property regime that is legible and hence manipulatable from the center.

In legislation, the most important thing is security. If no direct laws are made respecting subsistence, this object will be neglected by no one. But if there are no laws regarding security, it will be useless to have made laws respecting subsistence—command cultivation, you will have done nothing; but secure to the cultivator the fruits of his labor, and you must probably have done enough.

Jeremy Bentham (1748-1832)

In Feder et al. 1988: v (epigraph)

The World Bank's land market policy of the last 25 years was not invented out of nothing; it incorporated existing materials and processes. Particularly important were fiscal practices developed in pre-modern Europe, processes of colonial administration, and policies designed for Cold War development/modernization programs. All contributed to the taken for granted categories through which the World Bank's land policies could be conceptualized. In this section I highlight some of the historical materials and innovations that live on in the market-making vision that is the focus of the dissertation. I do not wish to suggest that the existence of these historical materials made the emergence of the World Bank policies inevitable but that the Bank's market-making policy could not have emerged without these materials.

Some of the earliest systematic attempts to map territory occurred in pre-modern Europe. The quasi-states of the time collected their revenues through levies on land. To increase their fiscal efficiency, state administrators attempted to map land claims (Scott 1998). As early as 1607, “an English surveyor sold his services to the aristocracy on the premise that the map was a substitute for a tour of inspection” (1998: 45). And in order to do so they had to standardize units of measure and measuring techniques. Scott’s fascinating description of the battle to standardize all kinds of measures helps us to recognize the heterogeneous, inch-by-inch struggle of the state to “see” its territory. This process provided a wealth of techniques, vocabularies, and experts who would be available for producing so called “land policies” for subsequent state bureaucracies. It is important to note that the production of these measures and measuring systems were not merely processes for describing landscapes; rather they helped to produce a new vision of (Cartesian) space with new possibilities for government (Kain and Baigent 1992; Scott 1998; Agnew 2003).

While the tactics for measuring and taxing land appeared earlier, it was not until the late 18th century that anything resembling the thinking behind the Bank's land market policy emerged. Drawing from John Locke's work on property, the Physiocrats in France and political economists in Britain promoted private property rights as the basis for individual and national agricultural production. The work of both the French and English theorists were taken up by utilitarian thinkers, notably Jeremy Bentham in his work on government (Bentham 2005). Bentham argued that rather than creating myriad laws to direct the activities of subjects, government would be more effective and subjects more prosperous if laws focused on strengthening security. In the agrarian context, what Bentham meant by security was private property rights in land. (See Harrison 1983 for discussion of a Benthamite view of security.) Security, Bentham believed, was the basis for creating the conditions for optimum production at the level of the farm and the level of the nation. The technocrats who I interviewed at the Bank were aware of their intellectual debt to Bentham. The quote from Bentham which begins this section is the epigraph of Gershon Feder's book on Thailand (1988), the most influential Bank publication about the relationship between land tenure security and agricultural production.

Just as I want to avoid the idea that policy is formulated in the Global North and applied in the South, it is also important to recognize that the ideas of Locke and Bentham were developed in relation to contexts and intellectuals in the Americas. John Locke's influential theory of property emerged at a time when he was heavily invested in the slave trade and when he was helping to manage a colonial estate in the Carolinas. Furthermore, his influential work on property emerged at a time when he and other colonial administrators were appropriating Native America lands and needed a legal justification for doing so (Anderson 2007). Likewise, proponents of utilitarianism developed their ideas in a transnational context. Bentham was in direct communication with Latin America intellectuals as he formulated his ideas about legislation. In the case of Guatemala, Jose Cecilio del Valle, the author of the Guatemalan constitution, exchanged letters with Bentham in the years before and after Central American independence in 1821. In their letters, the two men exchanged ideas about how the new Central American states were to be governed (Heliodoro Valle 1942). Del Valle re-published Bentham's work in Central American journals alongside his own extensive writings on political economy and Guatemalan national policy.

Ultimately, the ideas of Bentham and Latin American liberal intellectuals like del Valle were important for the development of liberal reforms throughout the region in the 1870s. These reforms mobilized discourses of private property and efficiency to promote the interests of agricultural elites-- coffee growers in the case of Guatemala. Much has been written about the liberal reforms and the dispossession of indigenous people that resulted from them (McCreery 1983; Cambranes 1985). The point I want to make is simply that these liberal discourses on property along with measuring practices and property maps became insinuated into practices of government in Latin America and survived to become raw material for contemporary land policies. For example, as in other parts of Latin America, property institutions were formed or at least reformed during the liberal period in the late 19th century. In Guatemala, it was this period when first national institution dedicated to managing property rights was established (Land Registry). Throughout the 19th and 20th centuries, techniques of land survey proliferated through colonial territories in Asia, Australia, and Africa as Europeans sought to dispossess/govern native peoples (Simpson 1976). Colonial policies for establishing property rights in land were so important to the development of what we now think of as the field of land policy that, until recently, the most important land policy texts were written for colonial administrators and/or based on examples from colonial contexts, e.g., Simpson 1976.

US development policy between the 1940s and the 1970s was a final important source of techniques and visions for contemporary land policy. After World War II, the United States government implemented land policy as a way of neutralizing the influence of large landowners in Japan among other locations. The US government sponsored land surveys and the distribution of rural land as a way of winning allies within the population and promoting capitalism (Ladejinsky 1951). Likewise, during the Cold War, the US government assisted governments around the world to establish national mapping agencies and to produce national topographic maps (Cloud 2002). As well the Kennedy Administration's Alliance for Progress promoted land reform in Latin America and elsewhere during the 1960s (Petras and LaPorte 1971). The US government and its Latin American allies promoted these reforms in the hopes of creating conditions less favorable to the growth of communism and other political projects to which they were opposed. During the same period, the Land Tenure Center was established at the University of Wisconsin. According to David Stanfield, a land specialist associated with the Center for decades, it was established because US government officials were afraid that the Cuba

revolution would spread to other parts of Latin America (2005 interview). The Center played a critical role in producing ideas, techniques, and experts on land tenure and property rights policies in Latin America until the early 1990s.

In sum, the World Bank's land policy was made possible by interconnected histories of what we take for granted today as government and territory and which stretch back hundreds of years and criss-crosses the globe countless times. In this section, I have only gestured at the outlines of these extensive histories. Nevertheless, my point is that techniques of measurement, conceptualizations of territory and subjects and their appropriate relationships were all available at the time that the World Bank's land market policy was being assembled. That said, there was no guarantee that these materials would become articulated in any particular way. The rest of the chapter examines the processes of articulation and reconfiguration through which the Bank's land market policy was made and remade.

Thailand and the Birth of the World Bank's Land Policy

The objective of this section is to describe the emergence of land policy at the World Bank. I pay particular attention to the work and research of Gershon Feder, the Bank economist who is mentioned in the epigraph of this chapter. Feder and his colleagues developed a land titling policy in Thailand in the 1980s. Although this policy was discontinued by the early 1990s, it is important to analyze since it would provide many of the conditions of possibility for the land market policy which is the focus of the dissertation.

Everywhere and Nowhere

In its early days the World Bank had no reason to make a policy to form land markets in developing countries, much less finance a land tenure project. In the two decades after its founding at Bretton Woods, New Hampshire in 1944, the Bank made loans for state infrastructure projects, mostly to the safest borrowers: the governments of Western European countries. In his ethnography of the World Bank, Goldman calls this the "Reluctant Banker" period (Goldman 2005: 57-58). Poverty alleviation and loans for development projects in the Global South were not even on the Bank's agenda until the last years of the 1960s when the mandate of the Bank was transformed under the leadership of Robert McNamara.

During McNamara's tenure at the Bank first produced a statement on land in 1975 which was entitled "Land reform policy paper." This statement advocated private property rights as the most efficient and economically productive land tenure arrangement anywhere in the world. In a nutshell it espoused the importance of land titles to increase landowners' incentives to invest in their land, to improve credit access for farmers, and to create more efficient land markets. The one-size-fits-all approach of the paper was in line with other development policies that the Bank promoted during this period (Peet 2003: 13). Furthermore, these policies were made possible by the invention of new types of financial instruments which were designed by Wall Street bankers (Goldman 2005: 66).

The Bank's land reform paper is a policy statement which sought to refine the institution's approach to development in the Global South. During the 1970s, and under the leadership of Robert McNamara, the Bank advocated large-scale modernization projects designed to alleviate poverty especially among small farmers in Asia, Africa, and Latin America. The Bank made loans and policy interventions in a range of fields including health, education, and population control, but the institution's top development priority during this period was agricultural modernization. A part of what became known as the Green Revolution, these projects provided client governments with high yielding crop varieties, irrigation, fertilizers, and technical assistance and at the same time transformed the World Bank from a relatively small player on the international scene into one of the most important transnational development institutions (Goldman 2005). The land paper was written in part to draw attention to the thesis that weak private property rights to land among poor farmers was preventing the Green Revolution projects from having their desired effects (Peet 2003: 120).

During this period land titling projects were "usually just a by-product, or a side component of something bigger..." They were often "seen as a cost" which was necessary to insure the success of whatever was the main focus of a project (Interview with Gershon Feder, November 2005). Consequently-- and with one exception that is the focus of the next section-- during the 1970s and early 1980s expertise and analysis of land tenure was distributed unpredictably through diverse Bank projects in many parts of the world. Even during the late 1980s, the World Bank funded few land market projects. A study of 30 land projects, published by a Bank insider who had been working in Eastern Europe (Holstein 1993), concluded that "fragmentation made it difficult for anyone to identify all the cadastral initiatives, let alone evaluate them" (Barnes 2003:

369). However, the success of one early land project in Thailand did more than anything else to solidify the Bank's land market policy as a discrete policy instrument that could be studied, replicated, and improved upon.

The Thailand Land Titling Project

In the late 1970s scattered expertise at the World Bank coalesced to the point that Bank consultants would create the first project explicitly designed to improve tenure security as a means of stimulating economic production and reducing poverty. For a variety of reasons, the project was destined for Thailand. The World Bank had been collaborating with the Thai agricultural sector since at least the 1960s. Nevertheless, the impetus for the project seems to have come from the Bank. Before the loan was approved, World Bank employees and local consultants highlighted and quantified insecure tenure as a constraint on the growth of the agricultural sector. Based on this initial research and the Bank's 1982 Project Identification Report, a proposal was written in early 1983 and funded by a structural adjustment loan to the government of Thailand the following year. The aim of the project, which was known simply as Thailand Land Titling Project, was to distribute land titles to small farmers, create base maps of rural and urban areas, and to modernize and decentralize the Thai Department of Lands (Rattanabirabongse et al 1998; Thailand Department of Lands 1983). During the same years the US Agency for International Development was funding similar projects in Latin America with the same sort of names, e.g., Honduras small farmer titling project, Ecuador land titling project (Barnes 2003: 369). Although I never identified links between Thai titling work and Latin American projects at US AID, the convergence of project names seems more than coincidental.

The Thailand project was formulated during a period of transition at the Bank and reflected both old and new development thinking at the institution. The focus on small farmers was typical of the McNamera-Bank's vision of rural development. During the McNamera period, development was animated by New Deal vision of agricultural development in which state governments were provided with agricultural inputs for small farmers. These inputs-- which traditionally consisted of fertilizers, improved plant and animal varieties, and the like-- were then supposed to lead to greater production and ultimately increased income for farmers. In this context, land titles were imagined as a new kind of input. As well, and as I mentioned above and in the previous section, land projects of this sort had been facilitated by other US institutions

-- and particularly the United States Agency for International Development in other parts of Latin America including Central America, Ecuador, and Chile among others.

The Thailand project also reflected a new sensibility that was sweeping the Bank as well as the governments of the United States and Britain. There was pressure from inside the Bank as well as from the US government to eliminate state-led development projects which were increasingly viewed as dangerously socialist. In his annual speech to the World Bank in 1983, Ronald Reagan claimed that “Millions of individuals making their own decisions in the marketplace will always allocate resources better than any centralized government planning process” (IBRD 1983: 2 in Peet 2003: 13). In retrospect, scholars would recognize the early years of the Reagan administration as the rise of neoliberalism in the US government. In brief the neoliberal project is associated with so-called free trade policies and a range of political economic reforms including the cutting of social services and welfare, decreases in tax burden especially for corporations, the hiving off and privatization of government services such as education, health care, and even the military. Led by a few countries in the Americas and Western Europe, this supposedly market-centered approach to government would rapidly proliferate around the world (Harvey 2005; Klein 2007). The emphasis of the Thailand project on strengthening private property rights and rural financial markets (credit) so that farmers could become more economically productive beautifully embodied the neoliberal approach.

While the Thailand land titling project appeared at a strategic moment in the rise of neoliberalism, it is hard to understand how this project could have helped to produce the Bank’s vision of land market policy. Although the project was successful by its own standards with over 5.5 million titles distributed, the role of the World Bank was relatively small (Rattanabirabongse et al 1998). Day-to-day project management was carried out by Australian consultants and Thai government officials. Experts from these two countries had been working together for decades on Thailand’s system of private property rights. It even appears that they took an active role in maintaining the separation between the project and the World Bank consultants. Thai and Australian project leaders attribute their success to their “pragmatism” and to the fact that the “project was never subject to the demands of the technocrats” (Rattanabirabongse et al 1998: 11). Given the autonomy of the project, how is it possible that it had such an influence on patterns of thinking and lending at the World Bank? How did such a project turn into a World Bank land policy franchise that got exported all around the world? While land titling certainly fit the

neoliberal *zeitgeist*, I contend that the creation of a World Bank policy from the Thai model actually had a great deal to do with how World Bank researchers studied the project.

Researching the Thailand Land Titling Project

The study of the Thai project began before the project did. As the loan proposal was being formulated by an operations team, Gershon Feder, an economist in the Bank's Agricultural and Rural Development Department, was asked to produce a cost/benefit analysis of the project. Feder, who would become the grandfather of land policy at the Bank, had no experience with land projects at the time, but he became fascinated with the proposed activities in Thailand. In this section, I will argue that the proliferation of the Thai project to other parts of the world was made possible because of the way that Feder and his colleagues conceptualized the project in their research. As I will explain below, the methods they chose and the way they chose to frame their studies constituted the success of the project as mobile, able to be deployed wherever and whenever land owners lacked state sanctioned private property rights. It bears mentioning as well that the duration and intensity of this research was extraordinary in the context of Bank-funded development research, which is usually given a low priority by an administrative apparatus that prioritizes the sale of loans above all else (Goldman 2005: 110).

With the help of colleagues in Thailand and at the World Bank, Feder developed a research program designed to evaluate the effects of improved private tenure security on economic growth in the Thai agricultural sector. The most important contribution of the studies was to conceptualize the effects of land titles in terms of a series of inter-dependent working hypotheses relating tenure security, economic productivity, land value, and credit access. In other words, the research examined the efficacy of using land titles as the engine to generate prosperity through land market activity. The hypotheses and their relationships can be summarized as follows: (a) land titles will increase landowners' tenure security; (b) this increased tenure security will in turn increase incentives for land attached investments; (c) these incentives will lead farmers to solicit formal credit using their land titles as collateral; (d) farmers will use credit to invest in their land; and (e) these investments will lead to economic growth both within and beyond the agricultural sector. Using econometric tools to analyze data collected from the Thai banking sector and from household interviews with landowners, the researchers evaluated and dramatically confirmed these hypotheses empirically in an often cited book entitled *Land Policies and Farm Productivity*

in Thailand (Feder et al. 1988). My objective here is not to evaluate Feder's results on their own terms. Instead, I ask what epistemological and material work was accomplished by conceptualizing the project and its effects through these hypotheses? And how has this work contributed to producing the World Bank land policy as an instrument of development?

Feder and his colleagues conceptualized society as a collection of rational subjects who optimize their utility in relation to market signals and economic incentives. By focusing exclusively on landowner behavior, the study brackets the specific historical-institutional structures which were probably critical to the “success” of the project. For example, before the project had begun the state land agency had 30 years of experience and 9900 employees in 700 offices (Rattanabirongse et al. 1998). However, the hypotheses and the way that they were tested frames out the effects of these institutions. Since the authors used regression equations based on household interview data to evaluate the hypotheses, individual landowners (and their titles) appear to be the only agents of development with the power to transform Thai society. Whether or not the analysis was shortsighted, one thing is certain – the framing of the analysis constituted the policy as able to be applied beyond Thailand, and in fact any place that landowners lacked government sanctioned private rights.

Just as the framing of the study produced the land title as the motor of economic development, the same framing also made it difficult to see where the project failed landowners. According to Lohmann, “even legally secure tenure, which provides access to credit at normal commercial rates, does not in itself assure control over production. This is because in rural Thailand, “where others hold power over capital, crop choice, timing of plowing and planting, legal resources and means of violence, titling programs can easily even reduce land security by favoring investors and speculators over ordinary villagers” (1993: 187). Incorporated only as anonymous error terms, these dynamics are concealed by the regression equations that Feder and his colleagues used to analyze the hypotheses about tenure security. It is important to recognize that the researchers did consider the possibility that titling would cause some people to suffer. The last line of their book reads “The potential net benefits to society of providing legal ownership are too significant to let these possible complications [land grabbing by wealthy or powerful elements] become a reason for delaying the formulation of an effective land policy in Thailand.” Leaving aside the ethics of such an approach, I want to emphasize that the framing of

the analysis caused the project's failures—the dispossession of landowners for example—to disappear.

By making failure invisible and success transferable, the research positioned the titling project to be replicated in other locations. The use of historical narratives to position the work as part of a natural economic process further contributed to the constitution of the project as successful and worthy of replication. Feder and his co-authors position their work within an evolutionary model of Thai agrarian history. Specifically, they use Ester Boserup's (1965) vision of the natural relationship between land value, population, and property rights. In her formulation, the natural result of rising population density is an increase in land value and an evolution of land tenure from weak communal rights to exclusive private property rights. Boserup's model naturalizes private property as the top of a hierarchy of tenure relations. The implication of this for the World Bank's land policy is that it positions a project like the one in Thailand not as an experiment in rural development but as an opportunity for the state to short-cut a natural process for the benefit of society (see Carter 2000: 34). Like the equations that figure so prominently in the work of Feder et al., Boserup's conception of the evolution of property rights serves admirably to further constitute the Thailand project as a generalizable model for land policy anywhere. Although contemporary land policy no longer follows the title-centered logic that Feder and his associates devised, Boserup's understanding of the evolution of property rights continues to be a key justification for the World Bank's global land policy, e.g. Deininger 2003; Binswanger, Deininger, and Feder 1995.

There is a second type of historical narrative that also plays an important role in the production of land policy as an instrument of development separate from any context. However, its importance relates to its absence. Studies of the Thailand land titling project consistently omit historical narratives that would ground the project or its intellectual framework in political processes. In official reports, the beginnings of the project are rationalized in terms of the World Bank's mission and the deficiencies of the Thai agricultural sector. However, these official histories never mention why Thailand was selected for the project. Today there are myriad countries with incomplete cadastres or out of date property registries, and at the time of the Bank's project in Thailand, there were more. One likely explanation for the focus on Thailand relates to US interests in the region. Thailand was the only ally of the United States in South East Asia at the time; nearby countries were being transformed by communist and other radical

movements, e.g. Vietnam, Laos, Cambodia, Burma. In addition to whatever benefits the project had for farmers, the Bank financed land-titling program helped to consolidate the hold of the Thai government on its territory. Furthermore, making state-sanctioned property rights available to farmers was an established US cold war strategy designed to weaken popular support for communist- and other radical movements. To this day, US political interests trump economic analysis in deciding where World Bank funding is allocated (Goldman 2005: 58-9, 275-6).

A similar history can be uncovered in relation to the framework that Feder and his associates applied to the study of the Thailand project. Among the few studies that Feder claims as influencing his early work was a technical report written in the early 1970s by scholars from a US AID-funded agrarian studies program at the University of Costa Rica (Salas et al. 1970). According to a land expert who worked for many years in Latin America, this study was a part of a larger research program that occurred during the 1970s in Central America (Stanfield Interview 2005). Under the auspices of the Alliance for Progress, researchers studied how land titles could leverage credit for small farmers. It was during this same period also at the University of Costa Rica that the group of Guatemalan land experts who would work with Carlos Cabrera got their training. These studies and the training of Latin American professionals was a part of the United States Cold War campaign and designed to support policies that could neutralize communist influence in the region. More research could reveal a fuller story about the connections between US foreign policy and the theoretical and logistical development of the Thailand land titling project. However, my point is simply that the silence about these historical narratives plays an important role in constituting the policy as purely economic—never political-- concerned only with improving agricultural productivity, and therefore appropriate to be applied anywhere in the world lacking state-sanctioned property rights.

The framing of the Bank-sponsored research in Thailand constituted the land titling project as a model for similar projects in other parts of the world. The rationale was persuasive to project managers at the Bank. As Feder observed, "It became established that these projects have fairly clear expected economic consequences... [and] that they are not just a matter of maintain[ing] law and order in a country..." (Interview 2005). The work in Thailand and especially the research conducted there convinced people at the Bank that "There is much more to it that has to do with [economic] incentives... and the way [the market] increases productivity" (Interview 2005). And as the land titling model "became part of the mainstream thinking," Feder observed,

it became "easier to promote certain lines of intervention, [and] by now," he concluded, "the Bank has this line of [land] projects as part of mainstream activities" (Interview 2005). And this was no small matter. Since most of the land (and water) in the world lacks clear state-sanctioned property rights, the study literally opened a gigantic new territory for World Bank-funded land policy. In less than a decade there were new projects in Bolivia, Brazil, Columbia, India, Malawi, Indonesia, and Thailand among other locations. Feder provided advice on many of these and all of the projects justified their work in relation to the success in Thailand. Whether these projects succeeded or failed, the reams of technical reports, loan agreements, and everyday bureaucratic practices of Bank consultants contributed to the discursive regime of land policy that Feder had initiated in Thailand.

Eastern Europe and the Rebirth of Land Policy

Even as Bank-financed land titling projects were being carried out around the world, evidence was emerging that all was not well. The results of new projects were disappointing compared to the work in Thailand. Economists and planners at the Bank recognized the need for new policy designs. At the same time they also saw an opportunity to institute new land projects in Eastern Europe and the former Soviet Union. The combination of the poor performance by the titling projects and the new opportunities created conditions for the Bank's land policy to be refashioned. Instead of assuming that titles would automatically turn landowners into entrepreneurs, the new approach known as market-driven land reform or Land Administration, stressed the importance of distributing titles "within a broader strategy of rural development" (Deininger and Binswanger 1999: 249). These new projects sought not only to create state-sanctioned private property rights (titles), but also aimed to transform agrarian and financial institutions. In this section, I describe this shift to a new market oriented land policy. This shift is critical to the project of the dissertation because it was this market approach to land policy which would be promoted in Guatemala.

Land Market Policy

Although Feder and others at the Bank described the shift to land market policy as part of a gradual evolution in institutional thinking, it is hard to square their view with how radically the

policy was transformed in just a few years. In fact, the transition from the focus on land titles to the focus on markets seems to have happened in relation to two major changes. The first was a crisis: there was increasing evidence that land titling programs based on Feder's work in Thailand were producing inadequate results.

In the previous section, I explained how the framing of the research in Thailand produced a model that appeared to be imminently mobile. However, the same narrow framing meant that when the project was actually moved to new locations, it did not perform as expected. The authors of one internal World Bank study concluded that besides the Thailand project and two others which they considered partially successful "various problems seriously hampered performance [of the rest of the projects]." The report went on to indicate that the World Bank land titling projects generally fail because they lack political and institutional support (World Bank 1998a). In western Africa, the results of titling projects were so disappointing that experts suggested stopping these programs. A joint report by the World Bank and the University of Wisconsin Land Tenure Center claimed that their findings and experience "cast doubt on the wisdom and cost effectiveness of large scale, systematic programs of compulsory titling for [West-African] smallholders in rainfed agriculture" (Bruce, Migot-Adholla, and Atherton 1993). Evidence even emerged suggesting that Thailand's land policy had not been as successful as it was first believed. World Bank experts found that the "success" of the project in Thailand was largely the result of increased credit access and did not actually relate to improved tenure security (Binswanger, Deininger, and Feder 1995: 2723). The same paper also presented evidence from Central America, Philippines and Africa to suggest that "titling can lead to greater concentration of land and to dispossession..." (Binswanger, Deininger, Feder 1995: 2721). There was clearly a need for change.

In addition to the performance of land titling programs, there was another factor which helped to create the conditions for a shift to the so-called market approach. This was the collapse of the Soviet Union in 1991 and the revolutions which swept across Eastern Europe in 1989. The countries which had formally been part of the USSR as well as the rest of Eastern Europe would become a giant opportunity for World Bank land experts. Just as the lack of a viable land policy would be seen as an obstacle to the disbursement of international aid in Guatemala a few years later, the lack of land registration systems in Eastern Europe was viewed as a barrier to the transition to capitalism (Wedel 1998). According to Feder, who was involved in the first World

Bank mission to the USSR at the end of 1991 (Lerman, Csaki, and Feder 2002), “when Eastern and Central Europe broke away from communism, it was one of the common first investments, or advice that they got from us, ‘...put in a property registration system’” (Interview 2005).

Because of the conditions in Eastern Europe and the states of the ex-USSR, land policies were necessarily going to take a different form than they had in Thailand. The Thai model required at least the outlines of a capitalist system of land markets and institutions. Especially in the Commonwealth of Independent States, which were the countries that had been in the heart of the Soviet Union, there was no such outline. Land was concentrated in massive state farms and private property did not exist. If a capitalist land policy including institutions and markets was to be created, more institutional change was required compared to the Thailand land titling model. In contrast, in the Central and Eastern European Countries, it was possible to revert back to some extent to a past system. In this context, there was a mandate to survey vast territories, create and/or modernize land institutions, and land experts from all over the world flocked to the region (Deininger 2003).

In the throng of experts, World Bank consultants were especially well-positioned to participate in the land policy work. After the fall of the Soviet Union, Eastern European countries were heavily indebted. In a process that was similar to policy-based lending in Latin America during the structural adjustment period, the World Bank made financial assistance conditional on Eastern European countries accepting particular kinds of policies which inevitably brought experts from the World Bank. In 2005, one senior World Bank specialist remarked that

...the IMF and World Bank people showed up [in Eastern Europe and the ex-Soviet Union] and said, ‘look, we’ll give you 50 million [dollars] if you want to modernize your registry and distribute land titles because you are now a modern post-socialist country, and if you want to do cooperative agriculture you can, and we will give you nothing.’

The consultant was stating the case bluntly and for effect, and his comment misses the complexity of the policy process that was occurring at the time. Nevertheless, the statement does drive home one important issue: that the World Bank was involved in creating land policy in Eastern Europe from the early days.

Land Market Proliferations

Like Feder's influential writings on the Thai model, the proliferation of the market institutions approach was also facilitated by the way that World Bank consultants wrote about the work in Eastern Europe and elsewhere. The intellectual vision for the new approach came from Hans Binswanger, an agricultural economist who had been Feder's supervisor during the Thailand work. Although Binswanger certainly shared Feder's opinion that economic incentives drive landowner behavior, because of his training in institutional economics, he took a less reductionist view of land policy than his colleague. His approach is best summarized in a paper entitled, "Power, distortions, revolt and reform in agricultural land relations," which Binswanger co-authored with Feder and a graduate student from the University of Minnesota who would become the next top land expert at the World Bank (Binswanger, Deininger, Feder 1995). The paper asserts that underlying economic forces could lead to the emergence of property rights and efficient allocations of agricultural land but that historically this has rarely occurred. In other words, the model that the Thailand project supposedly exemplifies is an ideal which is rarely fulfilled. Instead, the paper suggests that elites have consistently used their power to monopolize land and agricultural production, and for this reason, the promise of markets and economic forces to generate prosperity is squandered and land is rarely in the hands of the people who can use it most efficiently. The take home message: it is not enough to distribute land titles because land markets are rarely functioning as they should. Land market policy must intervene in land market institutions.

By reframing the way that land policy was theorized, Binswanger's approach authorized an even larger field of intervention for the Bank's land policies than Feder's work in Thailand. This occurred in two ways. First, by focusing on institutions as the obstacle to efficient, wealth producing markets, Binswanger's analysis made government-- at least any part of government that could regulate land markets-- into a legitimate target for the Bank's land policies. Compared to Feder's model which had focused more narrowly on distributing titles, this represented a dramatic increase in the "grasp" of the policy. In addition, whereas Feder et al. (1988) had written a case study that they extrapolated beyond Thailand, Binswanger deployed historical evidence since the beginning of recorded history and from projects scattered around the globe. His was a more ambitious attempt to authorize the Bank's policy with universal authority. In spite of the global data set, the ideas that animated the paper undoubtedly came in large part from

Bank experience in Eastern Europe since this was where most of the new projects were being established at the time. In addition, during the period when he wrote the paper Binswanger was the head agricultural economist in the Bank's Central America region. He took advantage of his post to travel to Latin America where he collected data on land policy projects including the one in Bolivia where two of the top Bank consultants working on the Guatemala project started working on land issues (Barnes interview 2005, Shaw interview 2005).

As well as enlarging the field of intervention, Binswanger's approach also strengthened the Bank's authority over the field. His work accomplished this by creating a policy framework that was much harder to discredit than its predecessor. In contrast to land titling projects that could be evaluated fairly unambiguously, the success of the market institution projects was always a murky affair. Bank experts argued that apparently ineffective land market projects just required more intervention. And their failure could always be blamed on market distortions, bad institutions, or the laziness of the landowners who were supposed to be taking advantages of the new opportunities that these markets created. In other words, experts could always recommend more intervention as a solution when the institutional approach was failing. And this is precisely what has happened in Eastern Europe. Despite some dramatic changes in official rates of private property ownership and in property rights legislation, land policy in Eastern Europe including the work of the World Bank has been failing by its own standards.⁷ There are many indications of this. For example, despite the claim that Eastern European agricultural was inefficient before the collapse of the USSR, gross agricultural productivity declined massively throughout the region during the 1990s (Macours and Swinnen 2000; Deininger 2003). Furthermore, although farmers had access to private property many continued to produce collectively as they had during the socialist era (Meurs 2001) and privatization rarely contributed to increased credit access for farmers even in Central Eastern European, as the economists had predicted (Euroconsult 1995: xix). These depressing indicators were viewed with considerable anxiety by land experts at the Bank (Holstein 2003, personal communication). Nevertheless, in official documents advocates of the Bank's policy could insist that markets were still not functioning correctly and that Eastern

⁷ Between 1990 and 2000, 150 million hectares of state land were transferred to private owners (Deininger 2003: 139) and private property had become legal in 14 of the 16 Eastern European countries where it had previously been illegal. Exceptions were Tajikistan and Uzbekistan. (Lerman, Csaki and Feder, G. 2002: 57). Also, it is important to note that World Bank was only one of the promoters of the land policy. The Bank worked closely with U.S. A.I.D.

Europeans needed to persevere because only through patience and hard work would land markets produce their inevitable prosperity-enhancing effects (Deininger 2003: 134).

While the writings of Binswanger and his associates—all three men were economists and full-time Bank researchers-- did popularize the new model, the effect of these writings cannot compare with Feder's book on Thailand. Although few people actually read Feder's book cover to cover, the Thailand model has become a legend in the development world (see next section). The same cannot be said for the writings on the market institutions model of land policy. However, the latter approach also spread very rapidly. One way to account for this relates to the very different configurations of experts that existed during the early 1980s and during the early 1990s. By the time the market model policy was being worked out, there were many land experts. Because there were such abundant resources for consultants in Eastern Europe, experts came from all over the world to work there. These consultants picked up the new techniques and approaches but continued to work in their home territories. The new approach easily spread around the world via these networks of experts.

The case of David Stanfield provides an interesting example of the proliferation of this policy via experts. Stanfield was one of the first land experts. He was an early and important hire at the Land Tenure Center at the University of Wisconsin. In 1974 he founded the Terra Institute which eventually became a platform for consulting work on land issues that he and others carried out in Latin America, Eastern Europe, and most recently Afghanistan.⁸ In the 1980s he was conducting research and consulting in Central and South America and the Middle East on agrarian issues. While he was a professor at the Land Tenure Center, he trained several of the top land experts who went on to work in academia and consult for the World Bank, the Inter-American Development Bank, and the US Agency for International Development on land policy projects. Many of these experts did their fieldwork in Central America, a location that eclipsed all others in terms of the amount of land policy funding per hectare of land. Stanfield brought his experience in Latin America to Eastern Europe where he was zealous about the importance of transforming institutions (See Stanfield 1996). With consultants like Stanfield involved in the

⁸ About Terra. <<http://www.terrainstitute.org/aboutterra.html>>. Terra Institute. Accessed June 9, 2009. <<http://www.terrainstitute.org/>>.

land policy work in Eastern Europe, the new vision spread very quickly because he, like other experts in the field, maintained extensive networks of former students, consultants, government officials, and consultants in all the major financial institutions and donor agencies around the world.

The proliferation of land policy does not leave institutions or experts intact, but transforms them. The following quote is a rare glimpse of how the market model became accepted within a multilateral financial institution. It is important to note that the land expert who made this statement during an interview in 2003 was talking about his experience at the Inter-American Development Bank in Washington, DC. The questioning of policy that he is describing is occurring among bureaucrats who are hammering out loan documents in meeting rooms in Washington.

...so maybe the first [land] project we ever did was in Peru, [it] was very, very new. So there were a lot of questions. People were questioning, 'Why this?' 'Why that?' And it was the first time we ever did this type of project: cadastral registry modernization, land titling all integrated into one, new laws, new institutions, you know [it seemed like] a big monster. But once we started doing one, two-- the first one in Peru, the next one in Jamaica, the next one in Colombia, we started [thinking], 'Hey this is a real product of the IDB [Inter-American Development Bank].' It was accepted, ok? So when people came into the committee [to evaluate a project proposal] they said, "oh, another land administration project." Before they would say, 'What is land administration?' 'What is administration?' 'What is land?' 'Why are we doing blah blah blah?'" So it became accepted, and we did many, many, many projects, and like I said earlier, I can't think of the number offhand but there has got to be 15 or 20 land projects right now.

This quote is important because it helps us to visualize how policy becomes habit. Bureaucrats get used to certain routines of thinking and doing things and those routines helped to produce similar projects around the world. One of the goals of this chapter is to show that there is a material process through which policy becomes an instrument with expected effects. This quote more than any other provides a glimpse of that process.

Continuities and Conclusions

Because I have focused relatively narrowly, it has been possible to identify something like a paradigm shift in the development of the World Bank's land policy. However, it would be a mistake to imply that the Thailand model was somehow neatly replaced by a market model. The Thailand model continues to circulate and to influence Bank policy. Perhaps the best example of this continuity relates to the work of Hernando de Soto. De Soto has been an unrelentingly lobbyist for the land titling paradigm and his book, *The Mystery of Capital*, owes a substantial

debt to the work of Feder et al. (1988). Although most land experts consider de Soto's work over-simplified and propaganda-like, the same experts emphatically agree that *The Mystery of Capital* has popularized land projects especially with Latin American governments (See Mitchell 2007). Another example of the continued influence of the Thailand model relates to the hypotheses that Feder et al. (1988) developed. In part because these hypotheses are so instrumental, they are easy to test by social scientists and they have generated a cottage industry that has explored every possible permutation of the relationship between land titles and land use. Although the results of these studies have been less than promising, the studies have helped to constitute Feder's hypotheses as the underlying—if rarely expressed—axioms of land tenure relations. In sum, in spite of the advent of the market model as the new conventional wisdom about land policy at the Bank, the land titling paradigm continues to influence policy in important, sometimes subtle ways.

Focusing narrowly on the transformation in the discourses and practices of land policy is problematic in another way as well. This focus conceals another important continuity. Both visions of land policy have been articulated in similar ways in the Cold War military projects of the United States and its allies. According to one long-time land expert who worked extensively for the World Bank, land policy projects in Eastern Europe and Thailand were part of larger strategies to “jam the door” on communism. Although the tactics change, in each case land policy was used as a political instrument to solidify US geopolitical interests, and there are many other examples of this pattern. In an interview in 2006, the same consultant emphasized, “You have to remember; [the spread of land policy] is all about politics.” While it is important to recognize shifts in the policy process, it is also critical to recognize that histories are always a part of other histories. While the meaning and vision of land policy has shifted over this short period, the use of land policy as a tactic of the United States and its (post) Cold War allies has remained constant.

I have brought this history to a close in the 1990s because it was during this period that the Bank's land policy became a part of the Guatemalan national agrarian policy, the subject of the remainder of the dissertation. However, the Bank's land policy continues to undergo substantial transformations at the same time as it proclaims itself to be gradually “evolving.” A recent paper by a Australian-based scholar who worked with Klaus Deininger and Gershon Feder as a land policy consultant lays out the new vision succinctly (Williamson 2001: 301).

While most land administration systems traditionally have a primary objective of supporting the operation of land markets, they are increasingly evolving into a broader land information infrastructure which supports economic development, environmental management and social stability in both developed and developing countries

It is beyond the scope of this chapter to evaluate whether the Bank's policy will consolidate itself into this infrastructure approach. The most recent important land policy statement from the Bank remains close to the market model (Deininger 2003). On the other hand, land projects funded by World Bank and US AID that are currently being integrated into reconstruction efforts in Afghanistan seem to fit the infrastructure paradigm.

Reflecting on the history of the policy which I have detailed over the course of the chapter it is possible to envision four stages counting the early work associated with the "land reform policy paper." From a vision of titling as a necessary cost, the Bank's land policy shifted to embrace land titles as the key to credit access and increased agricultural productivity on rural land. This approach was replaced by a market model based on experience in Eastern Europe among other places. Most recently, public infrastructure seems to be taking over as the guiding logic for the Bank's land projects. I have already observed that with each successive land paradigm, the mandate for the policy has grown. As the policy has changed the territory it claims as its appropriate target of intervention has grown, as have the number and variety of experts who identify themselves as land specialists. But that is not all. With each increase in the scope of the Bank's land policy, its relationship to government has also shifted and intensified. Each new version of the policy positions itself deeper in what might be imagined as the tissues of the state. This final public infrastructure policy appears to overlap almost entirely with the functions of the state. This history of land policy provides a glimpse of a process that Peck and Tickell (2002) have described in relation to neoliberalism more generally, that over time the policy has insinuated itself more and more deeply into the structures and spaces of government.

This chapter contributes to the larger project of the dissertation, denaturalizing land markets, by exploring the histories of land policy. This chapter demonstrates that land market policy is not some universal and/or natural response to rising population densities and land values, as its advocates would suggest (Feder and Nishio 1998). Rather, this policy is a set of practices that have gradually gained object status in relation to particular historical, geographical and political conjunctures and especially in relation to World Bank-financed policy processes in Thailand and

Eastern Europe. The “objectification of policy” through these historical processes is a part of the conditions of possibility for the proliferation of land market policy and land markets elsewhere including in Guatemala (Shore and Wright 1997: 5). Before examining these latter processes however, the next chapter considers the formation of the “target” of land policy— Petén’s rural land tenure regime.

Chapter 3: And Then Gods Were No Longer Seen: The History of a Property Rights Regime

Introduction

During my field work, I spent months accompanying land policy technicians in the Guatemalan countryside. In the early days of the land policy project I was a member of a small team of men who traveled through rural areas—by truck, motorcycle, boat, and on foot-- identifying the “targets” of land market policy, the rural landowners and their land claims. When we arrived in a rural community, we would set up an impromptu town meeting. The townspeople who managed to meet with us on short notice were asked to describe land claims in the area. Together the community members and the technicians would draw maps of nearby property claims and the locals would provide the names of the landowners. People spoke without hesitation of the ownership of farm plots [*parcelas*]. Sometimes there was talk of land conflicts, but everyone always seemed familiar with the notion of private property in land. And this was the case even though few “landowners” had state sanctioned rights (land titles). In a legal sense, we were speaking with “land claimants,” but no one ever used such a term.

I often reflect on these early encounters between landowners and technicians, and especially to the apparently innocent questions and answers, practices and everyday discussions about claims and distances. I suggest that the apparent consensus among these technicians and landowners about the meaning of rural territory is worth thinking about. Certainly, it forms an invaluable resource for any effort to establish a land market in Guatemala since the first step in such policies is to convert existing land claims into state sanctioned rights. Had technicians arrived in the countryside and been greeted by open rebellion or mass confusion about the meaning of private land claims, it would have been difficult to carry out the land market policy. However, such was not the case. In this chapter I explore some of the processes that helped to form the consensus I observed in the countryside: a taken for granted-- but not state sanctioned-- private property rights regime. The project of this chapter is critical to the dissertation because this property rights regime has played an important role in validating and producing the conditions of possibility for the contemporary World Bank land policy in Petén.

The consensus about property rights was not formed all at once, much less recently. The rural private property regime that is the basis for the land market policy depends on constructions of territories and subjects with complex and interwoven histories and geographies. This chapter traces the emergence of a few of these social formations including territories such as the rural and the urban and subjects able to make private property claims in the name of the nation. Where and how did “the rural” emerge as a category of territory? How did rural territory and claims to it become consolidated, so commonsensical in Petén? How did the Petén itself become a national space of rural territory? How did subjects emerge who would make claims on these territories in the name of the nation? These are questions that I explore as a way of unearthing the formation of Petén’s contemporary property rights regime.

It is important to note that this is not a standard history and cannot be read as such. I have made no effort to cover the agrarian history of Petén much less of Guatemala. Instead, I highlight key moments in which subjects and territories of the contemporary property rights regime have emerged. As in the rest of the dissertation I pay particular attention to the meaning-making and material work of policy and of government.

This chapter is organized into four sections following the introduction. Each of these sections considers at least one important moment in the production of the property rights regime. The first section concerns the origins of rural and urban subjects and territories during the colonial period in what is now Petén. The second section examines how visions of nation and everyday practices of resource extraction helped to constitute the Petén as a national rural territory during the first century after Guatemalan independence. The third section describes the colonization of Petén by the Guatemalan military with the support of the United States during the Cold War. (To avoid confusion, please note that the word “colonization” has commonly been used to describe national efforts to settle forested areas in Latin America during the 20th century, and this is the way I am using the word here [Schwartz 1987]). Finally, the fourth section examines the further solidification of the territories and subjects of the property rights regime through the everyday boundary-making practices of a conservation and development program sponsored by the United States Agency for International Development. Before I begin to explore the conditions of possibility for the contemporary property rights regime in Petén, I briefly outline the meanings and relations of some terms that are relevant to the chapter.

Defining Terms: Race, Racialization and Whitening

Race politics plays a key role in the formation of the contemporary private property rights regime in Petén. I now briefly define race as well as the meaning of two related processes: racialization and whitening. First, the concept of race is not a universal; it emerged during the 16th century in the context of colonialism and proliferated through Enlightenment science (Silverblatt 2004, Pratt 1992, Goldberg 1993). While many have observed that race as a concept has little meaning in and of itself, the power of race comes from its versatility, its capacity to define groups and then to naturalize their difference within a hierarchy (Goldberg 1993). This quality of race is significant because it means that race organizes how different groups are imagined, and then “provides a powerful rationale for *why* inequalities or injustices between groups of people are socially and legally acceptable” (Sundberg 2008: 570, emphasis in original).

In addition to defining race, this chapter also requires a vocabulary for defining the process through which racial groups are formed. I use the term racialization to refer to the material and epistemological processes through which “human differences are marked according to hierarchical discourses” (Appelbaum et al. 2003: 2 in Sundberg 2008). I agree with Sundberg that human-land relations are exemplary sites for observing processes of racialization (2008). As Sundberg explains, “racialization is a process that is intimately woven into political and environmental processes; they are mutually constitutive” (2008: 572). As I describe the making of the property rights regime in Petén, I highlight moments in which the racialization of subjects naturalizes dispossession or changes in land use. Similarly, I examine ways in which particular understandings of territory naturalize certain subjects as racialized and undeserving of access to land.

I use the term, “whitening,” to refer to a process closely related to racialization (Sundberg 2008). To explain the meaning of whitening, it is necessary to clarify two things. First, “whiteness” is positioned as the top of the hierarchy of racial categories in Guatemala. Second, race in Guatemala—and in much of Latin America-- is imagined to be mutable in the lifetime of an individual, such as an indigenous person, or a group, such as the nation. Thus, under particular circumstances whiteness can deteriorate or racialized identities can be repaired, i.e.

whitened (See Stepan 1991 and Nelson 2003).⁹ Based on this view, Guatemalan government agencies have sought to “whiten” the population by creating mechanisms to encourage or force indigenous people to adopt behaviors, language, dress, and land use of ladinos. This process may also be described as ladinoization (Nelson 1998; Hale 2006; Sunberg 2008). By “ladinos” I refer to mixed race people who identify with their Hispanic- rather than indigenous heritage and to indigenous people “who no longer identifies him- or herself as such” (Sundberg 2008: 580). Much was at stake in these whitening programs because, since the 19th century, Guatemalan elites have seen the indigenous population as an obstacle preventing the country from taking its rightful place among modern nations (Taracena Arriola 2002). In this chapter many of the government policies designed to develop Petén or create property rights there were also attempts at whitening the population, at creating ladino national subjects.

Colonial Encounters: the New World and the New Laws

Many of the most important subjects and territories articulated in Petén’s contemporary property rights regime were formed during the colonial period. I describe the formation of these categories during two critical colonial moments. The first is the 16th century journey of the Spanish conquistador, Hernan Cortez, across what is today Petén. This journey helped to produce the region and its people as “savage” in the Spanish colonial imagination. The second is the conquest of the region by a Spanish warrior/entrepreneur some 150 years later. I argue that the antecedents of what are now thought of as urban and rural territories were produced during the genocide and colonial settlement that followed the Spanish conquest of the region in the late 17th century. I emphasize the making of the rural/urban divide because this distinction continues to structure the government of territory and subjects in contemporary Petén through land market policy. Specifically, contemporary land market policy is

⁹ Stepan (1991) provides a fascinating account of the origins of this dynamic view of race in Latin American eugenics movement and particularly in relation to the wide circulation and acceptance of Lamarckian notions of the inheritance of acquired characteristics.

Forming the Savage

In the view of Europeans, the natives in America were just another resource in the vast natural landscape; they were imagined as less than human (Todorov 1984). This view shaped the encounters between Spanish conquistadors and the local population.

In 1525 the conquistador Hernan Cortez led over 3000 men across the base of the Yucatan peninsula between what is today southern Mexico and northeastern Honduras. Throughout the journey, Cortez assumes that the people he meets will serve his army, and largely they do. When the army needed guides or workers, Cortez pressed locals into service (Gallo Armosino 2001). As well, Cortez anticipated that these hierarchical social relations would continue. When the army arrives in the town of Istapan, for example, Cortez observed that “it was good land for populating a villa [Spanish settlement]; ... [because] nearby there were good populations [of Indians] to serve” (Gallo Armosino 2001: 139).

In spite of the food and resources that Cortez and his men were able to take from local people along the way, the journey proved arduous for the Spanish. By the end of the trip, over two thirds of the men had died or deserted (Gallo Armosino 2001: 166). During the following 150 years, some 20 expeditions of Christian missionaries attempted to reach the central Petén (Jones 1989). The Maya Itza, who controlled the region, killed some of the Spanish missionaries and attacked neighboring indigenous groups who maintained friendly relations with the Spanish. Although neither the missionaries nor Cortez were successful in opening the region to the Spanish, these journeys were nevertheless productive. The suffering that Spaniards and their indigenous allies endured helped to produce Yucatán as an especially forbidding or savage zone in the European imagination.

This imaginary of the region and its people as savage was not transitory. According to Jones, throughout the “entire range of Spanish colonial sources, the 19th-century Spanish language sources on the caste war of Yucatán, the Mayan archaeological literature of the past century and a half, and even that ethnographic literature of the past half-century,” the image of Petén has remained roughly the same. Jones (1989:4) suggests that Petén has persistently been represented as

as an inward looking, humid southern jungle world ... where only fugitives from the rigors of civilization could be found. It was static, hidden from external view and economic contact, unsophisticated, rural, supremely traditional, and culturally backward

In short, the Petén has been represented for centuries as savage. Although Jones attempts to disrupt this claim by “demonstrating the vibrancy of Maya life” in the region, his observation can be seen in a different light. The experiences of early Spanish explorers helped to produce the Petén in a particular way in the European imagination. While Jones is correct that the people were not literally savage-- this was a European colonial trope after all -- we will see that this colonial view of region and its inhabitants would have effects. This racializing view would facilitate future land-use policies and contribute to producing the now taken for granted private property rights regime in Petén. Specifically, the European imaginary of the region as savage helped to erase indigenous claims on the territory of the region. As the next section will show, the Spanish colonizers created the first spaces of rural and urban settlement in- and in relation to this imagined savage landscape.

The Birth of the Rural

Since the colonial era, “the rural,” as a category of territory, has been associated with the indigenous, the uncivilized, and with violence. “The urban,” on the other hand is associated with the Hispanic, the ladino, the civilized, and the national (Taracena 2004: 74-76). These were not just colonial stereotypes. These associations between subjectivities and territories were grounded in colonial laws and norms which were later incorporated into the constitutions of independent states. To this day, the difference between rural and urban naturalizes differences in law and government over people living in these two regions. This is the reason that in the land market policy I studied, different procedures, laws, and institutions were deployed to create state-sanctioned property rights in the rural and urban areas. In this section, I describe the emergence of the categories of the rural and the urban through 16th century Spanish colonial legislation and the 17th century conquest of the area which is now Petén.

Martin de Ursua y Arismendi was the Spanish colonial politician-soldier who conquered Petén in 1695. In letters to the King of Spain, Arismendi represented his intention to conquer the region through a “gentle and peaceful” mission to spread Christianity and Spanish influence

(Jones 1998: 121). He advanced from Merida with a small army of Spanish soldiers and loyal Mayans to Lake Petén Itza where the Maya Itza had their island stronghold known as Noh Petén. On the shores of the lake, Arismendi and his men constructed a boat which they used to attack the island. The Spanish used artillery and muskets to massacre hundreds of men, women, and children. Within hours of the massacre, Arismendi and his men established the headquarters for a colonial mission on the island of Noh Petén (Jones 1998). Since the conquest, the island has been the seat of government of Petén. Jones (1998: 68) estimates that within 10 years of the attack, 88% of the region's pre-conquest indigenous population was killed, mostly by disease. From the perspective of the Spanish, the conquest of the Maya Itza was unsuccessful in the sense that it resulted in few additional tribute-paying subjects or converts to Christianity (Jones 1998). And yet, like Cortez' disastrous journey across the Yucatan, the conquest is important for making sense of the history of Petén's contemporary land tenure regime.

When Arismendi and his army conquered the Itza, they also brought laws which they attempted to impose on the surviving indigenous population. The most noteworthy of these laws were known simply as the New Laws. Although these laws had been passed in the mid-16th century, it was not until Arismendi's invasion 150 years later that they began to organize life and land in Petén. The New Laws led to the redefining of Indians from the possession (and often slaves) of Spaniards living in the Americas to the tribute-paying vassals of the Spanish Crown (Quesada Saldana 2005). To insure the wellbeing of the Crown's new subjects, they were to be settled onto new territories known as "*reducciones*" or Indian towns. The *reducciones* were the most important technology in "a social, economic, and political system based in the first instance on ethnic stratification and backed by military power" (Schwartz 1990: 45). The organization of the inhabitants in these forced communities allowed Spanish authorities to more easily access indigenous labor, demand tribute, organize religious education, and conduct censuses, etc. The existence of a defined territory, recognized by the Spanish and inhabited by indigenous people, was a critical part of the functioning of the *reducciones*, and it was this territory which became the basis for the rural. Spaniards and persons of mixed ancestry were to be settled in other zones which are the antecedents of today's urban or municipal land in Latin America.

After the invasion of the Maya Itza by the Spanish, the territorial vision of the New Laws was applied to the area around Lake Petén Itza. The surviving indigenous people who did not flee into the forest were settled in *reducciones* around the lake. By 1715 a Spanish census indicated

that there were 18 such settlements (Jones 1998). Meanwhile, the colonial authorities settled on the island of Noh Petén, which they renamed El Señor de Remedios. The island remained the only urban territory in Petén until the 20th century. This arrangement created a new geography containing the antecedents for the contemporary binary division between rural and urban territories in Petén. Compared to the size of the region, the extent of this new binary landscape was tiny. Throughout the 18th century colonial authorities continued to imagine much of Petén as a savage zone. There were repeated claims that “thousands of ‘unpacified, barbarian Indians’ lived in the forests” (Schwartz 1990: 43). However many people lived in the forest outside of colonial control, the claims by colonial authorities about the threat from the forest helped to produce the colonial order. The ignorance and fear of the forest and the people who lived there constituted the rural and urban territories around Lake Petén Itza as civilized by comparison.

In summary, the origin of many of the categories fundamental to Petén's contemporary land tenure regime emerged during the colonial period. In this section, I have discussed the interrelated origins of the savage, the rural, and the urban, and how these territories and their corresponding subjects were born in the midst of the genocidal violence of the colonial encounter. The New Laws played an especially important role in this epistemological and ontological project. Although often described as an isolated hinterland, it is clear that even its earliest days, the Petén was produced through a confluence of forces, materials, actors, and connections that reached if not around the world, then certainly back and forth across the Atlantic. Although claims of Petén's isolation continue to this day, this chapter will show that the region has always been produced in relation to global processes. In the next section I will explore the development of Petén as a national territory, the making of national subjects in the region, and the proliferation of the rural across larger stretches of territory.

National Visions, Rural Lives: National Territories and Subjects in the Making

Norman Schwartz, an anthropologist who has studied Petén and its history for over 40 years, has written that life in the region changed little between the 18th and 19th centuries. After a careful analysis of the archival record, he concludes that

...a visitor from 18th-century Petén would have been at home [in Petén] in the late 19th century. Settlements, ethnic groups, socioeconomic hierarchies, and even government would have been familiar (1990: 136).

Schwartz's observation is especially provocative because Guatemala became an independent nation between the 18th and 19th centuries. Paradoxically, this period was a dynamic one in terms of how the region was imagined by those who lived outside its borders. In this section, I argue that politicians and scholars living in the south of Guatemala, who knew little about Petén, nevertheless helped to constitute the region as a part of the national territorial imaginary, at least in the minds of other elites in Guatemala and elsewhere. The contemporary property rights regime of Petén would have little meaning if Petén itself had not been produced as a national territorial space (see Thongchai 1994). This section is in part about describing that productive process. In this section, I also describe the continued consolidation of the colonial categories of the rural and the urban. I contend that the everyday lives of men and women who labored in the forests of Petén during this period helped to extend the space of the rural and constitute the meaning of a national subject. I focus on these subjects and territories because in different ways each contributed to the formation of Petén's property rights regime.

Nationalist Cartography

In the 1830s when Guatemala became an independent republic, statesmen were worried about their nation's claim on the north of the country. And they had much to be concerned about. At the time, Petén was a district within the northern department (state) of Verapaz. The Guatemalan government was represented in Petén in a minimal fashion by the tiny island military garrison established by Arismendi at the end of the 17th century (Noh Petén). Furthermore, the population of settled inhabitants, numbering only 5,000 had stronger ties to surrounding countries than to the Guatemalan capital. Primary trading relations were with neighboring British Honduras (now Belize). Even the religious administration of the region was centered outside Guatemala; the Christian souls of Petén were the responsibility of the Catholic Church in Merida, Mexico. Finally, over the course of the 19th century, the territory of northern Guatemala was actually lost to neighboring countries. The areas which are today Belize and Chiapas were annexed by Great Britain and Mexico respectively (Quesada Saldaña 2005: 106-117). These socio-political processes led elites to focus their attention on Petén and to raise their voices in support of efforts to integrate Petén into the rest of Guatemala. Although these efforts did not come to much until

the mid-20th century, I contend the work of these elites helped to constitute Petén and the rest of the country within the Guatemalan geopolitical imagination.

The writings of Jose Cecilio del Valle, one of the leading intellectuals of early 19th century Central America, were crucial in elaborating a vision of national territory which included Petén (Garcia 2005:19). Del Valle was an enlightenment thinker who read voraciously, published widely, and played a leading role in Central American politics especially during the period of Guatemalan independence. He was strongly influenced by utilitarianism as expressed by his friend Jeremy Bentham, whose writings were being translated into Spanish during the 1820s (Heliodoro Valle 1942). Valle developed a highly geographic and nationalist interpretation of Bentham's writings on utilitarianism, e.g. del Valle 1929. Valle hoped that by linking an understanding of political economy with data about the state of a country's population and resources that he could help to realize Bentham's mandate of providing the greatest good to the greatest number. In an essay written in the same year as Central American independence, del Valle complained that "we are in almost absolute ignorance about our provinces. We know neither their [territorial] extensions nor the true positions of their principal points..." (del Valle 1969:167). Valle urged the creation of a body of knowledge he called the Geography of the State. Ultimately, Valle believed that through the study of "departments and districts" as well as the soil and water and the population and the "causes" of the "poverty and misery" of the "indigenous," it would be possible to insure that "EACH ONE OF THE DISTRICTS OF THE STATE WOULD GIVE [PRODUCE] THE MAXIMUM WEALTH THAT IT WAS CAPABLE OF PRODUCING" (del Valle 1929: 248, emphasis in original).

In the same essay in which Valle complained about the terrible state of geographical knowledge in Guatemala, he describes in words and maps the districts of the country and their resources. In the section on Verapaz, which included Petén at the time, Valle claimed that "The geographical position of this department is [also] advantageous and can make it rich and happy... [with] an enlightened administration." Del Valle goes on to note that in Petén "it is assured that there are jasper mines... and this discovery, worthy of serious zeal, [will bring] a new source of wealth" (del Valle 1930: 272-3). While no jasper mines were developed in Petén during the early 19th century, del Valle's writings helped to constitute the national territory, including the territory of Petén, in the imaginations of the elite reading public. Furthermore, del Valle's perspective which was concerned with resource exploitation and national political economy

framed Petén (and the rest of the country) in specific terms: as belonging to the nation and as waiting to be exploited in the ostensible common interest of the population.

During the course of the 19th century, del Valle would have been pleased to see that the volume of cartographic work describing the country grew and grew. Between 1832 and 1834, the first atlas of Guatemala was produced by order of the president. In the next 70 years, a series of national and Central American maps were created locally and by foreign cartographers (Santiso 1944). Perhaps the quintessential effort to visualize the country was carried out in the first years of the 20th century when Guatemalan engineer, Lt. Col. Francisco Vela Arango built a massive national relief map in the wealthiest district of the capital. In a speech delivered at the inauguration of the map, Guatemalan President Manuel Estrada (cited in INGUAT 2005) proclaimed that the

... Relief Map, besides being a monument to Guatemala, is an open-air geography class, taught by its author from the center of some star or, possibly, with sunbeams on a blackboard of green grass, symbolizing our nature's magnificent exuberance, a thousand fold.

I contend that the relief map can be imagined as a part of Valle's intellectual project of making visible the national territory. One of the novelties of the map was that it allowed common people to imagine a place where very few Guatemalans had ever been: Petén. A tourist brochure describing the relief map proclaims that "The Guatemalan Relief Map... exalts Guatemala's prodigious natural beauty [and encourages us to] imagine the Usumacinta and La Pasion rivers, winding their currents into knots around the throat of the luxurious and mysterious jungle of the Petén" (INGUAT 2005: 21). The relief map continues to be a popular tourist destination today, over 100 years after it was first constructed. The relief map and the many other cartographic depictions of Guatemala and Petén during the 19th century helped to produce the region as a part of the national territory. When a landowner describes a territorial claim in contemporary Petén, he or she is unlikely to think about the intricate processes through which they have come to imagine their claim as a part of a national territory, yet 19th century map-making played a role in that taken for granted process.¹⁰

¹⁰ See Craib 2004 and Radcliffe 2001 for additional perspectives on the relation between cartography, territory, and nation in Latin America.

Forest Industries: Timber and Chewing Gum

As the work of del Valle and others contributed to making Petén visible as a space of resources that might someday be exploited, another process was also helping to constitute the territory of Petén: the extraction of timber and other forest products. By the latter half of the 19th century, first mahogany and then the resin (chicle) of a large forest tree species (*Manilkara zapota*) became the focus of forest industries in Petén. Until the 1960s these industries and especially the chicle business brought settlers and seasonal laborers and increased the presence of both local and foreign companies in Petén. While all of this activity undoubtedly brought new sources of income and new ways of life for people in Petén and beyond, in this section I will argue that these industries actually helped to reconstitute the *very* subjects and territories of the region.

Timber and resin are the two most important forest products in the history of Petén. Mahogany logging began in the 1820s and became economically important in the 1860s and 1870s. Although the government did attempt to manage logging initially, rapidly logging operations were farmed out to American, British, and Mexican industry through a concession system. The timber industry, as well as the rubber tapping industry, which operated through similar networks, created the conditions for the development of chicle, Petén's most important forest product. Until it was replaced by synthetics in the 1960s, chicle was processed in Petén and then sold on international markets as the basis for chewing gum. According to Norman Schwartz who carried out extensive research on this industry, it would be hard to over-estimate the importance of chicle to the lives of people living in Petén: "...commercial production of chicle... for export dominated the political economy of Petén and the imagination of Peténeros." (1990: 137). During the first 60 years of the 20th century between 30-50% of the people in Petén were dependent on the chicle industry (Schwartz 1990: 153). Because the trees are found deep in the forest, chicle collectors, like the rubber tappers and wood cutters, lived in forest camps of up to 40 men while they collected and processed the chicle (Schwartz 1990).

The chicle industry contributed to the expansion and proliferation of territories in Petén. Since Arisemendi conquered the Maya Itza, Petén's territory was divided between the rural zone of the *reducciones*, a surrounding savage landscape of deep forest, and the island urban administrative center, known since 1831 as Flores. During the colonial period, the rural and

urban areas were very small compared to the surrounding savage zone. As the forest industries emerged in Petén, the extent of the rural and urban zones expanded. This change took place, I argue, through the lived experience of the loggers and resin collectors. As they trooped through the forest year after year, they began to feel at home there. They established quasi-permanent camps. Many of these camps eventually became small towns that served as important nodes in the chicle trade. Mule trails for moving supplies between the larger towns became established and some eventually became roads. Airstrips were built throughout the forest to allow easier movement of workers and the blocks of chicle. All of these new areas of quasi-settled life became articulated with Flores where many of the owners of the chicle business lived (Schwartz 1990). This is not to say that the new quasi-settled zones neatly replaced what was imagined as savage wilderness by elites. The new rural territories and the forest workers themselves also took on some of the characteristics of the imagined savage. The camps were widely considered as immoral, as places of disorder and even of magic (Schwartz 1974). Furthermore, as Schwartz shows, the different rural towns had different reputations and characters and were not part of an entirely homogenous territorial imaginary (Schwartz 1995). Nevertheless, I argue that the chicle and timber industries played an important role in integrating large areas of Petén into what is now taken for granted as the rural.

The work of chicle collection in the forests not only helped to produce new territorial configurations, it also contributed to the production of new kinds of subjects. Government policy played an important role in the latter process. As I mentioned earlier, the government adopted an array of practices meant to encourage and to enforce Hispanic culture in Guatemala and to eliminate indigenous modes of comportment. As I also noted, these policies were aimed not just at changing behavior but literally at whitening the population. Much was at stake in these policies because elites believed that the potential of Guatemala to become a modern country rested on the elimination of the indigenous population, either by annihilation or assimilation (Taracena Arriola 2002; Casaus Arzu 2005). Whitening policies emerged in Guatemala in the late 19th century and were carried out throughout the country including in Petén. Beginning in the 1890s the government passed laws forbidding the use of native dress by people of indigenous descent. In the 1930s it became illegal to speak Maya (Maya Itza) in public or in school. And these conditions were enforced. Corporal punishment was such a common part of everyday life that this period is remembered as “the time of the sticks” (Schwartz 1990:

188.) In interviews conducted by Sundberg, “older residents remember having been beaten for speaking Itza’ or wearing clothing that identified them as indigenous, [and] individuals both young and old describe subtle and overt forms of discrimination and racism” (2006: 249).

Life and law in forest camps reinforced the whitening programs in the settled areas. Chicle work camps were organized according to what Schwartz describes as “norms closer to Hispano-American than to Indian traditions” (Schwartz 1990: 212). To obtain a position as a foreman or a contractor, “an Indian had to acquire what Peténeros define as ladino traits” including the ability to read and write Spanish (Schwartz 1990: 213). The camps were that much more effective at forging identity because it was difficult for chicle collectors to leave these disciplinary spaces. Forest collectors had to produce a pre-established quota of processed chicle for their contractors. Those found outside of the forest who had not collected their quota and who lacked special permission were apprehended by police and forcibly returned to the forest, often after receiving a beating. Systems of debt peonage, which were not revoked until the mid-20th century, also held forest workers in the camps and had disproportionate effects on indigenous resin collectors (Schwartz 1990). The conditions, laws, and norms experienced by workers in towns and forests may help explain why by the 1940s Petén was “considered one of the most Ladinoized departments in Guatemala” (Schwartz 1995: 218).

The conditions of life in the forest camps helped to extend the rural areas of Petén and to producing a population of whitened national subjects (and in the rest of the country since many only came to Petén for the chicle season). The everyday practices of workers helped to render the forests of Petén into quasi-settled landscapes of rural and urban zones. Furthermore, life in the camps contributed to the making of particular kinds of whitened national subjects. In the next section I will discuss how government sponsored colonization of Petén consolidated these emergent subject positions and territories in relation to a private property regime.

Frontier Colonization at the Confluence of Nationalism and Counterinsurgency

The anxieties that marked the era of nationalist cartography did not subside with the emergence of forest industries. In fact, if anything, the way that timber and chicle concessions were managed served to increase the concerns of government leaders about the conditions in Petén. The contingent of soldiers and government officials stationed on the department's island

capital could not hope to regulate the activities of companies operating deep in the region's forests. Timber companies were not paying taxes and chicle was routinely transported clandestinely across the border with Mexico or British Honduras (Venezuela 1951 [1880]; Schwartz 1990). The following excerpt from a novel about the mahogany cutters in Chiapas and Petén vividly captures the source of these anxieties (Traven [1933]1974: 252-3).

The mahogany companies recognize neither nationalities nor citizens' rights nor were they reluctant about kidnapping citizens of any country, nor about trespassing national borders. They only acknowledged the powerful Empire of the Caoba (mahogany) which had no nationality.... They did not bother about concessions and their clauses. They did not worry about national frontiers, Presidents of Republics or dictators. All that was far away, infinitely far away.

Nationalist anxieties about the regulation of forest industries and the loss of national resources actually spilled over into concerns about the integrity of national bodies inhabiting the region. According to decree 1107 of the Guatemalan legislative assembly, logging companies had to sign contracts with the government promising that they would not hire "individuals of the black or yellow races or persons with contagious diseases" (1921: 377). Companies were even asked to plant wheat on deforested land because elites believed "that wheat was the only proper basis for the diet of a modern nation" (McCreery 1983: 52). Just as the anxieties early in the century inspired nationalist cartography, continued concerns about the region finally brought colonization projects to Petén beginning in the mid-20th century. As the next section will show, these colonization efforts were crucial in consolidating the linked subjects and territories that compose the private tenure regime that I encountered in the countryside.

In response to increasing anxieties about Petén and its ostensibly tenuous connection to the rest of the country in the 1940s, the idea of "colonizing" the North of the country gained momentum. By colonization I refer to efforts by central Guatemalan state to modernize Petén by linking the region to the road networks and markets in the south of the country (1987). In line with earlier efforts to whiten the inhabitants of Petén, these modernization efforts sought not only to build infrastructure but also to civilize and whiten the inhabitants of Petén. Although there had been various weak attempts to colonize Petén since national independence, it was not until the middle of the 20th century that a serious effort was launched by the Guatemalan government.

In this section I examine how the colonization project helped to consolidate the various subjects and territories that would become articulated in the Petén's private property regime. To understand how this process of consolidation occurred, is not enough to consider the success or failure of the colonization programs on their own terms. Instead, I explore how the discourses and practices of colonization from road building to agricultural policy depended on particular, and in some cases novel, visions of nation, of rural subjects and territories and ultimately of property. My concern is to trace how these and other categories were produced in relation to the colonization program and often in conjunction with violence or its threat. Finally, I emphasize that like earlier governmental projects in Petén, from Spanish colonialism to the commodification of forest products, the national colonization process could not have existed without a range of international connections. Although the notion of Petén as an isolated hinterland persists to this day (Schwartz 1990), this well-circulated discourse has actually helped to produce the region rather than transparently describe it.

Colonizing Institutions

Although the first serious attempt to colonize Petén was unsuccessful by its own standards, it is instructive to study this project. The vision of territory and subjects that is contained within it has important continuities with elite national projects of the past and subsequent and more successful colonization schemes (Casasola 1968). Known as the National Agricultural Colony, the first colonization project was initiated in 1945 by the decree of President Juan Jose Arevalo, who was elected to power when public uprisings caused the military leader Ubico to step down. Between 1944 and 1954, Guatemala was governed by democratically elected governments; it was perhaps the most optimistic national period in the 20th century, if not in the history of the country. With the collection of chicle and timber in full swing in the forests of Petén, the government began its colonization program in southeastern Petén.

The colonization project was based on the notion that “to structure the Guatemalan nationality it is imperative that the nearly abandoned department of Petén be incorporated into the economic and social life of the country.”¹¹ Within this framework the colony was “to expand national economic production, contribute to the development of new crops, provide

¹¹ Legajo 1259, Decreto 217, 2 November 1945. Law which established the First National Agrarian Colony, Archivo General de Centroamerica.

opportunities for Guatemalan families of excellent physical and moral condition, consolidate control over abandoned areas of Guatemalan territory, and contribute to the national defence.”¹² The National Agricultural Colony was a modernization project aimed at producing economic growth through agriculture and providing a place for people to settle. In spite of the auspicious moment in which this project was initiated, it contains no vision of supporting Petén’s existing communities or mobile populations of chicle collectors, much less the indigenous people living the region. Rather, like subsequent attempts to colonize Petén, Arevalo’s vision was of an empty territory that must be developed and populated through modernization and hard work.

The language of the proposal for the colonization program reveals that the project was written in relation to some of the same sorts of anxieties that inspired the whitening programs that permeated the chicle industry and everyday life of people living in Petén since the late 19th century. For example, the proposal mandated that the zone of colonization was to be sanitized with all “scientific severity” including the implementation of “requisite studies to insure the health of the present and future populations.” Furthermore, the document states that the colonists must be “Guatemalan families of excellent physical and moral condition.” All this may sound innocuous enough. After all, why wouldn’t the colonization zone be carefully prepared? Who would want unhealthy families to colonize Petén? However, in historical context, the plan to colonize Petén had strong connections to the ongoing state project of whitening the national population.

Notions of “sanitation” and “health,” in particular, had strong racial connotations which connected to the Latin American branch of the eugenics movement (Stepan 1991). By eugenics I refer to programs which sought to improve the health of the nation by manipulating the “racial stock” of the population. The reason that eugenics played a role in colonization relates to the particular version of eugenics which was popular in Latin America. Specifically, leaders of the Latin American movement believed in the inheritance of acquired characteristics (Stepan 1991; Nelson 2004). Operationally this meant that they viewed harsh environments within the nation as leading to the deterioration of the national genetic stock. In other words, they believed that racial purity which they conceptualized as health—deteriorated under certain conditions. Sanitation programs, often carried out by military commissions (as discussed in the colonization

¹² Legajo 1259, Decreto 217, 2 November 1945. Law which established the First National Agrarian Colony, Archivo General de Centroamerica.

proposal), sought to improve conditions for citizens (and settlers) to minimize the chances of this racial degeneration.

Furthermore, when the proposal alludes to “healthy families,” this is not merely a suggestion to identify people without diseases. This is a mandate to colonize Petén with racially healthy [sic] people, specifically ladinos. At the time, one of the founding members of Guatemala’s elite Society of Geography and History, recommends that Petén be colonized with Europeans, preferably Spaniards and Italians (Rodriguez Beteta 1951: 171-2). Thus, the first colonization project was not only about “integrating” territory into the Guatemalan nation, it was also about producing and maintaining certain kinds of national subjects. In spite of the high hopes of Arevalo’s administration, the colony did not prosper. Road access between the colony and capital was never successfully constructed and four years after the project was initiated, the colony was still surviving on supplies flown in from Guatemala City.¹³ Although the colony was eventually abandoned, future efforts to colonize Petén would continue to draw from the Arevalo administration’s vision of the region as empty and in need of colonization by particular kinds of subjects.

In 1959, fifteen years after the first National Agricultural Colony was initiated, Guatemala was under military rule and President (and military General) Ydigoras Fuentes ordered that the colonization of Petén be re-initiated. Housed within the Ministry of the Economy, the organization in charge of colonization was known as FYDEP (National Program for the Promotion and Development of Petén). FYDEP showed early signs of being ineffective and corrupt, and might have been no more successful than Arevalo’s program except for a serendipitous convergence between Guatemalan national visions and the US Cold War strategies.¹⁴ The two governments had been closely allied since the CIA helped to organize the coup that brought down the Guatemalan government in 1954. Since that year, the US State department had been supporting the Guatemalan government through ad hoc aid programs and early efforts to modernize the Guatemalan military. However, the level of cooperation would become larger and better organized under the Kennedy administration.

¹³ Legajo 1263, Official report to the Minister of Communications and Obras Publicas dated 5 December 1949, Archivo General de CentroAmerica.

¹⁴ Department of State Airgram from Albert Post, the Counselor of US Embassy for Economic Affairs to the State Department on 12 Sept 1962, A-143.

In response to the Cuban revolution in 1959, the Kennedy administration developed a new strategy to prevent the spread of communism into Central America and around the world (Rabe 1999). Developed by the Kennedy administration in 1960, the strategy was known as counter-insurgency. The first US policy to explicitly “encourage military involvement in both internal security and economic development,” counterinsurgency was a two-pronged strategy designed to help friendly governments destroy internal enemies (McClintock 1992: 157, 170-175). The “internal security” aspect of the policy involved the US military training foreign military personnel to destroy institutions and actors threatening to the US Cold War effort (McClintock 1992:230-57). The “economic development” element of counter insurgency was a complementary effort to win the hearts of minds of civilian populations through military-sponsored development projects. The latter programs were officially known as Military Civic Action. Kennedy administration officials and their Cold War allies hoped that “hard” and “soft” aspects of counter-insurgency would isolate and eventually eliminate Communist movement within Guatemala and other Cold War allies. In 1961, he was the first Latin American president to formally propose that his country’s national Armed Forces be trained by the United States military in Military Civic Action.¹⁵ U.S. Army personnel identified FYDEP as a perfect target for a Military Civic Action program, and Guatemalan President Ydigoras Fuentes was enthusiastic about the idea.

In 1962 a Military Civic Action plan specifically for Petén was unveiled, and FYDEP was reassigned to the Ministry of Defence where it was funded more generously.¹⁶ Simultaneously, President Fuentes selected a well regarded military man and trained road builder (*caminero*), Oliverio Casasola y Casasola, to become the new director of FYDEP and simultaneously governor of Petén (See Photo 1). Although the work in Petén was to receive the lion’s share of funding earmarked for Guatemalan Military Civic Action,¹⁷ it was not the US military but the Guatemalan, and especially Casasola, who would provide the vision for this new episode in the

¹⁵ Airgram from Charge de Affaires ad interim Robert Foster Corrigan at the American Embassy to the Department of State Washington on 3 July 1961, reference, CA-2692

¹⁶ MAP funding between 1956 and 1961 was 1.8 million US\$ [2006 US dollars: 12.6 million] compared to 10.7 million US\$ in 1962-7 [2006 dollars: 69.9 million]), Internal Security Program Evaluation Group. 30 November 1966. U.S. Internal Security Programs in Latin America. Guatemala. Volume 2. Department of State. Page 39-40.

¹⁷ Internal Security Program Evaluation Group. 30 November 1966. U.S. Internal Security Programs in Latin America. Guatemala. Volume 2. Department of State. Page 39-40.

history of Petén.¹⁸ FYDEP and Casasola rapidly gained almost unlimited administrative authority to regulate the colonization of Petén.¹⁹ led by Casasola, FYDEP created a road network, regulated and taxed forest industries, built schools, bridges, airstrips, saw mills, prisons, government buildings, even union halls and churches, and established the first widespread private property rights system in the department. As well, FYDEP made efforts to influence popular culture by establishing a local radio station, organizing displays of Petén's resources and newfound progress in Guatemala City, and even developing civic festivals, e.g., the annual Day of the Road Builder complete with a beauty contest.

Much has been written about these projects and especially about FYDEP's failures, e.g. Schwartz 1987; Milian, Grunberg and Cho 2002; Grandia 2006. My approach is to examine the role of FYDEP in producing the interrelated categories that are the basis for the Petén's private property rights regime. Although FYDEP did not originate the subjects and territories I will discuss in this section, the work of this organization was critical in consolidating these categories. I pay special attention to the connections between FYDEP's policies and the consolidation of Petén as a national territory, the rural/urban binary as a part of this territory, the formation of national subjects, and the development of a system of private property rights in land.

Consolidating National Space and the Geopolitics of Infrastructure

The work of resin collectors, loggers, cartographers and others had helped to produce Petén as a national space. However, that production remained tenuous. In the mid-20th century, the Guatemalan government still had not consolidated its presence across the territory of Petén. The country still had not invested in kinds of projects that would extend the presence of the state into this still sparsely settled area. There were no paved roads, departmental borders had not been demarcated, and topographic maps did not yet exist. While colonial and then national

¹⁸ In a telegram to the Secretary of State, the US ambassador wrote that "We are not and have not sought to impose [particular] projects on them [the Guatemalan Military]." From page 1 telegram from Guatemala City to Secretary of State, dated October 6, 1962, control number 5123. No 185 714.5/10-562. Department telegram 102. Signed by BELL (US Ambassador, John O. Bell).

¹⁹ Casasola was criticized in congress for running FYDEP "as his own private domain" and Schwartz (1987: 167) wrote that "FYDEP's control over land and development in Petén is so broad that domestic critics within and outside the government complain that it is a "state within a state." (El Imparcial, 18 April 1967. Diarios de los sesiones del Congreso, March-May 1967, in Berger 1992: 148).

governments had maintained a military force in Flores, Petén's island capital since the invasion of Arismendi, government authority remained sparse in the countryside. In this context, the infrastructure built by FYDEP across the department helped to constitute the Petén as a part of the national territory. In part, this effect was related to the discourses that circulated around the building of infrastructure projects.

Casasola and other FYDEP leaders were adept at linking these projects with visions of national development. For example, on completion of a massive sawmill in southwestern Petén, Casasola made a speech to an assembled group of high-level politician's including the president of Guatemala. The mill, he claimed, "is not an isolated work being inaugurated...[but] ...inherently connected [to the]...development of Petén and the economic progress of Guatemala..." (*Searching for citation*) (See Photo 2 and 3). These words were printed on the front page of national newspapers the following day. This sort of rhetoric was repeated over and over again as FYDEP completed a variety of public works. Each new school, hospital, road, bridge, or other public work was linked by this rhetoric to a national and departmental territorial imaginary.

Of the various infrastructure projects, roads were FYDEP's most important legacy and the road building process was a critical moment in constituting Petén as a national territory. Casasola and the other FYDEP technicians made FYDEP's system of roads based on national and geopolitical criteria rather than on the basis of local need. In an interview conducted by one of his advisers, Casasola described the vision that animated his road building efforts. He asserted that since the establishment of FYDEP and even before

we thought of creating a "T"-shape formed by highways, [the road connecting] Puerto Modesto Mendez [with] Flores [would be] the base and vertical branch of the configuration... and [the road connecting] Melchor [with] Flores [and] Sayaxche... [would be] the first horizontal [part which would] politically approach our Belize and economically [approach] the good agricultural lands [to the west].²⁰

By providing road access to Melchor in the Northeast of Petén along the border with Belize, Casasola was facilitating colonization of Guatemala's contested border area, and perhaps ensuring that no additional land would be expropriated by Belize. Similarly, his vision of settling poor farmers in western Petén was in part an effort to populate that area and limit any

²⁰ Casasola, O. 14 June 1967. Answers to interview questions presented by Dr. Oscar Falchetti, p. 7.

possibility that Mexicans would try to annex more of the land there or flood it with a proposed hydroelectric dam. At the same time, these roads, which on other occasions Casasola compared to nerves and arteries, would permit raw materials to be extracted from the forests. In the early 1960s, FYDEP increased the extent of gravel roads in Petén by 250% to just over 600 km (Berger 1992:126). And in 1970 FYDEP completed its crowning achievement: a road connecting Guatemala City to Petén. None of this work would have been possible without the tractors and other road-building equipment donated by the US Army's Military Civic Action program.

The building of the infrastructure itself helped to constitute national territory according to a performative logic. Now, suddenly, rather than imagining Petén as a constellation of towns surrounded by wilderness, the network of roads was helping people to imagine a knowable national territory extending across the department. As they were being constructed, the roads invited people to visualize the future of modern Petén and to imagine that future as linked to Guatemala's national progress. In a speech at the national Library in Guatemala City, Casasola characterized the roadbuilding work of machete and tractor in Petén as "clearing a passage for civilization."²¹ The stylized map produced by FYDEP technicians beautifully illustrates the connection between modernist development through road building and the national integration of Petén (See photo 4). It is important to emphasize that implicit in these construction projects and the rhetoric that circulated around them is the notion that the Petén is empty and is waiting to be colonized by settlers. In this context, it is easy to forget that during the previous 350 years, Petén had maintained a small population of settlers and survivors of Spanish colonial genocide, not to mention transient populations of wood cutters, resin collectors, and farmers.

Agricultural Practices and the Consolidation of the Rural/Urban Binary

At the same time that FYDEP's infrastructure projects were consolidating national space, this military institution was also operating at smaller scales. Urbanization was a critical objective of the colonization program and led to the redefinition and consolidation of the binary separating rural and urban subjects and territories at the scale of communities. In Guatemala and in Latin America more generally the rural is associated with indigeneity and backwardness

²¹ Casasola y Casasola, Oliverio. 6 November 1968. Palabras del Coronel Oliverio Casasola y Casasola, en la Ceremonia de Entrega a la Biblioteca Nacional del libro: Grandezas y Miserias del Petén.

(Taracena 2004: 74-76). Urbanization programs in this context then are also efforts to assimilate indigenous populations into—in the case of Guatemala—ladino norms. In Petén, FYDEP's primary urbanization/assimilation strategy was the creation of disciplinary institutions. FYDEP constructed schools, prisons, army barracks, saw mills, hospitals and dispensaries, government offices, and border stations. These institutions, like the disciplinary institutions that Michel Foucault studied in Europe, resembled each other. They were mostly one-story wooden buildings with low, slanted overhanging roofs and surrounded by barbed wire or picket fences (See photos 5-11). In these spaces pupils, timber, forest products, border-crossers, government officials, and much else could be set in order in the name of national progress and modernity. The project of urbanizing subjects and territories was unmistakable a calculated element of FYDEP's work in Petén. Casasola states that Petén's development depends on the population making the transition "from the village (*aldea*) to the little city shedding... village ways (*aldeanismo*), which are a species of mule mentality" (Casasola 1968: 50). Urbanization was an effort to enforce *ladino* norms to whiten the people living in the countryside.

Just as FYDEP constructed institutions to produce ladino urban subjects in the villages, this institution also sought to urbanize the countryside by removing indigenous practices there. FYDEP designed policies which criminalized the single activity most closely associated with the indigenous life in Mesoamerica: shifting cultivation of corn. Shifting cultivation involves the clearing of forest patches followed by controlled burning of fallen woody debris followed by several years of planting. FYDEP officials believed that corn agriculture was irrational in Petén because, they claimed, it generated little profit, caused soil erosion, and destroyed valuable timber trees (Schwartz 1990: 256). Then as now, corn was the primary subsistence- and cash crop for *campesinos*—whether indigenous or ladino-- living in Petén. In the 1960s, FYDEP created quota systems designed to limit the number of people practicing shifting cultivation of corn and confining these people to specific areas. In 1971 Casasola even distributed a memo to farmers throughout the Petén forbidding swidden agriculture (Berger 1992: 161). As late as the mid-1970s, Casasola refused an executive policy designed to augment the production of corn in Petén (Berger 1992: 183). Although none of these policies were successful -- Casasola and FYDEP could not stop subsistence cultivation of corn in Petén -- these policies are nevertheless a telling sign of how intensely FYDEP struggled to create a Petén inhabited by national and not indigenous subjects.

The race politics inherent in FYDEP's agricultural policies are reflected in Casasola's writing about the importance of race in the colonization of Petén. Casasola borrowed his ideas about race from immigration debates of the 1920s and 30s in Central America.²² Inspired partially by the science of eugenics popular in Latin America during this period, these debates were concerned with the effects of different immigrant groups on national health (Stepan 1991; Casaus Arzu 2005).²³ Specifically, nationalists were concerned that the blood of immigrants including blacks, Chinese, and different European groups could contaminate national blood lines. Selection (and rejection) of immigrants based on discourses about blood purity was part of the Guatemalan government's effort to whiten the population. Casasola believed that the work of producing a healthy nation, or in this case the department of Petén, depended on the "ethnic selectivity" of the colonist population (1968: 43).

Casasola was also quite specific that indigenous people and specifically the Qeqchi represented a threat to the health of Petén. He asserted that the Qeqchi, have "inhibited [the] demographic growth and ethnic selectivity in the north of the country" (42-43), and must not be allowed to "contaminat[e] at birth an organism [Petén] that should be imperatively healthy" (Casasola 1968: 44). Instead, he believed that migrants to Petén should come from populations of ladinos. In his memoirs, Casasola never overtly states this. However, in context this is clear because he makes strongly disparaging remarks about all other racial groups including mulattos, Spaniards, and Criollos (American born Spaniards), and he describes the ideal migrants using the stereotype of the ladino: healthy, free, hardworking (50-51). In conclusion then, FYDEP's deeply racialized policies of urbanization were not only about redefining the difference and meaning of the rural and the urban, they were also an attempt to whiten the population. I emphasize the consolidation of rural and urban territories because the land market policy that is the focus of the dissertation was carried out on rural land.

²² Throughout the remainder of this section I rely on Casasola's memoirs to reflect on FYDEP's racial project. This is appropriate because this was no personal memoir. First, it was written in collaboration with two of Casasola's key advisers. Furthermore, it formed the heart of an exhibit at a National Museum, was read on national radio, and was distributed to hundreds of Guatemalan elites. Finally, it was written during FYDEP's most productive years and at a time when Casasola himself had great influence over the organization.

²³ It is important to note that even the classification of the people coming to Petén as "immigrants" helps to produce Petén as uninhabited and indigenous people, such as the Qeqchi, as outsiders.

FYDEP was originally created to economically develop Petén and lacked the authority to adjudicate state sanctioned private property rights. However, Casasola believed that to provide the necessary incentives for the colonization, FYDEP needed an agrarian program and a mechanism for granting property rights in land. Soon after he took over as director of FYDEP, he began lobbying the government at the highest levels to obtain this authority. Even before a new agrarian Law for Petén was passed in 1971, FYDEP had already begun distributing land to settlers. By 1985, FYDEP had sold approximately 425,000 ha of land to almost 7000 settlers (Schwartz 1987: 173). While this may seem like a substantial effort, this was only a very small percentage of the several hundred thousand settlers that had arrived in Petén by the mid-1980s. These settlers from the southern Guatemala made their way along the recently constructed roads and swamped FYDEP's capacity to allocate land. People were coming to Petén in huge numbers because of conditions in other parts of the country. In the western highlands and in the mountains to the south of Petén, land was concentrated in the hands of elites; to survive *campesinos* had to work as migrant labor for low wages and under terrible conditions on agro-expert plantations. Furthermore, as I will discuss subsequently, the violence of the war was increasingly affecting *campesinos*. Throughout the 1970s and especially the 1980s army repression was creating internal refugees. Some migrated to urban centers and many came to Petén in search of land and peace.

Campesinos, who represented the vast majority of the settlers, were systematically neglected by FYDEP's bureaucracy, and many parcels supposedly distributed by FYDEP went to absentee landowners. Descriptions of the terrible effects of these policies especially for *campesinos* are a trope in development literature written about Petén. Although there are several in-depth studies of these failed agrarian policies, I use the word trope because almost every study of land use in Petén at least briefly describes how FYDEP policies excluded and marginalized poor people, e.g. Milian, Grunberg and Cho 2002. And yet even if these policies did not function as they were designed, they had powerful effects. Like Cortez's disastrous journey, Arismendi's empty conquest, and the anemic nationalist efforts to control resource extraction in Petén, FYDEP's poorly designed and managed agrarian policies contributed to the production of subjects and territories in Petén. In the next paragraphs I will explore how agrarian laws and the particular

ways that officials and settlers struggled over these laws led to a solidification of a land tenure regime and a widespread desire among settlers to obtain state-sanctioned rights.

The legal and technical mechanisms that form the basis of FYDEP's land tenure constituted the landscape as empty of most native and local claims and created the conditions for large swaths of property to be distributed to ladino settlers and especially cattle ranchers from southern Guatemala. The foundation for the new system of private property rights was an old Spanish legal mechanism known as the *finca-matriz*. "*Finca*" in Spanish means "farm" and "*matriz*" can mean either "matrix" or "uterus." The *finca matriz* is essentially a cadastral map which shows the area of Petén that is state-sanctioned private property and the area that remains national territory.²⁴ The map is accompanied by text which describes the limits of the map, names the owners and the extent of the private property, and provides a precise estimate of the extension of private property claims and national lands. At the time that engineers contracted by FYDEP created the *finca matriz*, 99% of Petén was national land. Only a few Petén notables had private claims at the time, and the engineers took only these state-sanctioned claims into account in their map.

The *finca matriz* showed neither the common lands claimed by the municipalities nor the private claims of settlers. Although these latter claims lacked state-sanction, they were respected as de facto private property rights at the time. As well, the *finca matriz* also did not show the claims of the Qeqchi people who lived much of the year in Alta Verapaz and came to Petén seasonally to tend their crops and harvest (Schwartz 1995). The *finca matriz*, which would be the condition of possibility for all future legal tenure systems in Petén, deployed legal and technical discourses to erase all indigenous and local claims to territory.

The *finca matriz* was the basis for a wider property rights policy formalized in the Law of Petén and directed by FYDEP. The Law created an official system which allowed individuals living in Petén to buy state-sanctioned private property rights from the government. This was the first time in the history of Guatemala that private property would be widely available in Petén. Through a series of paternalistic measures contained in the law, FYDEP sought to use the

²⁴ It is important to note here that the *finca matriz* I describe here did not cover the entire Petén, but only a part of it. The rest of Petén except for a small area near the southern border of the department was incorporated into a total of three *fincas matrices*. Since the three were constructed in more or less the same way, I have focused my discussion on the first of the three.

creation and distribution of private property rights as a means of establishing a rooted community of settlers across the department. First, FYDEP created parallel and contrasting procedures for different classes of settlers. *Campesinos* and other poor homesteaders qualified for parcels of between 4 and 90 ha. Larger parcel sizes of 90 to 650 ha were available for middle-class cattle ranchers. Occasionally, very small plots of 0.5 ha were granted to Qeqchi farmers. The inequitable treatment of settlers was consistent with FYDEP's institutional vision in which cattle ranchers would play the leading role in developing the region.

A second tactic for shaping the behavior of settlers related to land use. New owners and/or applicants were required to work the land during the first year, e.g., clear forest for agriculture. According to the Law of Petén, settlers who failed to make use of their land would forfeit it. A third measure to select for "serious" settlers related to the land market. After settlers navigated a labyrinthine agrarian bureaucracy to obtain a state sanctioned private property right--and few accomplish this feat--landowners were permitted to sell their land only after 20 years of possession. By making land sales illegal, the authors of the Law of Petén hoped to prevent land speculation and to insure that only families committed to a new life in Petén would apply for land. While the preceding legal tactics give some idea of FYDEP's objectives, the struggles over these laws ultimately produced the land tenure regime that is the focus of this chapter.

Returning to FYDEP, I assert that it was the failures and contradictions of the Law of Petén and associated agrarian programs that led to the consolidation of a private property regime in Petén. To make this argument, it is necessary to first provide some context describing the experience of settlers who moved to Petén during the FYDEP years. There were two primary groups of settlers. On one hand, there were *campesinos* and, on the other, elites. FYDEP leaders favored elites, who they believed would invest in cattle ranches. Furthermore, as the years passed, FYDEP granted increasing numbers of properties to elites and especially military officials as political favors. For these elites, documentation of land claims was expedited through FYDEP's agrarian bureaucracy. At the same time, elites were not required to honor the regulations laid out in the Law of Petén; e.g. working the land during the first year. Veteran employees of Petén's land agencies recall that some properties were so large and undeveloped that corner markers had to be dropped from helicopters. Many of these properties were left untouched by absentee owners for years and even decades. In sum, the property claims granted

to elites by FYDEP were large, legally secure, and difficult to detect on the landscape (Schwartz 1990, 1987; Milian, Grunberg and Cho 2002).

Campesinos experienced the land titling process in a completely different way from elites.²⁵ Whereas elites often had legal claims years before they set foot on their land, *campesinos* had often worked the land for a year or two before soliciting the land formally from FYDEP. (*Campesinos* from Petén might have worked the land for generations before applying for state sanctioned rights.) Although FYDEP sponsored some settlements, the majority of *campesinos* came to Petén without government support. These farmers would claim land that they found to be unoccupied or they would purchase usufruct rights from others who had arrived in Petén earlier. These farmers were received poorly by the FYDEP agrarian bureaucracy, and they rarely passed the first stages of the titling process.²⁶ Consequently, *campesinos* commonly abandoned the land titling process hoping that a preliminary document from FYDEP would stand in for a full state sanctioned private property right. Although such documents held some legitimacy, they provided no protection against competing- or subsequent legal claims to the same land. In contrast to the land claims of elites, *campesinos* had relatively small (~45 ha), legally “invisible” claims which were readily detectable on the landscape.

The unfortunate differences between the claims of elites and *campesinos* led to repeated and often tragic land conflicts. Over and over again, peasant communities settled on pieces of apparently unoccupied land, worked the soil for a few years, and awoke one morning to find the “owner”—land title in hand-- demanding that they get off his land (Milian, Grunberg and Cho 2002). Many communities, not to mention families, experienced this process on multiple occasions. Some elites clearly orchestrated these evictions. Some *campesinos* organized themselves to demand repayment for improvements that they had made in the land. During the 1990s, the US AID would fund land titling programs for *campesinos* in an attempt to stabilize

²⁵ This analysis is grounded in a dichotomy between the experiences of elites and *campesinos*. While useful as a heuristic, this dichotomy oversimplifies agrarian dynamics in Petén. In fact, these dynamics were themselves sites for the production of elites and *campesinos* as agrarian subjects.

²⁶ There are many reasons why *campesinos* fared badly at FYDEP. As an institution FYDEP believed that campesino agricultural strategies were irrational and counterproductive and, as a result, *campesinos* were often given low priority. Qeqchi settlers, many of whom could not read or write Spanish, found FYDEP bureaucracy especially challenging. Even when FYDEP officials were encouraging, the process of obtaining rights to land was still organized in a way that discriminated against *campesinos*. Many lived far from FYDEP headquarters, and the costs of transportation and lodging associated with repeated visits to FYDEP, not to mention fees for government services, represented a loss of valuable work time and scarce currency. Others have discussed these institutional dynamics at length: Schwartz 1990, 1995 and 1997; Clark 2000; Grandia 2006; Gould 2006.

indigenous communities (to protect biodiversity). As well, the Catholic Church would create a network of *campesino* paralegals to help small farmers legalize their claims. None of these processes made a landscape of private property. Far from it. Land conflict after land conflict left the story of land ownership in Petén more and more entangled. Setting aside the success or failure of these programs as well as the pain and injustice of the conflicts, my point is that all of these agrarian dynamics further constituted the importance of state sanctioned private property rights. The FYDEP years were critical for the consolidation of Petén's private tenure regime, and the mechanism of that consolidation was conflict, which revolved around the axis of state-sanctioned property claims.

The Other Face of Counter-Insurgency: State Terror

While writing of FYDEP's development program, it is easy to forget that FYDEP was a part of the Guatemalan military, and at least indirectly, a part of the United States Cold War military machine. Roads and infrastructure in Petén, whatever else they were designed to do, were part of a counter-insurgency program. Consistent with the tenants of Military Civic Action, development work carried out in Petén was part of the government's strategy to win the hearts and minds of the Guatemalan people and isolate the revolutionaries. In the late 1970s, all across Guatemala, military development, including the projects carried out by FYDEP, would recede in importance to be replaced by "harder" military tactics: more selective assassinations and kidnappings (Schirmer 1998).

In the first years of the 1980s, the level of state-sponsored violence rose. With the knowledge of the US state department, teams of Guatemalan soldiers known as Kaibiles were ordered to conduct a scorched earth campaign, destroying rural villages and massacring men, women and children (Falla 1994). During the Guatemalan civil war, over 200,000 people were killed, the majority of whom died during the massacres of the early 1980s (CEH 1998). Although the greatest number of deaths occurred in the western highlands, the Petén was also the site of massacres. This section will show that there are important continuities between the racialized logics of FYDEP's development work and the killing strategies used by the Guatemalan fighting forces in Petén. Tracing these continuities helps to reveal how the violence of the war further consolidated the subjects and territories that form the basis of the property rights regime I encountered during my field work in the countryside. Specifically, the racialized violence of the

war redefined the dimensions and distributions of land claims that the Bank's land market policy would formalize.

Although the armed conflict in Guatemala began in 1960, revolutionary forces did not arrive in Petén until the latter part of that decade. During most of the 1970s, members of the Revolutionary Armed Forces (*Fuerzas Armadas Revolucionarias* or FAR) in Petén devoted themselves to creating a network of grassroots support among the *campesino* population. By the late 1970s the FAR had assembled a network of some 10,000 supporters and trained and equipped 250 fighters (Marco Tulio Soto 2005). Because engagements with the Guatemalan military were infrequent, especially compared to the rhythm of conflict in other parts of the country, the Petén became a kind of haven for the Guatemalan military. A school was established to train Kaibiles in western Petén, and through FYDEP connections, military officers and other elites accumulated land and revenue from natural resource extraction (Schwartz 1987). The military's response to the FAR in Petén was coordinated with the counterinsurgency strategy adopted by the military in the rest of the country. At first the military operated through assassinations of community leaders and those who were imagined to have links with the FAR. Later, selected villages were targeted and soldiers massacred all of their inhabitants. This occurred particularly in western Petén. These massacres were planned at the highest levels within the Guatemalan military (CEH 1998). Falla, a Catholic priest who accompanied victims of the violence in lowlands of the Ixcan reported that in the midst of one massacre there that a military officer told his men that after we "...finish this town... we'll go to others and... finish off the lot of them and do the same in Petén" (1994: 89).

The Guatemalan Truth Commission describes the massacre of the community of Dos Erres in northwestern Petén in early December 1982 as illustrative of the Guatemalan army's cruelty to the "defenceless population." Troops received orders by radio to begin the killing, which began with the death of an infant that one of the soldiers hurled into a dried up well (*pozo*) (CEH 1999:400). Instead of killing those imagined to pose a particular threat to the military, the soldiers were instructed to kill everyone who lived in the town. Almost half of the 178 victims of the massacre were children. Even unborn children were killed: the soldiers beat the mothers

until they aborted their fetuses.²⁷ In the midst of the killing, a survivor remembered one soldier shouting, “We are going to kill them all, we are killing them because they are a bunch of monkeys (*unos monos, unos micos*)” (CEH 1998: 402). The killings in Dos Erres exemplify the logic that circulated through the army at the time that “the local population [is] an infected whole... [lacking] any healthy cells” (Falla 1994: 183-4). While there were proximate causes of this massacre in counter-insurgency strategy, this violence also draws its strength and its inspiration from the patterns of colonial violence which helped to form the population and the space of Petén hundreds of years before.

In a few brutal years in the early 1980s, the fighting forces of the Guatemalan military accomplished much that FYDEP had been unable to achieve during the two preceding decades. Where infrastructure projects, discriminatory agrarian policies, and new property rights regimes failed to produce the Petén as an empty space for ladino settlers, the state terror of counter-insurgency nearly did. The massacres perpetrated by the military were calculated to empty certain parts of Petén of rural people as a way of weakening the guerrillas who received food, intelligence and other support from the local population. And indeed, after a series of massacres in western Petén, much of the rural population fled through the forests of Petén to Mexico and Belize and to urban areas of the department (Karasinski 1994 cited in Robles 1995: 19; CEH 1999: 240-256). Communities that arrived after 1966 and who lacked “personalized ties to Peténeros and FYDEP personnel suffered most,” according to Schwartz (1987: 178). Although some of the people returned to their land, not all could afford to stay; land sales by widows and children of the displaced became an important source of land after the violence had subsided (Kaimowitz 1995: 10). In contrast to smallholders, those with large claims stood a greater chance of retaining their land because they were more likely to have obtained a land title under FYDEP and because many did not live in Petén—they waited out the fighting instead of fleeing.²⁸ Finally, some specific areas of Petén were depopulated because the army wished to

²⁸ Schwartz (1987: 174) found that between 1975 and 1980 “many large landholders are not resident in Petén and not primarily engaged in ranching or farming.... At best, professionals, students, and military hire estate managers and make periodic inspection visits to Petén; at worst, they are land speculators.” Excluding 16 resident Peténero commercial farmers, only 4% of Schwartz’ sample of large landowners resided in Petén (N= 146).

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allow “privileged elements,” who undoubtedly included high-ranking military officials, to “expand their holdings” (Schwartz 1990: 279).

Displacement of local people and the proliferation of cattle farms during and after the violence of the 1980s was an important moment in the creation of the landscape of claims which the Bank-funded policy would formalize less than thirty years later. In the next section, my focus is on a new cycle of development that would further constitute the identities of subjects and the nature of territory that could be a part of the land tenure system in Petén.

Hearts, Minds and Biodiversity: Conservation and Development in Petén

In 1986 the military ostensibly yielded power to a civilian president, but in fact retained much authority. As a part of this reluctant demilitarization, in 1989 the responsibilities of FYDEP were taken over by a decentralized collection of state agencies, nongovernment organizations, and private firms. It was the first time that the region had been governed by nonmilitary authorities since 1695 when Arismendi massacred the inhabitants of Noh Petén.

There were other signs of change as well. The USAID and other international donors were providing tens of millions of dollars to support new conservation and sustainable development policies for the Petén (Primack et al. 1998). Some redistribution of resources took place as a result of these policies especially through community forestry concessions which permitted *campesinos* to obtain some of the profits of mahogany logging. As well, some NGOs and firms helped *campesinos* to obtain land titles. Despite the promise of these initiatives, the legacy of the military years remained undeniably strong. Military officials continued to influence the government of Petén through connections to NGOs, government, and shadow powers including cattle ranchers and drug traffickers. As well ex-soldiers, officers, and FYDEP officials held key positions in the new government organizations; the park service employed so many ex-military men that it was jokingly referred to as “Zone 22,” in reference to Petén's military base known as Zone 23.

Conservation Encounters

Until this point, I have described how a wide array of processes, from map making to resin collecting and state violence, have produced the conditions of possibility for private property

rights regimes in Petén. This section first explores the structures of new environmental institutions and then examines how the everyday work of conservationists who participated in Petén's new environmental programs helped to further consolidate the land tenure regime that is the focus of this chapter.

Conservation in 1990s Petén was largely organized around UNESCO's utopian territorial vision: the Biosphere Reserve model (Sundberg 1998). In Petén, the Maya Biosphere Reserve (MBR) was established by presidential decree in 1990 (CONAP 1996) and covers over 1.6 million hectares (See Figure 1). Advocates of the MBR believed that it would provide a structure for managing the sometimes competing goals of biodiversity conservation and sustainable development. Like most biosphere reserves, the MBR has three primary classes of protected areas known as the buffer, multiple use, and core zones. According to the law which created the MBR, the buffer zone is the only one of the three zones where state sanctioned private property rights are legally permitted. Within the buffer zone, people are also permitted to hunt and carry out small-scale agriculture and cattle ranching. In the multiple use zone, small-scale farming is permitted as well as the extraction of valuable timber by organized communities and logging companies. Finally, the core zone of the MBR is theoretically reserved for ecotourism and scientific research only. The MBR is managed by the Guatemalan park service (CONAP) and a confederacy of Guatemalan and international non-government organizations with funding primarily from the United States Agency for International Development and the Guatemalan government (CONAP et al. 1996; Primack et al. 1998).

The importance of the MBR for this chapter is that it became a site for the consolidation of boundaries between legitimate and illegitimate spaces of private land tenure claims. I agree with Sundberg that the MBR as lived reality was produced not according to the conservation laws described above, but through the practices of conservationists and especially through the everyday "conservation encounters" between local people and environmentalist actors and institutions (1998).²⁹ Conservationists working in Petén produced an explosion of written material describing the value, the threats, and the possible futures for the newly invented zones of the MBR, e.g. Primack et al. 1998. Cartographic technology and especially satellite images

²⁹ It is important to note that during the FYDEP years, much of what became the MBR was legally defined as Forest Reserve and was off-limits for colonists. However, in those days few people attempted to settle so far north. Furthermore, FYDEP did not demarcate or guard the Forest Reserve and so while it was visible on maps, it did not exist as lived territory in the way that it would during the 1990s.

were used in innovative ways to highlight changes in the zones of the Reserve and especially the yearly rates of deforestation, e.g., Sader et al. 1994. Studies produced by international NGOs sought not only to reach scholarly and government audiences but to convince the general public of the MBR's tremendous value to Guatemala and to humanity. Maps of Petén's natural areas, and especially the Maya Biosphere Reserve, proliferated not only in the offices of conservation and development organizations around the world, but also throughout rural Petén nailed to the walls of shops, bars, and private homes (See Figure 1). As well, environmentalists introduced education programs and visions of sustainable livelihood to school children and to groups of *campesinos*. Petén had never been the subject of such intense scrutiny, and these studies helped to materialize the boundaries between the reserve and the surrounding rural territory and between the different zones of the reserve, e.g. Primack et al. 1998; Ramos 2001.

The production of texts and maps was certainly not the only way in which the boundaries of the MBR were elaborated. What might be imagined as the more direct everyday encounters of conservations and local people also had important effects. International NGOs—particularly the Nature Conservancy-- worked closely with CONAP to remove “illegal” settlers from the core zones (Milian, Grunberg and Cho 2002). Sometimes after settlers had been removed or relocated, their houses were burned in a style reminiscent of the racialized violence of the civil war. The ecological discourses which circulated about the MBR also facilitated the criminalization of “park invaders” as threats to national patrimony or to the world's biodiversity. In multiple use zones, NGO workers taught villagers to collect or process forest products for international markets and to guide “ecotourists” along rainforest trails. Finally, in the buffer zone other NGOs helped local people achieve sustainable and stable livelihoods through agroforestry plots and state sanctioned private property rights. Whether or not these everyday conservation practices were appreciated or resented by locals, whether or not they achieved their conservation or social justice objectives, all of these efforts and many more accomplished at least one thing. They helped to constitute the borders of the MBR and its different zones as a part of the lived reality for people in Petén and beyond. In the production of these boundaries, the legitimate territories for legal rural land claims and the legitimate subjects who could make those claims were constituted in relation to the criminalized “park invaders” and the restricted territories of the core- and multiple use zones.

Gods Were No Longer Seen: Land Policy after FYDEP

With the demise of FYDEP, the responsibility for legalizing rural land in the new buffer zones and outside the Maya Biosphere Reserve fell to the National Agrarian Institute (INTA). The new land agency represented itself as modern and efficient, a clean break from FYDEP's paternalism and weak technical capacity (Milian, Grunberg and Mateo 2002). Initially, INTA officials were optimistic about legalizing property in Petén, including clearing up the backlog of land claims left by FYDEP. The agrarian archives that INTA inherited from FYDEP showed that after almost 20 years of legalization work, FYDEP had completed titles for 5000 holders and was still in the process of completing some 30,000 more, three quarters of which were still in early stages of completion. Furthermore, an estimated "70,000 people had not yet even started an application for their land claim" (Grandia 2006: 332). In the name of efficiency, INTA re-organized the agrarian bureaucracy and transformed the processes through which state sanctioned property could be produced. Although ultimately INTA was less successful than FYDEP in producing land titles, the changes in rural land policy in the 1990s nevertheless helped to proliferate Petén's private property regime further into the everyday lives of *campesinos* and other non-elites than ever before.

While FYDEP had delegated only a few technical aspects of the land titling process, INTA decentralized nearly everything. International NGOs and Guatemalan private firms took over responsibility for what had previously been state functions. Because these institutions were paid based on their success at moving large numbers of land claimants through the titling process, they attempted to open up the process, to simplify and most importantly to automate it. Instead of requiring land claimants to make long journeys to the departmental center to advance their land claims, NGOs and firms sent technicians and low-level bureaucrats into the countryside for days at a time. Equipped with motorcycles, these technicians moved rapidly from community to community, meeting with landowners in churches, schools, and community centers to explain the titling process and encourage people to participate. Back at the office, titling documents were no longer being typed up individually as in the time of FYDEP. The new agrarian institutions were encouraging whole communities to title their land simultaneously and then using word processing programs to produce the title documents in bulk. As well, new technologies and software made cartographic work faster and cheaper. The NGOs and firms even succeeded in

lobbying INTA to reduce the cost of land titling for smallholders and to streamline the process (Milian, Grunberg and Mateo 2002).

While these changes made the titling process more efficient and affordable, they also accomplished something else. They changed the relation between technicians and land claimants. As the former head of INTA's colonization department remarked that because of the changes in the titling process, "gods were no longer seen" (*dejaron de ver dioses*), meaning that the process became more automated and was not dominated by the influence of a few individuals. However, INTA was never successful at making its bureaucracy deliver state sanctioned property rights. In 1995, there were 63,000 applications for land in the INTA archives which were being completely ignored (Kaimowitz 1995). Furthermore, the NGOs and firms that INTA had contracted ran into difficulties. Some emitted titles that were not properly checked against the national land register and turned out to overlap with pre-existing legal claims. As well, INTA officials were found to be taking kickbacks from some of the firms they contracted. In spite of these problems and others, the 1990s were unprecedented in the sense that more people than ever before became familiar with the titling process. The knowledge of the process as well as the expectation of becoming legitimate landowners helped to produce the familiarity with state sanctioned private property rights that I encountered in the countryside when I was conducting my fieldwork.

Conclusion

This chapter reveals that Petén's contemporary private property rights regime has been centuries in the making and has been composed in the interstices of global movements including Spanish colonialism, Guatemalan nationalism, and the Cold War doctrines of Unitedstatesian counterinsurgency. This regime has been forged and consolidated often through racialized violence and colonial logics as well as through the everyday lives of loggers, resin collectors, priests, *campesinos*, bureaucrats, soldiers, and ranchers living in what is today Petén. This chapter shows that in the making of this property rights regime, a series of interconnected subjects and territories have also come into being, including rural, urban, and national territories, and the ladino and indigenous subjects who make private land claims, among others.

What is at stake in describing the history of this tenure regime and the identities and spaces that compose it? As I discussed in the beginning of this chapter, Petén's contemporary private property regime is an important condition of possibility for the World Bank-financed land market policy that has been carried out in Guatemala during the last decade. The advocates of this policy represent it as formalizing already existing arrangements of territories and subjects to produce efficiency- and equity enhancing land markets. This approach naturalizes and further consolidates this property rights regime and the subjects and territories that go with it, and in so doing, frames out the ongoing political struggles that have helped to make these categories. By exposing the power laden dynamics through which these categories have taken shape, I seek to open up the possibilities for analyzing and ultimately contesting this and other ostensibly market driven policies. The next chapter examines more of the conditions of possibility for the land market in Petén: the process through which the Bank's land market policy is reconstituted as a Guatemalan national policy.

Photo 1: Oliverio Casasola Pictured in Front of a Map of Petén.



Photo 2: A Catholic Priest at the Inauguration of the Saw Mill. The bald-headed man in the foreground is Casasola. The third man from the right in the first row is Guatemalan president Julio César Méndez Montenegro.



Photo 3: Sawing Planks at the New Sawmill.

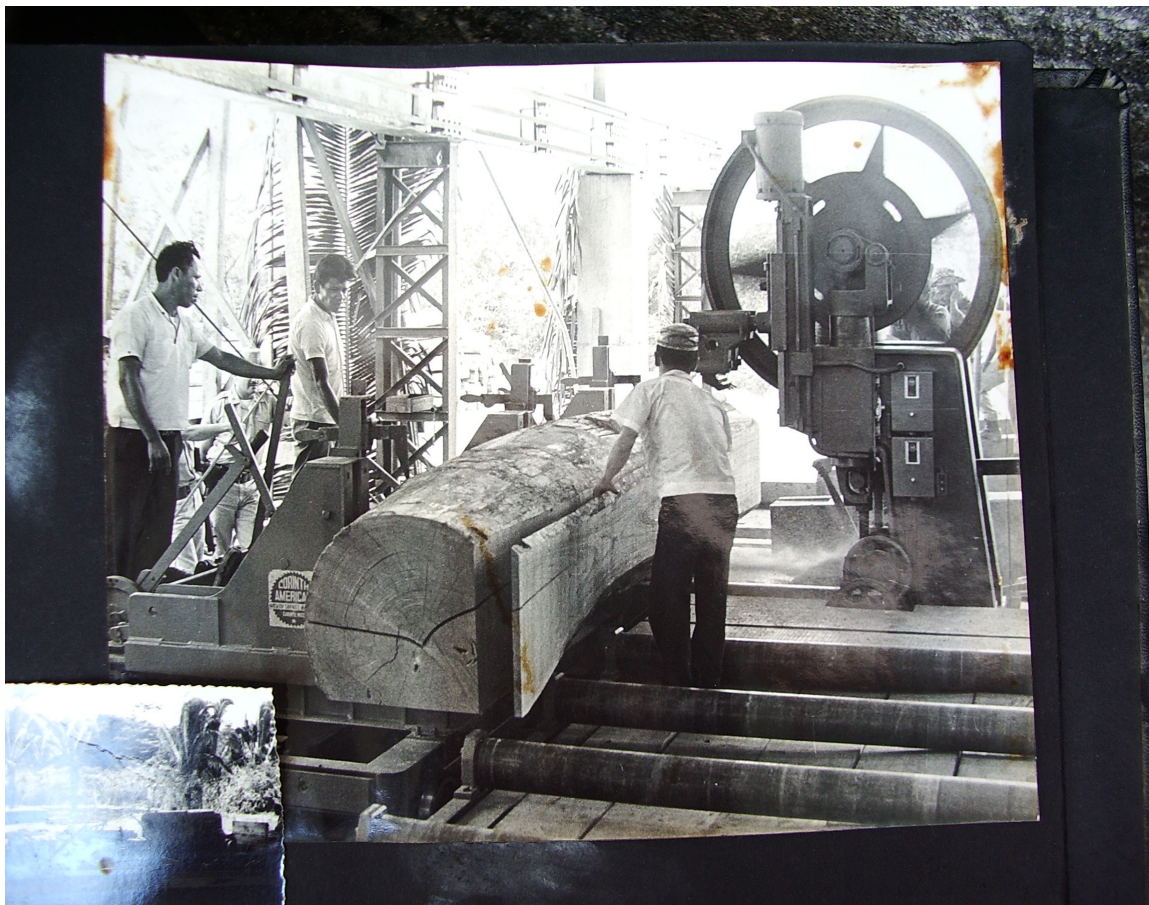


Photo 4: Stylized Map of Guatemala Showing Roadbuilding Equipment in Petén.



Disciplinary Institutions in Petén

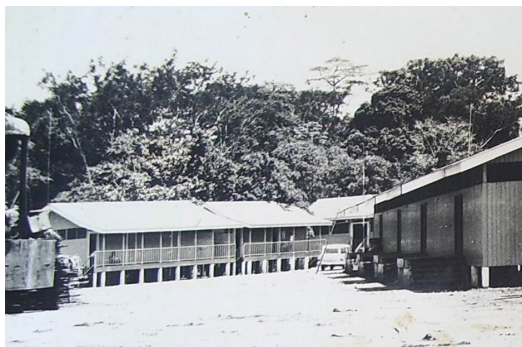


Photo 6: Border Station



Photo 7: FYDEP Headquarters



Photo 8: Government Office

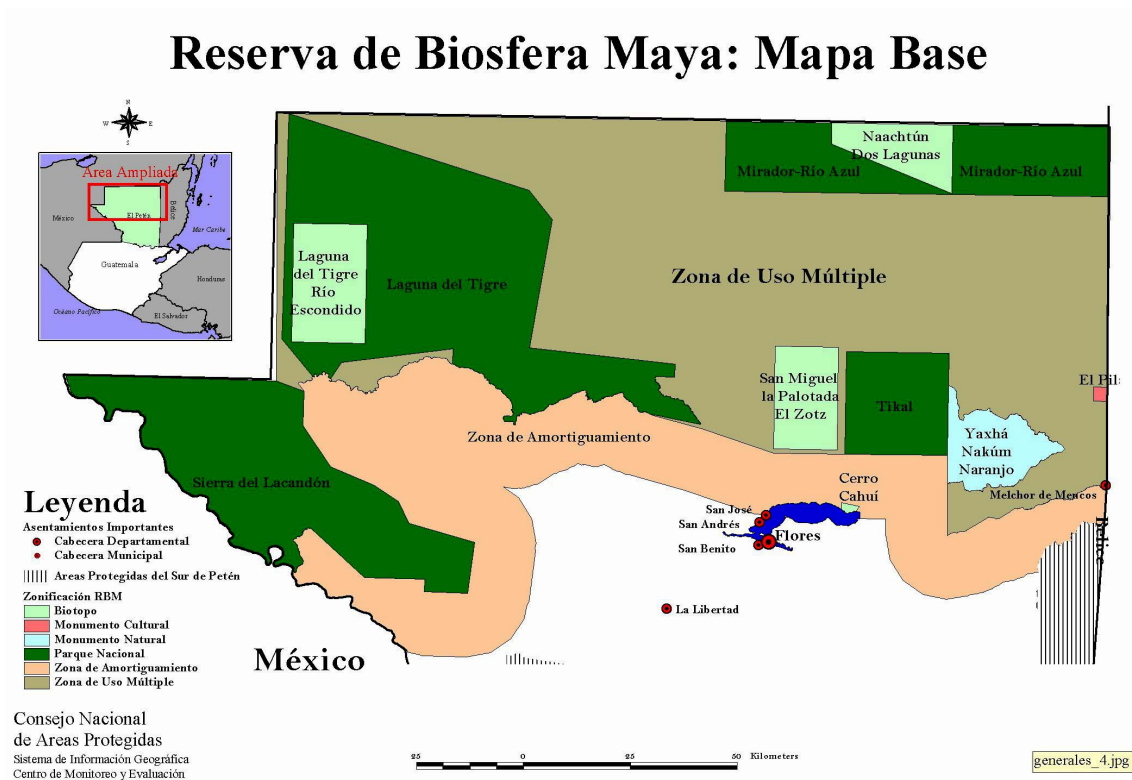


Photo 9: School



Photo 10: Taxes and Customs Office

Figure 3: Map of Maya Biosphere Reserve



Translation of Legend:
 Important Settlements
 Departmental Capital
 Municipal Capital
 Protected Areas of Southern Petén

Maya Biosphere Reserve
 Biotopo
 Cultural Monument
 Natural Monument
 National Park
 Buffer Zone
 Multiple Use Zone

Map produced by:
 Guatemalan National Park Service (CONAP)
 Geographic Information System
 Monitoring and Evaluation Center

Chapter 4: Peace Created the Space for This: The Making of a Guatemalan Land Policy

Introduction

This chapter explores some of the conditions of possibility for the proliferation of the World Bank's land market policy in Guatemala. Specifically, this chapter examines processes which led to the inclusion of a "blueprint" of the policy in the Peace Agreements which ended Guatemala's 36-year civil war³⁰. Rather than attempt a comprehensive history of this complex transnational process, I recount three important moments which contributed to the taking up of the Bank policy in this important national document. First, I describe how just as the worst violence of the civil war was subsiding in the early 1980s, technicians from the Guatemalan government and a World Bank-sponsored quasi-non-government organization produced an institutional architecture amenable to market-policies. In the second, I trace the first concerted effort to promote the policy in Guatemala. While ultimately unsuccessful, I argue that this work nevertheless had important effects as it helped to redefine Guatemalan subjects, territories and institutions as in need of a land policy of the sort developed by the World Bank. Finally, in the third section, I describe how crack technicians inserted the Bank's land market policy into the Guatemalan national Peace Agreements signed by the leaders of the Guatemalan government and of the Guatemalan revolutionary forces in 1996.

This chapter focuses on so-called technicians simply because it was technicians who largely designed the policy and sold it within the Guatemalan government. However, this is not merely a description of institutional relations and savvy consultants. I contend that the daily activities of bureaucrats, technicians, and government officials actually helped the Bank, the Guatemalan government, and other organizations to define themselves in relation to each other. In other words, the everyday practices through which actors pursued their goals helped to constitute the

³⁰ Jonas (2000) actually uses the phrase "Cold War civil war" to emphasize the international character of the war which was both a bloody national conflict and an extension of Cold War antagonisms between the United States and the Soviet Union. However, as various scholars have noted, the war has deep connections to violent colonial and national trajectories dating back to the brutal years of the Spanish conquest (Schirmer 1998; Grandin 2000; Casaus Arzu and Garcia Giraldez 2005).

separation between the World Bank and the Guatemalan government. Of course, I am not suggesting that this process produced these institutions “from scratch;” all of them have long histories. What I am suggesting is that according to a performative logic, the entangled practices of policy makers from diverse institutions actually helped to constitute the boundaries separating these institutions.

This argument is inspired by political geographers who have examined the constitution of national spaces and national bodies politic through transnational processes, e.g., the production of the Canadian nation-state during an immigration crisis (Mountz 2003); the constitution of the United States and Canada during the negotiation of free trade agreements (Sparke 2005). Similarly, I am interested in how institutional boundaries are produced through the implementation of economic policy. Understanding how development organizations and states are constituted in relation to each other is important, because, as Escobar (1995) and Mitchell (2002) have emphasized, the authority of development organizations such as the World Bank depends on developing countries being framed as objects that can be grasped in their entirety, diagnosed, and treated through the expertise and the technical interventions of international development organizations. This chapter describes how land market policy is formed and at the same time how Guatemala and the World Bank are constituted in relation to each other. These institutional formations also play an important role in relation to the larger argument of the book because they help to regulate the possibilities for the land market performances that I will discuss in the final chapter.

While this chapter seeks to contribute to the geographical literature on neoliberal development policy, it is also an attempt to make sense of the Guatemalan civil war. Much has been written about the horror of the war and the promise and subsequent disappointing results of the Peace Agreements, (e.g. war: Falla 1994; CEH 1999; Schirmer 1998. Post-war: Spence et al. 1998; Sieder 1998; Jonas 2000). However, much less has been said about the negotiation of the Peace Agreements (but see Jonas 2000; Hernandez-Alarcon 1998). The role of the World Bank in these Agreements has remained especially unexplored. My hope is that by better understanding the important role played by the Bank, it will be possible to develop some new insights about why the Agreements led to such disappointing results. A focus on the role of the Bank in the negotiation of land issues is especially relevant in this context because the Bank did play a decisive role in these negotiations and because land was always at the heart of the

Guatemalan conflict. In addition to tracing the work of the World Bank in Guatemala, this chapter also contributes to the larger history of the Cold War in Latin America. Accounting for more than half of the war-deaths in the region during this period, the Guatemalan war is a critically important part of this history (Grandin 2004).

To carry out this investigation I relied on a variety of sources. Most important were interviews conducted between 2004 and 2005 with technicians from the World Bank and the Guatemalan government. I interviewed people who had participated in- or witnessed the development of the agrarian policy that was incorporated into the Socioeconomic Agreement of the Guatemalan Peace Agreements. This chapter also draws from secondary sources and from technical reports written not only about land policy in Guatemala but also about the institutions that were trying to install it. Finally, although this chapter does not draw much from my participant observation fieldwork per se, the months that I spent studying the Bank-funded development work in Petén seemed to legitimize my interest in the eyes of government officials and World Bank consultants. This legitimacy helped me to secure interviews and gain access to employees of the Bank and the Guatemalan government.

Central America during the Cold War

Throughout this chapter I am interested in tracking the diverse conditions of possibility which made it seem only natural and appropriate when the Bank's land policy was ultimately installed in the Guatemalan Peace Accords. If we are to understand this process, one useful place to begin is by describing the geopolitical conditions in the region at the time that the Guatemalan government and the World Bank began to collaborate substantially on issues related to agriculture. Although the Bank did provide some loans to Guatemala for agricultural projects in earlier years, I begin this chapter in the 1980s because it was a period when there was a tremendous increase in the quantity and complexity of exchange between the United States government and international financial organizations on one hand and the governments of Central American nations on the other.

The US made political struggle in Central America during the 1970s and 1980s a site of the Cold War. In the late 1970s, as the Carter administration was drawing to a close, right-wing hawks were making a concerted effort to get the US government to reassert itself in the

international arena. The election of Ronald Reagan in 1980 provided an opportunity to advance their project. The victory of the Sandinistas over a US-supported dictator in Nicaragua in 1979 and the insurgencies operating in other parts of Central America including El Salvador and Guatemala presented an opportunity for the US administration (Grandin 2006). “With little geopolitical importance, few consequential allies, and no significant resources” these countries posed little threat to the United States and “afforded the White House an opportunity to match its actions with its rhetoric” (2006: 69). White House advisors began trumpeting the importance of the region and demanding strong action. Jeanne Kirkpatrick, one of Reagan's key foreign policy staff, “took to calling Central America ‘the most important place in the world for the United States’” (2006: 71).

During the 1980s, the Reagan administration unleashed a complex of policies and programs designed to crush Central American rebels and create the conditions for a new market-oriented vision of development. The market-approach of the Reagan administration to Latin America contrasted with the state-centered strategies of the Alliance for Progress under U.S. President John F. Kennedy. The US government supplied Central American governments including Guatemala with military aid in the form of weapons, advisors, funding, and training programs (Jonas 1991; Schirmer 1998; Grandin 2004, 2006). Although this was not the beginning of US military aid to the region, it was an important ramping up. In Guatemala, US aid was directed by military and economic elite who ruled the country.

In Guatemala, elites were especially happy to receive such lavish support from the United States because they believed that the country was falling apart. According to one of the country's leading military strategists, Guatemala also faced high employment, reduced gross domestic product, capital flight, strong allegations of corruption in political sector (a fraudulent presidential election), and instability in the military command structure (General Hector Gramajo in Schirmer 1998: 18). In addition, Guatemala was an international pariah because of human rights abuses by the military which had contradicted the policies of the Carter Administration. Finally, the revolutionary movement, initiated in 1960, had developed considerable momentum by 1980 (See Chapter 3). In that year the rebels boasted some 6,000 to 8,000 armed fighters and between “250,000 and 500,000 active collaborators and supporters” operating in most parts of the country” (Jonas 2000: 23). In contrast, the Guatemalan army consisted of some 30,000 men in 1983 (Schirmer 1998).

Taking advantage of the generous military aid from the Reagan administration, the Guatemalan army responded strategically and mercilessly to the situation. According to Schirmer's (1998) brilliant account of the Guatemalan military project (the title of her book), the army sought to resolve the national crisis by re-making the country. A small group of generals working closely with then President Rios Montt refashioned the country's counter-insurgency strategy. They rejected the earlier approach of attacking all elements opposed to the government, and created a new "policy of pacification and reconciliation." According to this new approach the army was to annihilate the 30% of the population that was imagined to be "lost." The army aimed to bring the other 70% back into the nation through model villages, the organization of "volunteer" civil defence forces, and other militarized development projects. The ultimate aim of the 70/30 strategy was to open a space for the political and economic functions of the nation to return to civilian control. Since the military planners were closely linked to the agricultural elites, this vision for a "peaceful" nation was a recipe for continued poverty and marginalization for most of the country (Schirmer 1998).

With the support of the US State Department, in 1981 the Guatemalan army began to put their strategy into operation. The military attacked not only the armed revolutionaries but also their civilian supporters. By 1983, soldiers killed an estimated 200,000 people, burned to the ground over 400 indigenous villages, tortured tens of thousands, and left over one million people displaced (CEH 1999). In retrospect, it is apparent, that the military elites had disproportionately targeted indigenous people, leading the Truth Commission reports to classify the killings as genocide (CEH 1999; See Chapter 3). The targeting of indigenous people is consistent with a long standing preoccupation of Guatemalan elites that indigenous people living in the country represent an obstacle to national progress and must be assimilated or destroyed (Casaus-Arzu 2005; See Chapter 3). As Robinson (2003: 104-5) points out, the war created the conditions for the emergence of a vision of neoliberal development shared by the Reagan administration and by a new class of Guatemalan business elites.

In parallel with the military assistance, the Reagan administration helped to create a market-oriented development policy environment in Central America. Past US development policy had been "based on a strategy that the Cold War would be won by providing a more equitable and successful model of development than did the Soviet Union" (Grandin 2006: 186). In contrast, the Reagan administration advocated so called market solutions. They "exalted the unrestrained

market as both the end and the means of reform.” In his annual speech to the World Bank in 1983, Ronald Reagan spoke of the “the magic of the market place,” and claimed that “Millions of individuals making their own decisions in the marketplace will always allocate resources better than any centralized government planning process” (IBRD 1983: 2 in Peet 2003: 13). While the approach of the Reagan administration did represent a shift in US foreign policy, it nevertheless also represented a continuation of previous Cold War development vision for Central America. Whereas in the past the US government advocated state-led projects as the key to development, the Reagan administration saw these past efforts as too close to socialism and instead promoted individual freedom in the market as the path to development.

The Reagan administration shared this message not only with the Bank but also with the other major international financial organizations such as the International Monetary Fund and the United States Agency for International Development. And these organizations responded, promoting market-led development policy around the world (These neoliberal policies were not unprecedented but the early 1980s was a time in which they began to be promoted more than ever.) During the 1980s in Guatemala, the US AID contributed over \$US 900 million in aid, more than double what it had contributed to the country in the previous 40 years. This increase also reflected a larger trend of increased aid to Central America. Between 1983 and 1986, 60% of the funds destined for Latin America from US AID were received by Central American countries (Robinson 2003).

In the case of Guatemala, much of the assistance went to the private sector through a program called Private Enterprise Development, which spun off Guatemalan organizations that helped usher in the new market oriented development approach (Robinson 2003:110-1). During the late 1980s as well the World Bank and the International Monetary Fund used the indebtedness of Central American countries to pressure these countries to adopt neoliberal economic policies, e.g. privatization and/or reduction of state functions, deregulation (removal of barriers on trade and entry of foreign firms) (Robinson 2003: 295-300; Timossi-Dolinsky and Stookey 1990).³¹

³¹ The point here is not that the Reagan administration single-handedly transformed the role of the international financial or development organizations. The World Bank for example had been embracing these sorts of market policies since the end of the 1970s. However, it was during the 1980s when the US government was strongly concerned with the political economic situation in Central America that the World Bank began to take a stronger interest in agricultural policy in the region and in developing land market policies in particular.

Given the influence of US development aid, counter-insurgency, and neoliberal economic policies, one might think that the World Bank would easily institute its vision of land market policies throughout the region. In fact, as the next section demonstrates, this process presented considerable challenges in the case of Guatemala.

RUTA: Building Neoliberal Networks, Performing Institutional Boundaries

The reason that the World Bank and the IDB [Inter-American Development Bank] got involved in this [created the Regional Unit for Technical Assistance in Agriculture (RUTA)] was exactly that we need projects to come from the countries. So what we do is we put some people down there in this RUTA and their job is to foment projects.... Not design projects, but get the conceptual idea for projects and to sell it in the country, and then [the country representatives] come to the Bank and say, 'Hey, we need this project' and [together we] get it into the pipeline and get it started.

Consultant for the Inter-American Development Bank
Interview, 2005

While the World Bank had a mandate and a vision for promoting neoliberal agricultural policies in Central America under the Reagan administration, getting projects started was a challenge. In part this was a generalized issue related to the state of land projects at the Bank in the 1970s and 1980s (See Chapter 2). According to a land expert currently employed by the Bank, during this period “the Bank stayed away from land issues [except for the work in Thailand] “not because they [the Bank] did not think [land issues] were important, but because [land issues] were difficult politically, and [because] there was not enough experience and expertise within the Bank, [nor] enough pressure within the Bank to do something about this” (Interview 2005). But the problem was not just with the Bank.

Guatemala was an especially difficult location to get agricultural projects financed during the 1980s. One reason for this relates to the Guatemalan civil war and that fact that access to land was one of the central demands of the revolutionaries. Consequently, any policy which sought to change the land distribution-- even market based policies promoted by the World Bank-- was rejected as subversive/appeasement by the ruling elites. Furthermore, during the 1970s, the Guatemalan government started being treated as a “pariah nation” by the international community including international financial organizations (though not by the US State department). This was because of massive human rights abuses and pervasive corruption attributed to the Guatemalan government during the period, e.g., fraudulent elections

orchestrated by the military government in 1974, 1978, and 1982 (Jonas 2000: 25). As a result, the Bank did not have close counterparts in the Guatemalan government who would have been familiar with the technocratic policies that the Bank was promoting.

As a strategy to promote agricultural policies in the region, the World Bank and other international financial organizations created an intermediary organization that would help connect Central American governments with donors: the Regional Unit for Technical Assistance in Agriculture (RUTA). This organization was crucial to the development of the Bank's land market policy in Guatemala. In this section, I examine how RUTA helped to create the institutional architecture from which the Bank's policy would emerge. Founded in San Jose, Costa Rica in 1980, RUTA was created as a regional project of the United Nations Development Program, but funded and executed by the World Bank. Operating like something between an NGO, a think-tank, and a Central American office of the World Bank, RUTA created and organized neoliberal policies and programs in the region. Specifically, RUTA promoted trade liberalization, privatization, decentralization, economic integration through regional trade agreements, and the reduction in tariffs and trade protection. RUTA supposedly represented the interests of a long list of institutional stakeholders, mostly bilateral and multilateral financial aid agencies.³² Between 1980 and 2000, RUTA contributed to the creation of loan projects worth over US\$ 750 million in Central America with a budget of only US\$ 15 million (Anonymous 2000). So successful was RUTA, in fact, that in 1998 the president of the World Bank made a personal visit to the project headquarters in Costa Rica.

While RUTA played an important role in creating the conditions of possibility for the Bank's land market policy in Guatemala, it was more than just a source of technical advice or international connections. I argue that the daily activities of RUTA employees, as well as its institutional structure, not only contributed to the proliferation of neoliberal economic policies but also helped the Bank and the Guatemalan government to define themselves in relation to each other. In other words, the everyday practices through which RUTA promoted agricultural policies helped to constitute the separation between the World Bank and the Guatemalan government. I emphasize this epistemological productivity because it would be a crucial

³² Over RUTA's lifetime it has been supported by a wide assortment of institutions including UNDP, IBRD, IFAD, IDB, IICA, Japanese government (PHRD funds), AID, Dutch and Norwegian trust funds, FAO, and DFID. (CAC et al. 1999: 14).

condition of possibility for subsequent work by the World Bank in Guatemala. As Mitchell emphasizes in his research on development policy in Egypt, the role of international organizations such as the World Bank is made possible by being framed as outside of- and at the same time expert in national development. This framing is part of what authorizes the Bank's expertise and influence in Guatemala and the Global South more generally (Mitchell 2002). By the 1980s, there is a sense in which this framing already more or less existed with regard to the relation between the Bank and the Guatemalan government. However, what this section shows, is that the relation between these institutions was further consolidated and elaborated by the interactions of technicians from RUTA/World Bank and the Guatemalan government.

What precisely were the kinds of techniques and practices through which this process of institutional formation occurred? First, RUTA represented itself to government officials as an autonomous technical institution. RUTA consultants worked under the banner of the United Nations and in meetings between government officials and RUTA technicians, the officials got advice on how to approach the Bank, how to write proposals to the Bank, and generally how to "modernize" agricultural trade policy according to the neoliberal vision of the Bank. The constitution of the difference between these institutions was ironically further elaborated as RUTA became more and more integrated into the day-day operations of the Guatemalan government. While during the early 1980s RUTA consultants operated "on an ad hoc basis" from their home base in Costa Rica, beginning in 1989 the leaders of RUTA established satellite offices within agricultural ministries throughout Central America including Guatemala (Anonymous 1996, Annex 3: 1-2). From these offices, known as RUTA's National Technical Units, RUTA employees had easy access to the highest ranking government officials in the Central American agricultural sector. Within the ministries, RUTA consultants were well-positioned to lobby officials, assist in the preparation of proposals, and write position papers. RUTA consultants also held workshops where they trained thousands of government officials how to construct and respond to new agricultural trade regulations being promoted by the international financial organizations. My point is that whatever else these interactions did, they also constituted a separation between the Bank and the Guatemalan government. After all, the job of RUTA officials was to train the government employees about the nature and behavior of the World Bank first from the outside of government and then from within the Agricultural ministries.

While the process was calculated to some extent-- as illustrated by the quote at the beginning of this section-- it also took on a life of its own as the officials and consultants became accustomed to their roles and to the identities of their organizations. RUTA's capacity to provide technical advice about the World Bank was made possible because RUTA was basically an extension of the Bank. The leaders of RUTA were high-level employees of the World Bank which meant that they had extensive resources and decision-making power. According to one internal report, consultants carried out their work with "very limited input from agency representatives, government officials, and farmer representatives... civil society and private sector (CAC et al. 1999: 12-14).³³

Given that the exchanges between RUTA and government technicians did produce this taken for granted separation between that Bank and the government, why should this matter to the production of the Bank's land market policy? Following Mitchell (2002) and Escobar (1995), I argue that the production of a taken for granted separation between development organizations and their objects-- developing countries -- is critical to authorizing the power of development organizations. As Mitchell notes, "international development has a special need to overlook... internal involvement in the places and problems it analyzes, and present itself instead as an external intelligence that stands outside the objects it describes" (2002: 211). RUTA, I argue, played a critical role in establishing that Bank as an "external intelligence" that would objectively treat the ills of Guatemala through development programs and policies. This framing of the Bank in relation to Guatemala helped to produce the authority of the Bank to recommend the land market policy first as a solution to the agrarian conflict of the civil war (see end of this chapter) and later as an anecdote to rural poverty (See Chapters 5 and 6).

In combination with Reagan's "trade not aid" approach and the structural adjustment programs of the international financial organizations, RUTA contributed to the rapid transformation of the institutional architecture of the agricultural sector in Central America. As I have explained, the importance of RUTA was that it contributed to the neoliberalization of the agricultural sector at the same time that it helped to constitute the institutional relations between the World Bank and the Guatemalan government. The relation, I have suggested, is basic to

³³ Although this quote comes from an evaluation of a later phase of RUTA, my sense is that RUTA has become *increasingly* democratic and participatory since its inception.

authorizing international financial organizations such as the World Bank to intervene in national policy processes.

In my description I have emphasized the work of technicians as a driving force in the constitution of institutional identities. While technicians have played an important role, it is important not to lose sight of state-repression as a process which over-determined the effects of the policy work. Because the Guatemalan government refused to tolerate even minimal dissent especially during the 1980s and even during the early 1990s, there was little possibility that civil society organizations or that left-leaning politician would resist neoliberal policies. In any case, the policies were developed by technicians outside of any sort of democratic process that might have included elected officials or stakeholders. I emphasize the role of state-violence in relation to neoliberal policies because, as Klein has pointed out (2007: 116-130), these two processes are often examined separately as if they had nothing to do with each other. I think that Robinson is correct to suggest that in Guatemala the army's counter-insurgency program "was not an anomaly to the transnational [economic] project but a necessary first step in the development of that project" (2003: 105; see also Schirmer 1998). Nevertheless, one must recognize that state violence in Guatemala had its own antecedents and was over-determined by other processes inherent in the development of the Guatemalan colonial and postcolonial state (Grandin 2000).

The Problematization of Land Tenure: Territory, Subjects and Institutions of Lack

By the early 1990s, the combined efforts of Central American governments, development organizations, financial institutions, and counter-insurgency campaigns had produced an institutional architecture amenable to neoliberal policies. This was certainly the case within the agricultural sector thanks in part to the work of RUTA. By 1993 RUTA technicians had helped to produce a consensus among government leaders in Central America that sustainable agricultural development would depend on "security of tenure for agricultural lands" (FAO et al. 1996: 1). However, no policies were yet in place which would produce state-sanctioned private property rights, which is what government leaders understood "secure land tenure" to mean. In this section, I examine how technicians from the World Bank, RUTA, and the Guatemalan government collaborated in a first attempt to institute policies that would transform land tenure in Guatemala. As in the previous section, here I also am interested in how this process helps to constitute the World Bank and the Guatemalan state. Here, however, my emphasis is on how

efforts to promote the Bank's land market policy constitute Guatemalan subjects, territories and institutions as lacking, specifically, as in need of a land policy of the sort developed by the World Bank. My approach here draws from Ferguson's insight that development organizations operate in part by transforming the "...ills and ailments of country... into simple, technical problems" amenable to the "apolitical, technical, 'development' intervention which development agencies are in the business of making" (Ferguson 1990 [1994]: 87).

In the early 1990s, World Bank consultants—like the leaders of other international development organizations—were well aware that Central American governments could soon become clients for agricultural loans. However, they also recognized that this would not happen automatically. The Bank sent high-ranking employees to Central America to encourage governments there to make loan proposals. RUTA was a key player organizing this process and facilitating contacts between consultants from Washington and government officials (Cabrera 2005). It was in this context that Elizabeth Katz became the task team leader of a Bank sponsored effort to get the Guatemalan government to apply for a loan to finance a land market project. Formally, Katz' job was to evaluate a proposal written by Guatemala's Ministry of Agriculture and decide whether it would merit funding. However, in practice the development of any World Bank loan and especially the preparation of a completely new project involved substantial lobbying and the collection of information on which a project proposal can be written (World Bank land expert, interview 2005). Katz would attempt to simultaneously create a network of allies who would support the project and to solidify the conceptual basis for the project within the Guatemalan government.

Because there was not yet a strong constituency in the Guatemalan government to back the Bank's land policy, Katz began organizing more studies and training sessions aimed at government officials. As she began this work, Katz' key contact was a Guatemalan economist named Carlos Cabrera. After hearing of the Bank's land market policy from a World Bank consultant the year before, Cabrera was eager to work with Katz to promote it. And, he was well positioned to do so. Cabrera had excellent contacts in the Guatemalan Ministry of Agriculture where he had conducted research for his *licenciatura* thesis in the 1980s.³⁴ As well, Cabrera had contacts at the World Bank because he had been employed by the Costa Rica office of RUTA

³⁴ *Licenciatura* thesis is the final requirement for an undergraduate Latin American university degree roughly equal to a the combination of a North American undergraduate degree and Master's degree.

and then hired as the director of RUTA-Guatemala. In her first attempt to promote the Bank's policy, Katz funded a study of the Guatemalan National Land Registry. Established during the national liberal reforms of the 1870s, the Registry is the oldest Guatemalan agrarian institution. The purpose of the Registry is to provide a list of all Guatemalan property owners and to record all property transactions. In other words, the Registry is the national institution that is supposed to regulate the land market. Katz and Cabrera hoped that a strong critique of the Registry produced from within the government would make a strong foundation from which to promote the Bank's alternative policy. However, the analysis was never completed. The person who was supposed to write it –the director of the National Commission for the Reform of the Land Registry-- was dismissed from his position after 6 months. He was replaced by an official less interested in a substantive reform of the Registry and Katz's initiative collapsed (Cabrera interview 2005).

After the failure with the National Commission for the Reform of the Land Registry, Katz and Cabrera needed a new approach. They redoubled their efforts with the support of the World Bank. In 1994, Cabrera left his position at RUTA to direct a small Bank-financed think tank focused exclusively on developing the loan proposal. While he held this position, Cabrera received a call from the former director of the National Commission. The two colleagues discussed promoting the Bank's policy from the expanding national social welfare institutions emerging in relation to the Guatemalan peace process. Although no Peace Agreements had been signed, much less implemented, in the early 1990s, the government was nevertheless carrying out development projects to show its good intentions, especially in rural areas. The two men noted that many of these projects were being implemented on land that lacked state-sanctioned property rights. They, along with Katz, recognized that a proposal to the World Bank for a land market loan could be justified based on a tenure security argument. In other words, without improved tenure security, development projects crucial for the success of the peace process could fail. Furthermore, they also recognized that this issue would become only more important over time since more and more rural development projects would be carried out as the Guatemalan Civil War came to a close and the Peace Agreements started being implemented. Here was the new angle for which Cabrera and Katz had been searching: improved land tenure security was a necessary prerequisite for the success of the Guatemalan Peace Process. The two consultants

began developing a network of contacts in the “Peace Sector” who helped them to promote the Bank policy using this discourse.

At the same time as they were developing strong contacts within the government, Katz and Cabrera began to commission technical reports to strengthen their position. In 1994 alone at least ten different studies were produced critiquing Guatemalan land institutions and agrarian legislation (Anonymous 1996). Cabrera used his contacts in RUTA and the Agricultural Ministry to recruit the authors of these reports which were mostly published through RUTA (Anonymous 1996: Annex 3, 1-2). The authors conducted legal studies of the land register, of the cadastre (to the extent that it existed at the time), land titling procedures in Petén, and the legislation governing individual, communal and municipal property (Anonymous 1996: Annex 3). Typical of neoliberal agricultural reports coming out of RUTA at the time, they were framed in the language of modernization. The reports argued that through modernization Guatemalan agrarian institutions could become more efficient and better facilitate the production and the protection of legal tenure security for rural development projects and for individuals. One of the key reports was written by a lawyer named Roberto Morales and entitled, *Analysis of Guatemalan Agrarian Legislation in the Context of the Modernization of the Registry and Cadastre* (1994). It is important to note that Guatemalan agrarian institutions were—and continue to be-- notoriously inefficient and corrupt. The Land Registry in particular is well known to contain numerous irregularities, forgeries, etc. To give some indication, a glossy publication of the National Registry produced in 1999 was subtitled, “118 years of obsolescence, four years of modernization.” However, my point is not that an institutional reform was necessary nor that these reports were on target. Rather, I contend that by constituting Guatemalan agrarian institutions as lacking, the reports helped to open a space for the kind of technical interventions that the World Bank's land market policy would make possible.

At the same time that the critiques were being written about the national agrarian institutions, Katz commissioned a series of studies to look at the feasibility of a land market project in Petén, Guatemala. As is typical of reports written to facilitate development projects, these studies were styled as objective descriptions of the conditions on the ground, in this case, of the institutions, territory, and landowners of Petén. Funded by the World Bank, these studies frame issues of development, resource management, and poverty in Petén and in Guatemala in terms of (the lack of) land tenure security. The studies begin with the assumption that land tenure insecurity is the

basis for the social, environmental, and economic problems in Petén. For example, according to one of the studies (Robles 1994)

The specific hypothesis to be tested in this report is: An important cause for the mismanagement of natural resources [in northern Guatemala] is the precarious land tenure and/or insecure land title that small farmers experience when they migrate from other regions of Guatemala and settle there, looking for access to land. This has provoked inappropriate use of natural resources because with uncertainty, settlers are not willing to invest in the appropriate exploitation of natural resources and/or the proper technologies.

This "hypothesis" reads like a conclusion or a position statement rather than a hypothesis to be tested. Although one might argue that this focus on tenure insecurity diverts the analysis from other important issues, here I want to focus on what it accomplishes. Specifically, it renders technical a wide range of social relationships traditionally interpreted in a historical/political economic mode. So, for example, most analyses of the agrarian history of Guatemala, and of Petén, agree that peasants have over many years been violently dispossessed by elites. These analyses have led to struggles over policies that would determine land ownership patterns. By focusing instead on land tenure security, in other words on the quality of property rights of existing landowners, the question of appropriate land distribution is framed out. In the framing produced by these technical reports, the question of how to achieve development turns on whether or not existing property rights are secure enough.³⁵ Since the World Bank is in the business of providing secure private property rights through its land market policy, the framing of these technical reports further authorizes its position.

Another way in which the studies create the conditions for the Bank's policy relates to the way that Guatemalan territory and its inhabitants are characterized. In the studies, Petén is portrayed as a frontier region in a state of quasi-chaos, a space of near total tenure insecurity. In an article written by Elizabeth Katz based on the reports, she claims that "the migratory nature of the population, itself a function of ecological conditions and insecure land tenure arrangements, has largely prevented the formation of the sort of social capital necessary to stabilize natural

³⁵ One of the authors, evidently well aware that the reports might be used to justify a land market project, warns that improved land tenure is no guarantee of development (Kaimowitz 1995). This author notes that "it is true that large landholders will probably only move to more intensive production systems (considered desirable because they would reduce deforestation) if they have secure property rights -- but this condition, while necessary, is far from sufficient" (1995:27). What is notable here is that while Kaimowitz is warning the reader of the dangers of the Bank's policy, his argument remains within the technical frame of tenure security.

resource exploitation in both private and common property situations" (2000: 75). She goes on to argue that "the ethnic and socioeconomic heterogeneity of the migrant smallholders, in combination with the itinerant nature of their settlement, and their lack of familiarity with their ecological surroundings, provides a weak foundation for the construction of social capital" (2000:76). Without getting into the issue of social capital, it is clear that the Petén is being depicted as desperately in need of some form of territorial organization. And, in fact, this is just the point that Katz makes in the article. "Where resources to regularize land tenure... are scarce, it makes sense to prioritize areas with weak social capital stocks... [so] for example [the benefits] of a land titling campaign would be higher in Petén" than in parts of Guatemala where social capital is greater. Again, my point is not to evaluate whether or not these assertions accurately describe the subjects, territories and institutions of Petén. My point here is simply that by focusing on tenure security as the constraint on development, Petén and its population are constituted in particular ways and as needing precisely the sort of intervention that the Bank is in the business of providing.

As land tenure reports continued to be written in the fall of 1994, Katz, Cabrera, and other members of their team met with the National Commission for the Reform of the Land Registry. By the time of the meeting, a network of consultants and government officials had been promoting the Bank policy in the Agricultural Ministry and in other government agencies, and the studies of Guatemalan agrarian institutions had been circulating. Nevertheless, the National Commission decided not to sponsor a proposal to the World Bank to finance a land market policy. There were undoubtedly diverse reasons why the project failed to prosper including rivalries within the government over who would have responsibility for reforming the land sector. However, the most important obstacle was related to the ongoing war. While most fighting had ceased by 1994, the government, which at the time was strongly influenced by the military, still made no concessions with regard to land, the central issue of the conflict. Had the executive allowed the project to go through, as conservative as it might have been, it would have appeared to be a concession to the guerrillas. This was a period when the Guatemalan military were sparring with human rights activists (Harbury 1997; Jonas 2000), and showed no sign of wanting to make minor concessions much less sign on to a new agrarian policy. The following quote, taken from a letter sent by the US ambassador to the United States State Department, provides an indication of just how tense the atmosphere was in Guatemala during the early

1990s. In December 1993, the US Ambassador wrote, "I am concerned over the potential decline in our relationship with the (Guatemalan) military.... The bottom line is that we must carefully consider each of our actions towards the Guatemalan military, not only for how it plays in Washington but for how it impacts here" (State Department 1993). If the US Embassy, an institution that has historically wielded massive power in Guatemala, was treading so carefully in December 1993, a handful of World Bank consultants and Guatemalan technicians had little hope of advancing a new agrarian policy less than one year later. After this setback, work on the World Bank's land market policy slowed. Cabrera moved on to work for the InterAmerican Development Bank and Katz took a job in academia in the United States. Although Cabrera and Katz ultimately failed to install the World Bank's land policy as a part of Guatemalan national policy, their work nevertheless created the conditions for its later success by constituting Guatemalan institutions, territories, and subjects as lacking. As well, their work expanded a network of elite technicians in the Guatemalan government and helped popularize the World Bank's land policy vision.

The Guatemalan Peace Agreements as a Trojan Horse

Less than two years after Katz and Cabrera abandoned their collaborative work, a new opportunity emerged to promote the World Bank's land policy in Guatemala: the Guatemalan Peace Agreements. By January 1996, there was tremendous pressure to finally end Guatemala's 36-year civil war between the national government and a revolutionary umbrella group known as the Guatemalan National Revolutionary Unity (URNG). International organizations and foreign governments were offering almost \$2 billion to the Guatemalan government conditional on the signing of comprehensive peace agreements. There was also a popular mandate, in the sense that the newly elected civilian president, Alvaro Arzu, had campaigned as the "Peace President," and had defeated the candidate of a party closely linked to the army, which had shown little inclination to negotiate with the URNG (Jonas 2000: 50-51). As well, Arzu had the support of a new and dynamic faction of the business sector, which viewed the end of the war as a necessary precondition for economic growth (Robinson 2003: 113). Finally, in March 1996, the URNG itself showed its commitment to the peace process by "calling an open-ended halt to offensive armed actions," and the government followed suit by "halting offensive counterinsurgency operations" (Jonas 2000: 51). In spite of the widespread support for ending the war, creating the

conditions under which Peace Agreements would be signed was a challenge. And no small part of that challenge related to the national agrarian situation.

Government officials agreed that resolving the socioeconomic issues that sparked the war “was a make-or-break affair for the entire Guatemalan peace process” (Spence et al. 1998: 46). The land issue was especially important because the inequitable distribution of land in Guatemala was one of the root causes of the war. As I discuss in Chapter 3, the war began because reformist military officials and others were disgusted that elites, US business interests, and the CIA teamed up to reverse an agrarian reform carried out by democratically elected President Jacob Arbenz (Taracena Arriola 2004). Furthermore, since colonial times, increasing numbers of Guatemalan peasants, many of them indigenous, had been dispossessed or pushed onto such small land holdings that they must work for starvation wages on agro-export plantations producing commodities such as sugar, coffee, bananas, etc. Revolutionary forces were able to find raise armies and find allies in large part because of widespread discontent about the national land distribution. In addition, many of those who fled rather than fight during the war chose destinations like Petén where they hoped to find land. For these reasons among others, negotiation over land had to be a contentious point of negotiation between the URNG and the Guatemalan government. Given the importance of land in the conflict and the many parties interested in obtaining a negotiated settlement, there was a demand for a coherent agrarian policy proposal. This was a situation tailor made for the advocates of the World Bank’s land market policy.

Bank representatives could afford to be hopeful that the Arzu administration would support the Bank’s vision for land market development because there was considerable overlap in the views of government officials and Bank consultants with regard to socioeconomic policy generally and agrarian policy in particular. A high level official under [President] Arzu stated that “what Arzu promised during his campaign... was first and foremost [to create] a plan for peace... And there was not going to be any competition between the resources for peace and the economic development, because they were one and the same thing” (Ricardo Stein in Rojas 2006: 102). Clearly the new president spoke the language of the World Bank. And to be sure, this was no coincidence. Rather, the affinity between the Arzu administration and the World Bank should be seen as an accomplishment of the multilateral financial institutions, the United States- and other foreign governments, the new business sector that had organized around Arzu

and his political party, as well as other organizations promoting the neoliberal agenda in Central America in the early 1990s (Robinson 2003). Carlos Cabrera himself, who was viewed as a representative of this new business elite, held an influential position in the president's team of strategists.

Because of the friendly relations between the Bank and the Arzu administration, the Bank was able to participate actively in the peace negotiations by forming and funding technical support organizations. Foremost of these was the Bank's permanent position at the peace talks with the URNG and the government in Mexico City. The Bank also maintained a country economist who advised the negotiating teams on fiscal targets and macro-economic indicators (Shaw Interview 2005). This position was important since these targets and indicators were ultimately woven right into the Guatemalan peace agreements (Rojas 2006: 169). This economist also played another key role, which involved inviting experts to make presentations and suggest policies to the negotiating teams. Finally, the Bank facilitated dialogue between the Guatemalan government and financial/donor organizations by funding a Presidential Commission for International Cooperation directed by Richard Aitkenhead, one of the four government negotiators who signed the Socioeconomic Agreement in which the Bank's land market policies were ultimately included. While the Bank participated in other ways, the interventions mentioned above were of special relevance for the promotion of the Bank's land market policy.

The extensive participation of the Bank in the negotiation of the Peace Agreements invites a question. How is it possible that an international financial institution would be invited to play such an active role in such a quintessentially national and nationalist process? Examining the discursive strategies which positioned the Bank as an appropriate participant in the Peace process helps to explain the Bank's success in promoting its land market policy. First, the large role of the Bank in the negotiations was justified in relation to the El Salvador peace agreements, concluded in January of 1992. Implementation of these agreements was hampered by contradictions between the "UN-brokered peace agenda negotiated between the government and the FMLN [Farabundo Marti National Liberation Front] and the neoliberal economic agenda negotiated between the government and the International Financial Organizations" (Jonas 2000: 167). To avoid this problem in the Guatemalan case, the World Bank—along with other multi-lateral financial organizations—were invited to the negotiating table. Given that the Bank was to

fund important components of the Peace Agreements, Bank consultants had considerable leverage during the negotiations. Cora Shaw (Interview 2005), a Bank consultant who played a key role in promoting the Bank's land market policy, had this to say about Bank participation in the negotiations:

When you agree on something, you need to know... how realistic it is, what the other party is asking you, who is going to finance it and if it is financeable. I mean you do need some technical advice [to know if] the agreement would actually be implementable.

Carlos Cabrera, who worked closely with Shaw, agreed. "One of the central axes of the negotiation," he observed, "was [that] we don't commit to what we can't finance" (Interview 2005). In effect, technicians working for the Bank had the authority to decide on the limits of the project to imagine a new post-war Guatemala. Although of course, there were other institutions and processes that set limits, the pragmatic tenor of the above statements effaces the power of the Bank's position.

A second and related issue that authorizes the Bank's influence over this ostensibly national project relates to the years of structural adjustment and the work of organizations like RUTA in Central America. This history had helped to normalize the work of technicians as an expected aspect of government. Instead of walling off the process from "outside influence" to somehow maintain the national purity of the Peace Accords, technicians were expected to participate. As one government negotiator (Rojas 2006: 169): on the Socioeconomic Agreement commented :

[The negotiations contained] difficult periods, very lengthy, and here is where the input from the international community, in terms of technical assistance... [was so important]. Many technocrats came to the table, very experienced documented individuals, no one with an ideological position, but really presenting the technical aspects. Hence, that year the Socioeconomic and Agrarian Situation [agreement] was signed.

The quote illustrates that, at least from some sectors of the government, technicians were imagined as neutral parties who played a crucial and welcome role. And, at this stage, World Bank consultants did play an important role in installing the Bank's land market policy into the Peace Agreements.

Having just authored the Bank loan that would finance El Salvador's post-conflict land policy (World Bank 1996), Shaw arrived in Guatemala determined to repeat her recent success. Like Gershon Feder, the father of the World Bank land policy, Shaw lacked specialized academic

training in agrarian issues. She became familiar with the Bank's land policy as a young consultant while working on agrarian loans in Bolivia and El Salvador during the late 1980s and early 1990s. According to Guatemalan and U.S. consultants who worked with Shaw, she was a brilliant organizer and administrator. She worked closely not only with politicians and technicians in Guatemala but with the top World Bank land experts as she lobbied for- and eventually helped to design Guatemala's land market policy (See Chapter 2).

In the midst of the Guatemalan inaugural celebrations, Shaw teamed up with Carlos Cabrera as Katz had done almost 2 years before. Like Katz, Shaw had a mandate from the Bank to get a land project financed in Guatemala. As the Bank's new Task Team Leader, Shaw's formal responsibility was to provide technical support to government officials as they developed a loan proposal for an agrarian project. While Katz played an active role in the early stages of loan development, Shaw's advocacy work stretched the outermost bounds of what might count as technical support. According to Cabrera (2005), as soon as she arrived in Guatemala, Shaw met with the president's inner circle and "spoke of reviving the theme of cadastre... working tenaciously with the people in the government." Shaw met regularly with administration officials in charge of social welfare programs and with the government's negotiating team for the Peace Accords. With more than a little nostalgia Cabrera (Interview 2005) described his experience on Shaw's team:

Whatever doubt we had, [Shaw] would move [he makes a whistling sound] and resolve it. She created the conditions for things to be resolved. We went to Washington. And she put before us the best people at the Bank in a forum. They were other times man. Yes, many good things were happening... in 1996.

Cabrera simultaneously expresses admiration for Shaw's skill and energy and at the same time emphasizes the particularity of the moment in which all of this took place. Shaw's principle accomplishment," Cabrera felt, was "that she revived something dead [*revivio un muerto*]." And by this he meant, the proposal for the World Bank's land policy that he and Katz had been promoting.

After several months of coalition building and lobbying, Shaw and Cabrera presented the World Bank's land market policy at the Guatemalan peace talks. The World Bank's country economist in Guatemala was the person who facilitated their presence at the negotiating table so

they could provide technical advice to the government and to URNG. Shaw described how she and Cabrera “went to Mexico and made a presentation, and then with Jean Arnault [the United Nations moderator], we exchanged some texts.” The ideas from these texts, Shaw explained, “were put into the Accords” (2005 interview). A colleague of Shaw’s at the World Bank, who worked with her on the land project in Guatemala and later as the task team leader, commented that because of the work of Shaw and Cabrera “it is amazing how precise and how technical it [Bank land market policy] is described” in the Accords, and that is why, he felt, that the Peace Accords contain “a vision [for land policy]... for the next twenty years [in Guatemala] (Interview 2005).

Indeed, the Accords contain wording that would form the basis for the two styles of land policy loans that the World Bank was financing in the mid-1990s when the Peace Agreements were signed. The first was what I have been calling land market policy and is sometimes called Land Administration. As I explain in Chapter 2, this policy is supposed to generate increased economic productivity and prosperity by improving private tenure security (through land surveys), distributing state-sanctioned property rights (titles), and making credit available to land owners. In the context of post-war Guatemala, the policy was supposed to help resolve land conflicts, facilitate a more efficient land market, and provide incentives for increased agricultural production. Table 1 quotes paragraph 37 and 38 of the Socioeconomic Accord which correspond to these objectives. These paragraphs and the policies they promote were supposed to form a part of a larger project to create sustainable development in a more just and democratic nation (See Chapter 5). The second land policy, which is signalled in paragraph 34 of the Socioeconomic Accord, is one I have not discussed before (See Table 1). In brief, it mandates the government to create a special fund which would supply credit to groups of landowners who wish to purchase farmland but lack the money to do so. This program was developed in the 1990s by the World Bank and is known as a Land Fund. (In Chapter 5, I discuss both policies in greater depth.)

In the context of the entire Peace Accords, the three paragraphs I have highlighted may seem trivial, especially given that the Accords cover practically every social issue under the sun from democratization to taxation to housing to education and health. However, these three paragraphs are substantially more precise and more concrete than the famously vague pledges associated with many of the other topics covered in the Socioeconomic Accord. In fact, and I will be

describing this in much greater detail in Chapter 5 and 6, these paragraphs and a few others set the parameters for Guatemala's current agrarian institutional structure.

By 2005, the language in the Peace Accords on land market policy had helped to generate almost US\$ 100 million in loans from the World Bank and more from the Guatemalan government and other international organizations. Furthermore, a second phase of the land market policy was initiated in 2006 with over US\$ 40 million in financing from the World Bank and another US\$ 20 million from other sources (World Bank 2006). Although the Guatemalan Congress passed laws providing state-sanction for these projects in 2005, for many years the mandate for an important component of Guatemala's agrarian policy was the section of the Socioeconomic Accord which Shaw and Cabrera presented at the Peace Negotiations in Mexico.

In retrospect, one must wonder why the representatives of the URNG allowed the World Bank consultants to play such an influential role, especially in relation to the land issue. It is beyond the scope of this text to examine all the reasons that the left accepted the Bank's land market policy, but I can describe some of the main issues. Although the URNG had fought for a conventional redistributive land reform, Guatemalan business elites who maintained close ties to the government would not have permitted it (Jonas 2000). Ultimately, the URNG had to accept the government's proposal with respect to land because they were so much weaker than the government militarily. In addition, during the peace negotiations, which went on for 10 years without cease-fire, the URNG and its civilian base suffered terrible losses. As well, by the time the Socioeconomic Accord was being negotiated, the leaders of the URNG had only a weak mandate from the rank and file.³⁶ Nevertheless, there was opposition to the World Bank/government policy from some members of the URNG, who were unsatisfied by the "excessive role given to the market as a strategy to provide land access [in the Peace Accords]" (Rojas 2006: 169; Hernandez 2000: 15). Instead they wanted language on the social function of land, language which had been approved during negotiations with the previous administration and then dropped (Rojas 2006: 168). On the other hand, those from the URNG who favored the World Bank approach thought that it would eventually bring the chance to lobby for reforms either via fiscal policies or redistribution (Hernandez Alarcon 1998: 55). Differences within the

³⁶ In contrast, because the rebels in El Salvador negotiated from a stronger position, the 1992 Peace Accords in that country committed the government to distribute 166,000 hectares to 47,500 ex-combatants and squatters (World Bank 1996: 4).

URNG eventually led to increased divisions within the Guatemalan left after the signing of the Peace Agreements. That said, even during the war, the left was not a unified force. The URNG was composed of four armed groups, with distinct (though similar) ideologies and leadership.³⁷

Conclusion

Almost a decade after she participated in the Guatemalan peace negotiations, I interviewed Shaw in the cafeteria of the main building of the World Bank. Although her successes in Guatemala, El Salvador and elsewhere had propelled her to higher-level administrative responsibilities at the Bank, Shaw still remembered the details of the negotiations down to the middle names of officials and consultants with whom she had worked. In spite of her successes however, Shaw recognized that her work had only been possible because of larger social processes. "Peace," she remarked, "created the space for this; peace created the demand... [and] it had been brewing for a long time." (Shaw interview 2005).

In a sense, I agree with Shaw. The possibility of inserting a blueprint for the World Bank land policy into the Guatemalan Peace Agreements was something that had been brewing for a long time. And that possibility was realized because of the conditions of the peace. The genocidal counter-insurgency of the Guatemalan military project (Schirmer 1998) and the elite networks formed by Bank consultants and government officials created the institutional architecture from which the first policy proposals emerged in the early 1990s. RUTA played a crucial role in solidifying the relations and the boundaries of the World Bank and the Guatemalan government. Building on these relations, an ambitious but ultimately unsuccessful attempt to design a policy for Petén nevertheless contributed to producing Guatemalan subjects and territories as appropriate recipients for the policy. It also contributed to the proliferation of experts in the Guatemalan government who would be receptive to the policy in the future. Finally, the outcome of these processes and others produced a relation between the Guatemalan government and the World Bank which made it only natural that Shaw and Cabrera should participate so actively in the peace negotiations. In a country where land has been at the center of political conflict for centuries, the story of the World Bank's involvement in Guatemalan

³⁷ Ultimately, this chapter tells the story of the development of land market policy from the perspective of the Bank and the government. There is another story waiting to be told about the process from the URNG perspective.

agrarian policy is not a hopeful one. Once again, elites have played a leading role in the definition of the contours and mechanisms that will determine the distribution and use of land.

Table 1: World Bank Policy and Commitments of the Socioeconomic Accord

World Bank Land Policy	Text from Socioeconomic Accord
Secure property rights through titles and modern land institutions	<p>Promote a legal reform which will establish a juridical framework governing landownership that is secure, simple and accessible to the entire population. This reform will need to simplify the procedures for awarding title and registering ownership and other real estate rights...</p> <p>III. E. 37. a.</p> <p>Likewise, the government undertakes to initiate, by January 1997 at the latest, the process of land surveying and systematizing the land register information, starting with pilot zones.</p> <p>III.G.38</p>
Well functioning land markets including credit availability	<p>Promote, through all means possible, the development of a dynamic land market that would enable tenant farmers who either do not have land or have insufficient land to acquire land through long-term transactions at commercial or favorable interest rates with little or no down payment.</p> <p>Section III. 34. e</p> <p>Establish a land trust fund within a broad-based banking institution to provide credit and to promote savings... The land trust fund will have prime responsibility for the acquisition of land through government funding, will promote the establishment of a transparent land market and will facilitate the updating of land development plans.</p> <p>Section III. B. 34. a</p>

Chapter 5: Mandates, Templates and Techno-politics: Land Market Institutions in the Making

Introduction

Although rendering contentious issues technical is a routine practice for experts, I insist that the operation should be seen as a project, not a secure accomplishment.

Tania Murray Li 2007: 10

After the signing of the Peace Accords in 1996, Guatemala became the site of a World Bank financed land market policy. To prepare this market, new agrarian institutions and policies were formed and began operating in Guatemala City and in Petén. These institutions and policies were created through the work of government officials, World Bank consultants, the employees of Guatemalan- and international firms, and even by members of the Catholic Church. Strikingly, nearly all aspects of the policy were carried out according to a single general strategy. Over and over, this heterogeneous group of “policy makers” sought to convert potentially contentious or political processes into technical operations. This chapter and the following one describe this process.

This chapter asks precisely how the work of policy making and institution building was constituted as technical. Furthermore, this chapter explores how this process both succeeded and failed and the implications of these results for the policy, for landowners, and for others. The approach I have adopted is inspired by Tania Li’s observation above. Li is correct, I believe, that all efforts to “render contentious issues technical” must be conceptualized as political and as vulnerable to being overturned or transformed by other political processes (2007: 10).

This chapter is divided into three sections. In the first, I describe the birth of the new Guatemalan agrarian policy through the selective interpretation of the Guatemalan Peace Accords. I explain how Guatemalan government officials highlight the narrow, technical mandates of the Peace Accords—the survey of property rights in particular—to postpone or evade proposals for more radical agrarian change proposed by Guatemalan civil society and by the World Bank.

In the second section, I examine how pre-existing institutional architectures—which I call templates-- accelerated the work of land policy in Guatemala. I focus specifically on how the design of the largest new Guatemalan agrarian institution was copied from a World Bank-sponsored quasi-NGO known as the Regional Unit for Technical Assistance in Agriculture (See Chapter 3). I also examine how a boiler plate loan agreement form, known as a Project Appraisal Document (PAD), was used to format the policy work in Guatemala according to procedural norms of the World Bank.

Finally, the third section describes the formation of an institutional structure designed to create private property rights to land in Petén. At the center of this structure was a Spanish engineering firm that was commissioned by the Guatemalan government to create land titles (state sanctioned property rights) and a cadastral map. This section examines the political processes through which this firm was installed and then how other organizations were tasked with monitoring its activities.

To document institutional processes that are my focus in each of the three sections, I draw largely from interviews and government documents. In addition, I rely on my own observations during 2004 and 2005 when I accompanied technicians working for the Guatemalan government and various new agrarian institutions that operated in Petén and Guatemala City.

Contested Mandates: Land in the Guatemalan Peace Agreements

In the last chapter, I wrote about the influence of Guatemalan- and World Bank technicians on the agrarian section of the Socioeconomic Agreement (The Agreement on Social and Economic Aspects and Agrarian Situation). Specifically, I showed how a blueprint for the World Bank's land policy was inserted into this Agreement. While this moment certainly had important implications, the blueprint was not the only mandate for agrarian change within the Accords. Within the Peace Accords, the Guatemalan government had also committed to develop an “integrated strategy of rural development,” to respect the legitimacy of communal land tenure arrangements, provide access for peasants and small farmers to credit for land purchases, and make available technical assistance and marketing. In addition, the government had agreed to “define compensation formulas for peasants dispossessed arbitrarily of their lands, and to restore lands usurped from individuals, communities, municipalities,” as well as to implement a property

tax to help finance these plans (Spence et al. 1998: 52; See also Jonas 2000: 73-81). Government officials sought ways to evade certain commitments and to invest in others. After his success promoting the Bank's policy vision during the peace negotiations, Carlos Cabrera would continue to be a leading figure defining the government's position in relation to land. In this section I describe how Cabrera used a narrow interpretation of the Peace Accords to promote limited forms of agrarian change for the country and to oppose proposals by the World Bank and Guatemalan civil society.

The Guatemalan national vision was based on a narrow interpretation of the Socioeconomic Agreement. Instead of embracing the wide ranging promises within the Agreement, the government focused on the creation of a national survey or cadastre as the key to attaining sustainable development. The essence of the government position can be summarized in a phrase, attributed to Cabrera and chiseled in a stone monument in front of what is today the largest government land agency: "Guatemala is not poor, but rather, a badly organized country... Therefore we must take the cadastre as an inventory of opportunities." In essence, the government was taking the position that cadastre -- the mapping of all claims to land -- would allow planners and others to sort out the disorganization from which the country suffers and to create a new and prosperous nation. Typical of technocratic positions, it dismisses centuries of social conflict in terms of "a badly organized society" and suggests that Guatemala can be put right through expertise, specifically by mapping the countryside (Centeno and Silva 1998).

While the government was involved an array of other agrarian projects after the war, from negotiating with *campesino* organizations, resettling refugees, and establishing land trust funds, these projects would suffer from a perennial lack of funding and commitment. The Guatemalan government placed its greatest emphasis and concentrated its resources in the national cadastre, an exemplary "technical" program in the sense that it proposed to solve the national agrarian situation through measurement.

The technocratic national agrarian vision provided a strong position from which to counter other interpretations of the agrarian mandate of the Peace Accords, including the World Bank's land market model. In a report entitled, "Agrarian Policy and Rural Development in Guatemala: Visions for a State Agenda," Cabrera explained (2002: 27, emphasis added) that the

Cadastral is much more than a mere tool for development. The Cadastral is the activity that can technically verify the true circumstances of Guatemalan agrarian reality.... *reality cannot and must not be changed without first being well-versed in it.*³⁸

In other words, the proposal to map the country was also a proposal to postpone other development interventions on the grounds that the "Guatemalan agrarian reality" must first be known before any interventions can be made. The report in which this quote appears was presented at a World Bank sponsored conference in Mexico as a part of the stakeholder analysis for the Bank's most recent and most comprehensive land policy document (Deininger 2003). Cabrera (2002:37) used the conference as an opportunity to critique the World Bank model.³⁹ In the report, he states that the Bank's model, with its emphasis on land markets "reflects the neoliberal tendency that has been permeating the thought of those generating policy for the past decade." He goes on to suggest that this tendency "is adequate for countries where the cultural tradition does not differ from the dominating culture," but that it is inadequate for a country like Guatemala where there is such a large indigenous population. What is remarkable about Cabrera's discourse, and the national vision that it represents, is how a proposal for a national survey which was deployed in the Peace Accords as a part of the World Bank model has been

³⁸ Although the policy paper in which Cabrera made this statement was not published until 2002, he and his colleagues had been rehearsing the argument since 1994 and the first effort to tempt the Guatemalan government to adopt the World Bank land policy. Between 1997 and 2002 they were actively promoting this vision among government officials, *campesinos* groups, and other civil society organizations. In 2005 Cabrera reflected, "If I tell you that I gave 3000 talks," Cabrera reminisced, "perhaps, I am telling you too few, [and] Louise gave the same number of talks, the same for Tooleque, Galindo gave the same number, as well as Fernando and Joel-- we gave thousands of talks, thousands."

³⁹ By contrasting the positions of the Bank and the Guatemalan government I am not suggesting that the World Bank policy was entirely a foreign imposition. As I explain in Chapter 3, the market model for land policy has a long history within Guatemala dating back to the liberal period in the late 19th century. In 1872 during the Liberal Reform period an accord emitted by the president stated that the "cadastral... should be initiated **sooner or later**, due to the **great advantages that it was will produce for the country**, not only from the financial (fiscal) point of view, but also in improving the security of property rights in land" (emphasis in original 1971: 31). As well, the vision of mapping the landscape as a prerequisite to effective development is an idea that is well elaborated in the writings of Jose Cecilio del Valle, the author of the Guatemalan constitution and a distant relative of Carlos Cabrera. Del Valle wrote that through the study of the conditions and populations of "departments and districts" as well as the "causes" of the "poverty and misery" of the "indigenous," that it would be possible to **MAKE EACH OF THE DISTRICTS OF THE STATE GENERATE THE MAXIMUM WEALTH THAT IT HAS THE CAPACITY TO PRODUCE** [for the benefit of the people]" (emphasis in original, del Valle 1929 (1830): 248). Finally, the struggles of civil society organizations—which I discuss subsequently-- and particularly the use of human rights discourses and the establishment of truth commissions, have continuities with the political strategies of diverse civil society- and revolutionary organizations in Guatemala, other parts of Latin America and beyond (Grandin 2003; Grandin 2007).

redeployed as a necessary prerequisite -- and possibly a substitute -- for that model only a few years later.

In spite of the differences described above, it is important to note that the visions and practices of the Bank and the Guatemalan program, as expressed by Cabrera, were closely linked. Although there is clearly a difference between the national cadastre approach and the World Bank's market model, both rest on a common assumption that land surveys are essentially technical matters that facilitate actual political processes -- land markets in one case and development in the other.

It is important to note that there were Guatemalan government institutions that were directly promoting the World Bank's land market model. A report published by the Guatemalan Agricultural Ministry with the ambitious goal of setting agrarian policy until 2030 stakes out a position close to that of the Bank. Aiming to "revalorize" rural life, the report (MAGA 1998:11) states that

... juridical security over the use, tenure, and property in land is visualized as the basic platform for the sustainable development of the [agricultural] sector, through making more efficient the land market and promoting [land attached] investment.

Furthermore, Cabrera was continuing to work with World Bank consultants with whom he had worked during the Peace negotiations. Most importantly, Cora Shaw continued as the Bank's task team leader in charge of promoting land policy in the country. In the next section I will describe the loan proposals that she developed in collaboration with Cabrera and others from the government. These proposals provided the templates which would finance the World Bank's land market policies in Guatemala.

Cabrera also used a narrow interpretation of the agrarian commitments of the Accords to counter initiatives from Guatemalan civil society. His "survey first, develop second" discourse provided an excuse for postponing badly needed social services for landless people and others. The URNG was well aware of this potential problem and asserted that "the complexity and the time required for the installation of the cadastral system must not serve as a pretext [for the government] to evade the concrete responses required" by the agrarian situation (Hernandez Alarcon 1998: 31). Leaders on the left were correct to worry that the national agrarian program,

with its strong emphasis on cadastre, would enable the government to evade promises made in the Peace Accords. However, this was not the only danger represented by the national vision that Cabrera and others were promoting in the late 1990s.⁴⁰

During the second half of the 1990s, one of the most important social justice struggles in Guatemala involved investigations into human rights abuses during the Civil War. Investigators working for non-government organizations, the Catholic Church, the United Nations, and the government itself were collecting the stories of the victims of the war. Truth commissions revealed that in the course of a genocidal counterinsurgency campaign perpetrated by the military, *campesinos* – many of whom are indigenous - were systematically dispossessed of their lands by military officials across the country, e.g. CEH 1998; Grandin 2007. The validity of these studies is threatened by the claims of Cabrera and his colleagues who insisted that "The Cadastre is the activity that can technically verify the true circumstances of Guatemalan agrarian reality... reveal[ing] hidden historical truths, impacts of decisions made 100, 200, 300 and 400 years ago... as well "the pain, the poverty and the reality of our indigenous and *campesino* populations" (2002: 38). Setting aside the paternalist writing style, it is unclear to me how a land survey could reveal past agrarian dynamics or human pain. The proposal seems especially odd—even potentially reactionary-- given that it was made at a time when an unprecedented number of Guatemalans were speaking out about historic processes of dispossession and social injustice. (Yet Cadastral could be used to complement and strengthen the work of the Truth Commissions).⁴¹

⁴⁰ It is important to note that the most radical agrarian proposals from the left were defeated during the peace negotiations. A traditional land reform with state led redistribution to the landless had been neutralized by pressure from the agricultural elite. Likewise, there was no "reform of articles 39-40 of the Constitution to stipulate the 'social function of property,' a long-standing demand of the Left and popular movements" (Jonas 2000: 79). Furthermore, while Guatemala became a signatory of International Labor Organization Convention 169, none of the peace agreements promised territorial political autonomy to Guatemalan indigenous groups (Jonas 2000: 77; for discussion of the ratification of ILO 169, see Nelson 1998: 283-347).

⁴¹ In spite of all this, the Accords were an important mandate for Guatemalan civil society organizations. They "reinforced the widening of political spaces and favored social participation" in Guatemala (Hernandez 2000:1-2). Improved safety for activists and their organizations was related in part to the success of the United Nations and URNG in institutionalizing human rights discourses in Guatemala during the negotiations of the Peace Accords

In conclusion, a narrow technical interpretation of the Accords helped the government to evade the Bank position (momentarily) and the demands of Guatemalan civil society. That said, I do not wish to over-state the importance of the technical in this case. The Guatemalan government also evaded its commitments to civil society simply by failing to honor the spirit of the Peace Accords.⁴² In any case, the Guatemalan government pushed for and obtained the greatest funding for aspects of agrarian policy which were least contentious—mapping property claims (see Chapter 6). Although this section shows that the government did attempt to move away from the land market model of the Bank, the next sections reveal that Bank consultants and government officials would work closely to create Guatemala’s new agrarian institutional architecture.

Templates, Historical Trajectories and the Proliferation of the Land Market Policy

How did the outlines of the Bank’s land policy in the Peace Agreements become an on-the-ground institutional process in Guatemala? I have begun to answer this question by highlighting how government employees like Cabrera selectively interpreted the mandates of the Peace Accords. Another way that the policy moved forward relates to what I call “templates.” By templates, I refer to techniques and institutional arrangements developed in other locations and times but which play important roles in the emergence of policy. Here I explore the role of two templates. The first is an institutional structure, developed by the World Bank and then used as the basis for the new Guatemalan government organization that would implement land policy. The second template is a format for a loan proposal called a Project Appraisal Document. This

(Jonas 2000: 181). In addition, the Accords also created the conditions for an array of old and new organizations to pressure the government to honor its commitments (Hernandez 2000:1-2). As well, this important mandate created institutional structures designed to provide low-cost land and credit to landless people (FONTIERRA) and to mediate land conflicts (CONTIERRA). Both of these organizations became sites for political struggle (Jonas 2000: 181). Finally, indigenous and *campesino* organizations such as CNOC (National Coordination of *Campesino* Organizations of Guatemala) lobbied for a law to institutionalize cadastre with the proviso that cadastre must be a part of integrated land reform that would include technical assistance, agricultural inputs, credit, training, etc. (CNOC 2005: 96).

⁴² For example, a decade after the signing of the Peace Accords no laws had been passed to regularize land titles of indigenous communities or revise laws and fiscal regulations pertaining to unused or under-used agricultural lands. See Hernandez Alarcon (1998) and especially pages 3 and 35.

template helped to reformulate the heterogeneous, and at times unruly, Guatemalan agrarian program into a familiar design that Bank employees could easily administer. In the final part of the section I examine how the operation of these templates is conditioned by ongoing historical and socio-political processes. Specifically, I describe how national discourses and institutions normalized the decision to implement the policy in Petén, far from regions of Guatemala where rural poverty—the problem that land market policy ostensibly addresses—is most acute.

From Regional Unit of Technical Assistance to Technical and Juridical Unit

Carlos Cabrera played a leading role in creating the Guatemalan government's agrarian policy. After the signing of the Peace Accords, Cabrera was appointed by the Guatemalan government as director of a new agency called the Technical and Juridical Unit or UTJ for its initials in Spanish. UTJ was just one of many agrarian institutions within a state umbrella organization called Protierra, short for the Inter-Institutional Commission for the Development and Strengthening of Land Property Rights. The institutions within Protierra all had to interact with each other and dialogue with international donors, departmental (provincial) governments, and civil society organizations.⁴³ UTJ had a special role among these diverse organizations. As Cabrera (2005) put it, "UTJ is an institutional subterfuge to implement the commitments of the Peace Accords." Although his comment was made in this spirit that UTJ would have the agility and the efficiency to get things done, it can also be interpreted to reflect the government's strategy of ignoring some agrarian commitments in the Accords and fast-tracking others. UTJ had the mandate of the president to take the leading role within Protierra and was generously funded. In contrast, the more radical institutions, such as CONTIERRA-- which was supposed to resolve land conflicts and was staffed partially by ex-URNG members-- received little funding or support.

While UTJ started as only Cabrera and an administrative assistant, the organization would grow quickly. Part of the reason for UTJ's success was that Cabrera borrowed the design for the

⁴³Within Protierra were the national property registry, the national mapping agency, the Peace Secretariat (SEPAZ), a new conflict resolution agency called CONTIERRA (established in June 1997), as well as a planning agency (SEGEPLAN) and the Ministry of Finance, which is in charge of setting fiscal policy including land taxes.

organization from a World Bank-funded institution. This organization was known as the Regional Unit of Technical Assistance (See Chapter 4), and Cabrera modeled UTJ after RUTA's Guatemala country office, which he had directed in the early 1990s. As the name implies, UTJ positioned itself as a technical organization that would provide the technical knowledge to make the new national agrarian policy function. Likewise, during the early 1990s, RUTA's office in Guatemala had provided technical know-how to promote agricultural modernization policies which were taking hold in the Guatemalan government at the time. Also, like RUTA, UTJ was positioned within the Ministry of Agriculture. Cabrera could continue to take advantage of his contacts there not to mention those at RUTA which was still operational. In addition, just as RUTA had, UTJ functioned as a hothouse for developing loan proposals aimed at international donors including the World Bank. Furthermore, some of the same consultants that had operated out of RUTA's Guatemala office -- Cora Shaw in particular-- would continue their work on the Bank's land market policy using UTJ as their base of operations. Finally, like RUTA the primary financial backing for UTJ would come from the World Bank. The continuity of individuals and institutional forms meant that UTJ rapidly became an effective vehicle for promoting land market policy.

The vision of Guatemala as a disorganized society that could be put right through national cadastre proved attractive to donors. And after his years working for RUTA, Cabrera had the contacts to rapidly convince donors that UTJ was worthy of investment. In 1997, UTJ began collecting grants and loans from the international community. Sweden provided \$US 2.2 million to support national cadastre. France and Germany provided substantial technical support to UTJ beginning in 1997 and 1998. This support consisted of experts who helped define the technical guidelines for cadastral surveys, create geodetic grids especially in Petén, and trained Guatemalan technicians in the use of software and hardware for producing geographic information systems. In addition, the European Union, Germany, Holland, Spain and Norway provided funding for pilot cadastral projects in different parts of the country. An employee of the Danish aid agency described how by 2000, meetings at UTJ looked like the "UN General Assembly" with representatives from many [European] countries as well as the World Bank and the Inter-American Development Bank (2005). I do not want to exaggerate the success of UTJ. It is important to recognize that bilateral and multilateral donors had basically committed development assistance to the Guatemalan government conditional on the signing of the Peace

Accords. That said, UTJ's success at capturing funds was only possible because it was able to outmaneuver its competitors including the Land Registry, the other national land agency (FONTIERRA), and the recently de-militarized National Geographic Institute (IGN), among others.

Among the various donors that UTJ was courting in the late 1990s, the World Bank had by far the deepest pockets. Cabrera maintained a close relationship with Bank consultants and especially Cora Shaw throughout the negotiation of the Accords and afterwards as UTJ was formed on the model of RUTA. After the signing of the Socioeconomic Accord (see chapter 4), Shaw continued to work on developing a loan proposal that would finance the World Bank's land market policy in Guatemala. Shaw developed these proposals through the same sort of bureaucratic procedure that Katz and Cabrera had unsuccessfully attempted in 1994 (See Chapter 4). More reports by experts were produced about (lacking) land tenure systems and land-users in Petén, networks of government officials supporting the project were expanded, and for the first time, the proposal was framed around a legal mandate: the Peace Accords. By the end of 1998, and working closely with Cabrera, Shaw produced two documents, known in the language of the Bank as Project Appraisal Documents (PADs). Like the institutional structure underlying UTJ, the PADs represented a kind of template which would allow the World Bank's land policy to be implemented in Guatemala.⁴⁴ While these documents referenced Guatemalan institutions and historical conditions specifically, the design of these projects bore the unmistakable stamp of the World Bank's generalized land policy vision of the time.

Project Appraisal Documents and the Making of Land Market Policy in Guatemala

Taken together, the PADs define the Bank's land market policy and how it would be operationalized in Guatemala.⁴⁵ Known as market-driven land reform, the plans presented in the PADs conform closely to the land market policy that the Bank was promoting during the 1990 (See Chapter 2). Like other neoliberal policies circulating at the time, market-driven land reform

⁴⁴ While PADs are not loan documents themselves, the existence of a PAD indicates that a loan is imminent.

⁴⁵ As part of planning the administrative and financial infrastructure of the land market policy envisioned in the Guatemalan Peace Accords, there were two PADs. The World Bank funded other projects in Guatemala and many if not all would have had PADs. However, the two I discuss were the ones that counted for creating a land market policy.

is based on the premise that states cannot be trusted to allocate resources including land. Experts at the Bank predicted that the greatest economic productivity, and under some circumstances equity, would be produced when a land market existed in which willing buyers and willing sellers could negotiate with each other for land. In this context, the task of policy is to create the conditions for markets to operate efficiently so that land can be allocated to its best and most (economically) productive use, i.e., market-driven land reform.

The PADs written for Guatemala's land market policy outlined how these conditions would be created through two complementary programs. On one hand, the PAD entitled "Land Administration Project" describes a plan for increasing "legal security of land tenure" and strengthening "the legal and institutional framework for land registry and cadastre services" (World Bank 1998a: 3). The heart of this plan is the legalization of private land claims through land titling. The plan also advocates the strengthening of diverse land institutions that will theoretically regulate the market in which these land titles are exchanged. Finally, this PAD justifies the importance of land titles using the arguments popularized by Hernando De Soto (2000). Titles will reduce land conflicts and improve tenure security which will, in turn, increase incentives for land attached investments. Landowners will then use titles as collateral to obtain formal credit which they will then invest in agricultural production. The whole scenario is predicted to generate increased prosperity for landowners and for society at large (World Bank 1998).

One of the key critiques of the Land Administration model is that landless people are by definition locked out of the so-called land reform (Rosset 2006). In other words, the land market is an inappropriate mechanism to redistribute land because the people most in need of land lack the capital to participate in the market in the first place. The second Project Appraisal Document is designed to address this critique through a program called Land Fund. Developed in Colombia and in South Africa, Land Fund projects provide low-interest loans to landless people who wish to buy land. This PAD also envisions the creation of a new land agency called FONTIERA that would administer these loans and provide technical and legal support for landless groups participating in the program. According to the PAD, the Land Fund project would facilitate access to land for beneficiaries, support these beneficiaries to access technical assistance and credit, and help improve the efficiency of the Guatemalan land market (World Bank 1998b).

Land, which the beneficiaries of this project would have to locate on their own, would come from the following sources according to the Peace Accords (United Nations 1998: 112):

1. Uncultivated state land and state-owned farms.
2. Illegally settled public lands... which the government has pledged to recover through legal action.
3. Land acquired with the resources allocated by the government, or from friendly governments, international nongovernmental organizations, and international financing agencies.
4. Undeveloped land expropriated under article 40 of the Constitution.
5. Land acquired from the proceeds of the sale of access land, as determined by comparing the actual dimensions of private property with the dimensions recorded at the land register. These excesses become the property of the state.

In sum, the combination of the Land Administration Project and the Land Fund Project are designed to create a land market in the hopes of increasing economic productivity and prosperity in the Guatemalan agricultural sector (World Bank 1998a: 4).

While many scholars have examined the effects of World Bank funded projects, and even the Bank's land policy in Guatemala, e.g. Grandia 2006; Ybarra 2008, the role of Project Appraisal Documents themselves are rarely considered. One of the key effects of PADs and subsequent loan contracts is to transform projects that had been multi-dimensional policy/advocacy challenges into something more routine from the Bank perspective. In this case, the PADs provide detailed project performance indicators, estimated project costs, fiscal impacts, procurement and disbursement arrangements, budgets, and institutional and legal frameworks. These elements become embedded in the loan contract and can all be used by Bank consultants to manage the project from a distance. Rather than spending long periods in Guatemala lobbying and negotiating, Bank consultants managing the loans could now manage the project largely from their offices on the 6th floor of the World Bank's I-building in Washington, DC.

Once the PADs were complete "missions" by World Bank consultants to Guatemala were short and usually consisted of meetings with a predictable series of individuals at UTJ and the Ministry of Agriculture. This change in the everyday management of the project was also

reflected in task team leaders who replaced Shaw. The first was a technical expert in cadastre and the second a land policy expert. By all accounts, neither demonstrated anything approaching the political acumen that Shaw had shown during her tenure as task team leader especially during the negotiations of the Peace Accords. One of Shaw's successors described his responsibilities in the following way:

I am accountable for making sure that the project documents and especially the loan agreement is complied with so... I have to do my diligence which means making sure that the document process is okay, making sure the financial management of the project is okay, making sure the development objectives and the specific objectives of the project are being reached on time and that the budget estimated in the documents [is complied with] so this is basically... my work as task team leader.

This quote reveals how oversight of project activities by Bank consultants ultimately became routinized and normalized. At the same time, because the PADs set the conditions for the loan contract, they also constituted the project as a Guatemalan national agrarian program financed by the Bank. The ambiguity that existed earlier when technicians from the Bank and the Guatemalan government were working together to influence the Peace Accords is reduced by the framing of the PAD and subsequent loan documents.

Like the studies of tenure security in Petén commissioned by Katz and later by Shaw, the PAD reframes agrarian struggles in Guatemala such that historical patterns of dispossession and civil war are constituted as somehow exterior to economic development rather than inherent in it. However, in contrast to the earlier technical reports, the PADs are the basis for a multi-million dollar project and therefore have further reaching effects. Take the Land Administration Project for example; in a section called Strategic Context, Shaw predicts that "land tenure clarity and lack of transparent land information systems has hindered investments in proper land use." The PAD goes on to say that "improving land tenure security" will "(i) reduce land conflicts generated by unclear tenure; and (ii) provide an incentive for long-term productive investments in land;... (iii) improve land-use planning; and (iv) support decisions on land related conflicts and policy reforms" (World Bank 1998a: 4). These four hypotheses may or may not be born out in Guatemala, but there is no doubt that this language-- and the institutions and practices which the PAD produces-- will help reframe the possibilities for agrarian struggle. In the context of

this technical framing, it becomes increasingly difficult to formulate agrarian policies and practices which might directly engage and ultimately reckon with historical violence including processes of dispossession and genocide perpetrated by the Guatemalan government in the 1980s.

The strength of the PADs to frame agrarian politics does not rest merely on technical language and economic dogma. PADs showcase technical studies conducted by top experts on (and in) Guatemala. Approximately one third of each PAD is composed of studies and summaries of studies. The tables of contents for the Land Fund and Land Administration PADs both contain summaries of 11 separate studies, shown below.

E. Summary Project Analysis

1. Economic Assessment
2. Financial Assessment
3. Technical Assessment
4. Institutional Assessment
5. Legal
6. Social Assessment
7. Environmental Assessment
8. Participatory Approach

F. Sustainability and Risks

1. Sustainability
2. Critical Risks
3. Possible Controversial Aspects

Most of these studies are written by outside consultants. Some were hired especially for the occasion, and others have long term working relationships with that Bank. In any case, economists produce the economic and financial assessments. These studies justify the projects by estimating their future contribution to the Guatemalan economy. Biologists produce the environmental assessments. These are important because they insure that the Bank cannot be

accused of ignoring potential environmental impacts. Anthropologists produce the social assessments. Likewise, these studies inoculate the project against future accusations that stakeholders were not taken into account during planning. Lawyers produce the legal assessments and institutional analyses. These studies help to visualize how the project will articulate with existing institutional structures and guarantee the legality of the project (sometimes by describing how Guatemalan laws will need to be changed). Whatever else these studies do, they all also help to solidify the authority of the Bank's development framework, and particularly, the notion that interventions in land tenure security are an appropriate response to rural poverty.

In this section, I consider the role of institutional templates in the formation and extension of World Bank land policy in Guatemala. The networks of consultants and the institutional structures developed by RUTA in Guatemala formed a template which facilitated the emergence of UTJ. Similarly, the formulaic organization of the Bank's Project Appraisal Documents helped to accelerate the proliferation of the Bank's land market vision in Guatemala. However, in spite of the power of these technologies, they did not guarantee the form that the policy would ultimately take. As Peck (2004: 395) observes, "no transition to neoliberalism was ever solely an 'inside job', nor was it just an 'external imposition,' for this is a locally embedded yet transnational process." National and international historical processes influence the conditions under which the land market policy can be carried out.

Historical Trajectories and Elites Interests

According to the Project Appraisal Documents, land market policy is designed to reduce poverty and exclusion by improving the function of land markets. Logically then, the policy might have been implemented in any part of the country where people suffer from poverty and the land distribution is inequitable. And yet the project went north to Petén, a part of Guatemala where land is relatively accessible to poor people (though this is changing quickly, thanks in part to the Bank's policies). In spite of the influence of the mandates and templates that I have been discussing, the project was clearly influenced by other factors. Although I was never able to learn precisely why and how the project went north, I did learn that the decision to implement the project in Petén was made by the Guatemalan government. Furthermore, sending the project to

Petén was consistent with ongoing historical processes and with the interests of landowning elites in the country.⁴⁶

As I discussed in Chapter 3, Petén has been viewed as a jungle frontier and an obstacle to national modernity since Guatemalan independence in the early 19th century. And the importance of Petén in the national mythology has only grown. Starting in the 1940s, first democratic and then authoritarian governments promoted colonization schemes designed to economically integrate Petén into the rest of the country. It is no coincidence that programs to colonize Petén emerged during the height of the *indigenista* movement. Leaders of this movement, who were also strong supporters of colonizing Petén, viewed the wild forests of the North as analogous to the indigenous population of the nation. They believed that just as indigenous people must be assimilated to the Ladino/white national project, that Petén had to be transformed from a wild jungle hinterland into an ordered and economically productive department. The work of the nationalist governments of the 1940s and 1950s continued under military rule and with the assistance of the United States government during the Cold War. Between the 1960s and the 1980s, roads and other infrastructure were built in Petén in the hopes of attracting settlers and reducing socioeconomic conditions believed to favor the development of communism, i.e., rural poverty (See Chapter 3). The strong tradition linking national agrarian policy to Petén helped to normalize and to facilitate the Guatemalan government's decision to carry out the first phase of land market policy in the north of the country.

The fact that there is a national tradition underlying the decision to implement land market policy in Petén is not to say that this decision wasn't convenient for elite sectors in Guatemalan society. It was. Land administration can be a step towards a more efficient property tax system which agricultural elites have always been skillful at avoiding (Spence et al 1998). Sending the policy to Petén where most land is of relatively low value is one way to postpone future increases in the property tax burden. As well, the creation of cadastre can reveal illegal landholdings and specifically what in Guatemala are known as “excesses.” This term refers to the fraction of a land holding that is larger than the stated size of the property. Since properties were originally

⁴⁶ One of the first Bank consultants to work on the project under Katz was not even sent to Petén. In a report entitled, "Factors associated with tenure insecurity among smallholders in Guatemala," he wrote that Petén would make a poor choice for a pilot project because agrarian dynamics there are so different than those in the rest of the country (Strochlic 1994). Later in 1994 Katz sent a team of consultants to Petén and Shaw did the same thing a year later.

provided to landowners by the state, these "excesses" should legally be returned to the government. Again the costs to elites of a program designed to expose excesses is reduced in a part of the country where land prices are relatively low.

Finally, the multicultural language in the Peace Accords opened political spaces for indigenous groups to make ancestral claims on territory. While nowhere in Guatemala have indigenous people been successful at gaining nationally recognized autonomous territorial zones, the Petén is one place where such claims have been particularly weak. One official from UTJ commented to me more than once that Petén is the ideal site for the first phase of the project because "it is scientifically demonstrated [sic] that the Maya disappeared [from Petén]—in other words, there are no great grandkids [to make claims]. In conclusion, in spite of the influence that the Bank maintained over the agrarian policies it financed in Guatemala, these policies were strongly influenced by ongoing historical processes. The fact that Guatemala's land market policy got started in Petén is an effect of such a process.

Techno-Politics: (re)Configuring Agrarian Institutions, Downloading Risk

The combination of mandates, templates, historical processes and millions of dollars in World Bank loans brought a diverse collection of individuals, institutions, and materials to northern Guatemala in the late 1990s. There was a tremendous amount of work planned in the name of an efficient land market for Petén. Approximately 30% of the extension of Petén [13,000 km²] consisting of "urban and rural areas, including municipal *ejidos* and buffer zones" would be "demarcated, titled to eligible beneficiaries upon demand, and registered under the Project" (World Bank 1998a: 5). To insure that these titles were legitimate, extensive research in the national land registry was planned, and land market institutions were to be modernized. As well, boundaries at multiple spatial scales were to be re-defined including international boundaries dividing Petén from Belize and Mexico, the departmental boundaries with Alta Verapaz to the south, and the municipal limits within Petén. Finally, new mechanisms for resolving land conflicts were to be established and a new fund administered through the state land agency was supposed to provide *campesinos* with loans to buy land (World Bank 1998a and b).

These would be formidable challenges under the best circumstances, and the institutional environment in Petén was less than inviting. State sanctioned property rights in land and the institutions that ostensibly managed them were in disarray. Furthermore, the institutions that were supposed to be collaborating on the production and management of private property rights had become bitter rivals (Fundacion SARES and AGRIDEC 2003: 119).⁴⁷ Project leaders rightly feared that landowners in Petén would refuse to participate. Although landowners across the Petén still desired state sanctioned private property rights, many had lost faith in the government's ability to produce them after years of failed projects (Milian, Grunberg, and Cho 2002; Clark 2000; SARES and AGRIDEC 2003). As well, drug traffickers, with strong ties to the military, controlled vast stretches of territory and wielded considerable influence in agrarian institutions and in the countryside (Smyth 2006; Ybarra 2008)⁴⁸. Finally, the project itself lacked a solid legal mandate other than the Peace Accords, and local government officials were under attack; between 2003 and 2005, three of Petén's twelve municipal mayors were killed, another was attacked by a mob, and two more were wounded by gunfire.

In the face of these challenges, how and to what extent would land market policy proliferate in Petén? This section describes a series of institutional encounters that had important effects on the making of this policy and on the institutions themselves. I begin by describing how a struggle between the World Bank and UTJ led to the contracting of a Spanish consulting firm to carry out the policy in rural Petén. Rather than focusing on the work of this firm, which is the subject of all of Chapter 6, the remainder of this chapter explores aspects of the process which were not outsourced. National agrarian institutions were mandated to carry out some aspects of land market policy that were seen as too politically delicate for Novo Techni to handle.

⁴⁷ Rivalries emerged for a straightforward reason. FONTIERRA, UTJ, and other agrarian institutions had potentially overlapping mandates, which meant they could, and often did compete for funds. UTJ was resented almost universally because of success at obtaining grants and loans. That said, in some respects both formal and informal agrarian institutions in Petén were well-suited for the neoliberal vision of the World Bank. As I discuss in Chapter 3, since the early land policy projects in the 1940s, property rights and land agencies in Petén have gradually undergone changes that have brought them closer to a neoliberal model. Government land agencies have become increasingly decentralized over the years, subcontracting greater and greater proportions of their responsibilities to NGOs and private contractors. Private property rights in land have become steadily more exclusive as laws limiting land sales or mandating land use have been replaced or repealed. In addition, extralegal land transactions while prevalent nevertheless conform roughly to a capitalist market, i.e., individuals buy and sell what amount to unregistered fee-simple claims. Finally, the state discourse surrounding land and property has gradually shifted from paternalistic support of national settlers under FYDEP to a vision of agricultural entrepreneurship beginning in the 1990s under INTA.

⁴⁸ Drug trafficking through Petén is a massive industry. According to Smyth, approximately 75% of cocaine destined for the United States passes through Guatemala.

Specifically, an organization called CONTIERRA was tasked with resolving land conflicts and another organization called FONTIERRA was to use the documents and maps created by the Spanish firm to actually create the state-sanctioned private property rights for landowners. I then examine two contrasting efforts to monitor the work of the consulting firm. My objective in describing these various institutions and their encounters is to show-- in the context of land market policy-- how difficult it can be to render political processes technical.

Outsourcing Rural Land Market Policy

Guatemalan government officials originally planned to carry out rural land titling through UTJ. However, a conflict between UTJ and the Bank led to a change in plans and a Spanish engineering firm was hired to coordinate this work. The conflict centered on UTJ's rapid growth from 12 people in 1997 to more than 450 employees 3 years later (Cabrera interview 2004). Cabrera, who directed UTJ, saw the rapid growth as a sign of success. In contrast representatives of the Bank saw UTJ's growth quite differently. The Bank's task team leader (2005) who managed the project in the late 1990s commented that there was:

a kind of effervescence of projects with UTJ in charge of everything [but] with no clear institutional mandate... And also I think that [UTJ] Guatemala at the time was trying to get as much [loan and grant] money as possible. But in terms of management, I would not say that they had the best team.... [Their approach was to have] a big big big team of technical people. I think this was wrong. They had no [legal] mandate.... Procurement was not very transparent. [UTJ had] hundreds of contracts and it was a mess.

The quotation echoes one of the major planks of neoliberal development, or at least of its rhetoric. That task team leader saw UTJ as a bloated state institution that could no longer function transparently or efficiently. In the resulting conflict, the Bank representative insisted that UTJ become more decentralized and outsource the project to private firms. UTJ leaders protested that if outside (international) consultants were hired, technical skills would not remain in the country. Eventually a compromise was reached. The Bank representatives agreed that the urban work should be carried out by UTJ directly, but the rural land market policy would have to be outsourced.

The contract for the rural land market policy was awarded to a temporary alliance between two Spanish firms called Tracasa and Novo Techni. These two firms were ordinarily

competitors but they joined together to bid for the project.⁴⁹ Tracasa sent one full time consultant to Guatemala, but the company's primary contribution consisted of data analysis and map-making carried out in Spain. In contrast, Novo Techni took charge of the day-to-day implementation of the project in Guatemala including the development of private property rights for landowners. Because Novo Techni's role was so visible in Guatemala, the contractors were referred to simply as Novo Techni and that is what I will do.⁵⁰ The remainder of the dissertation focuses on the land market policy work carried out by Novo Techni and other institutions in rural Petén.

The contract signed by the leaders of Novo Techni and UTJ defines precisely what the firm must accomplish. The final document was three volumes in length and hundreds of pages and included norms and regulations for all the activities that the contractor would have to carry out. According to this document, the contractor would complete four principal tasks:

- (1) The updating of the cartography of Petén including the construction of topographic maps.
- (2) The collection of all necessary documents to produce state-sanctioned private property for landowners and for the creation of a map of those property rights (cadastre).
- (3) The carrying out of a "social communication campaign" to alert the population to the benefits of participating in the project.
- (4) The design and operation of an auditing system to document the firm's completion of the first three tasks.⁵¹

⁴⁹ According to contract, the official name of the company to which the rural land administration project was outsourced is "Union Temporal de Empresas, Tracasa and NovoTechni, S.A.

⁵⁰ Both companies began by conducting cadastral work for the Spanish government but over the years began competing for international projects. Tracasa began in 1982 with partial financing from the government of Navarra. Novo Techni began as an independent company.

⁵¹ In the contract, the work is actually divided into 7 tasks (*partidas*) to facilitate evaluation. However, the work can be easily presented in the form of four subprojects.

What is noteworthy about these tasks is that all can be carried out through administrative or technical processes. Even the land titling work (See 2 above) was converted into a voluntary process by eliminating all direct financial costs to the land claimants and admitting to the process only interested individuals with uncontested land claims. The remainder of this chapter examines processes that were deemed overly political—or otherwise inappropriate for Novo Techni to carry out.

CONTIERRA and Conflict Resolution

Land claimants involved in land conflicts were prohibited from participating in the project, and Novo Techni had no jurisdiction to resolve conflicts. The designers of the project—Cabrera and others at UTJ-- believed that conflict resolution was not an appropriate task for a foreign consulting firm. Novo Techni, they believed, would have incentives to resolve conflicts rapidly, but not justly. As a result, landowners involved in land conflicts were instructed to seek help from a government organization called CONTIERRA. Established by presidential decree in June 1997, CONTIERRA was mandated to assist landowners and others to resolve land conflicts. The organization opened an office in the capital and a regional office in Petén (Hernandez Alarcon 1998). From the perspective of project managers, the work of CONTIERRA was intended to expand the number of participants in the project and the amount of land to be measured and ultimately titled. In other words, CONTIERRA was to help the land market policy proliferate by removing obstacles in the form of land conflicts.

The designers of the project attempted to produce CONTIERRA as a technical organization. For example, CONTIERRA employees were trained to be experts in conflict resolution rather than advocates for marginalized people. Rather than organizing oppressed groups, CONTIERRA technicians established sites for dialogue (*mesas de dialogo*) for resolving conflicts and attempted to maintain a neutral position during these dialogues. Furthermore, technicians working with CONTIERRA were not provided with the power to make and enforce legal decisions based on resolutions developed with landowners. CONTIERRA can only “procur[e] dialogue and conciliation between parties” and then make “studies and recommendations...” (Durocher et al. 2003: 9). Each of these rules was a part of a larger vision to produce CONTIERRA as a technical institution. However, this vision could not hold. In a country, like many others, where wealth and power rest on dispossession, resolving land

conflicts is far more than an issue of resolving misunderstandings in Guatemala. And the technicians working for CONTIERRA were as aware of this as anyone. Cases which involved powerful elites gathered dust in CONTIERRA archives because the technicians feared that they might be risking their lives by resolving such cases.

I do not mean to suggest that CONTIERRA's performance was purely the result of its failure to become a "technical" institution. The Guatemalan government was not generous with CONTIERRA. As Novo Techni was beginning its rural land administration contract, the director of CONTIERRA-Petén claimed that he had no budget whatsoever (Interview 2003).⁵² In fact, at the time I spoke with the director of CONTIERRA we were both at a meeting of various state agrarian agencies in which CONTIERRA had been soliciting funds to pay for gasoline. Without fuel, CONTIERRA employees could not visit communities and landowners, much less resolve conflicts. In spite of the budget problems, CONTIERRA did resolve some land conflicts. A memo from 24 July 2003 shows that at that time CONTIERRA had resolved 200 land conflicts in the area that Novo Techni was operating (CONTIERRA-Petén 2003). The memo, which was sent to Novo Techni and UTJ, contains a list of the conflicts, their exact locations, and the names of the individuals and communities involved. Landowners were at least initially attempting to take advantage of the conflict resolution services offered by the government. However, as the project progressed, CONTIERRA revealed itself to be so slow and ineffective that technicians in other agrarian organizations (including Novo Techni) and the landowners themselves began to think of CONTIERRA not as a resource but as an obstacle. Technicians routinely advised landowners to give up disputed land rather than wasting time with CONTIERRA.

CONTIERRA and the Making of Private Property in Land

Just as the project designers determined that resolving land conflicts was an inappropriate activity for a business, so too they decided that Novo Techni should not be allowed to produce private property rights. After all, what if Novo Techni were to grant itself vast areas of rural property? Apparently, this was a risk that no one was willing to take. The state land agency, CONTIERRA, was assigned the job of taking the maps and documents produced by Novo Techni and converting them into state sanctioned private property rights. In the following chapter, I

⁵² Funds to pay salaries and other expenses were coming sporadically from the budget of the national land agency, CONTIERRA.

describe the process through which Novo Techni produced and assembled these documents. Here my focus is only on the end of the process, or more precisely, why the process never ended. Since the documents were already collected, the state land agency's responsibility amounted to little more than shuffling and binding papers, a quintessentially administrative process. Nevertheless, by the end of the project, only a handful of land titles had been produced.

There are a number of reasons why FONTIERRA was unable or unwilling to fulfill its role of producing state-sanctioned private property rights. First, the creation of private property rights was a contested process and powerful elites pressured the employees of FONTIERRA. Technicians involved in the production of property rights (the juridical branch) feared (*temor*) that they might be "fired if they were to resolve situations that could affect the interests of powerful persons" (SARES and AGRIDEC 2003: 117). This situation did not emerge for the first time when FONTIERRA was established in 1999. Many of FONTIERRA's employees and systems had been developed through earlier land agencies in Petén and at the national level. The lines of communication between elites and government officials persisted from the earlier incarnations of the land agency (see Chapter 3). As well, FONTIERRA inherited other problems from its predecessors. "High levels of instability of personnel at every level, lack of norms and procedures, as well as (lack of) policies during the first year of functioning... excess of requirements and scarce budget" all reduced the effectiveness of the organization (SARES and AGRIDEC 2003: iii). Institutional rivalry also undoubtedly played a role. The leaders of FONTIERRA and UTJ were notoriously uncooperative and sought to undercut each other whenever possible. For all these reasons and more, the production of private property rights in FONTIERRA-Petén progressed at a glacial pace. By the end of the project in May 2006 no participant in the Bank-funded rural land regularization project had received a land title.

Monitoring Novotechni

In addition to resolving land conflicts and creating state sanctioned private property rights, there was a final policy process that was not outsourced to Novo Techni. The contract that Novo Techni signed with UTJ mandated that the work of the company would be monitored by other organizations. In fact, Novo Techni was forced to work through abundant and interlocking

systems of monitoring.⁵³ The rest of the chapter examines the two most important of these monitoring systems. The first, administered by UTJ, scrutinized the quality of the legal and technical work of the firm. The second monitoring team, managed by the Catholic Church, carried out an evaluation of the effects of the project on *campesinos* and their communities. Comparing the strategies and results of these monitoring schemes reveals the constraints and possibilities of land market policy in Petén.

Technical and Legal Supervision by UTJ:

As the government organization that had contracted Novo Techni in the first place, the choice of UTJ to monitor the Spanish firm was predictable. Furthermore, the mode of supervision that was devised by UTJ reflected the technical style that had become the hallmark of the institution. UTJ's method of monitoring Novo Techni's output was calibrated to avoid politics and conflict. Under an administrator in charge of "rural supervision," UTJ assembled two teams of investigators. The first team was known as the Supervisors of the Rural Technical Area. This technical team was composed of topographers and engineers who repeated a sample of the surveys and calculations that Novo Techni had been hired to perform. If UTJ found that the work of the firm was inaccurate, Novo Techni was asked to repeat its work. Reports produced by the technical team consisted of a long series of error estimates, descriptions of maps, and recommendations for accepting or rejecting Novo Techni's work. For example, one typical report (UTJ 2005) begins as follows:

⁵³ The Guatemalan Institute of Anthropology and History (IDAEH) was supposed to inspect all surveyed land claims to ensure that no archaeological sites were damaged. Similarly, the National Park Service (CONAP) was contracted to ensure that the work of Novo Techni caused no negative impacts to biodiversity. The National Geographical Institute (IGN) was asked to approve the cartographic and geodetic techniques used by the firm.⁵³ The United Nations audited all transactions between UTJ and Novo Techni to ensure that no irregularities occurred. Novo Techni itself employed various surveillance schemes to discipline its subcontractors and employees. Finally, the World Bank used its loan agreement to evaluate, supervise, and ultimately influence the activities of many of these organizations.

Esteemed Supervisor:

The objective of the present work is to submit the supervision report for polygons 4, 6, 13, 15 and 30 [polygons are new territorial designations created by Novo Techni] of the municipality of Dolores and the polygon 10 of the municipality of Poptun.

a) Observations:

After reviewing the data presented by the contracted firm, the following results were found:

Polygon 30 of Dolores: considered **acceptable**, in the evaluation of precision, based on a sampling intensity of 8.6%.

Polygon 30 of Dolores: **Does Not Pass**, in the evaluation of precision, based on a sampling intensity of 5.3 %.

Polygon 30 of Dolores: considered **acceptable**, in the evaluation of precision, based on a sampling intensity of 10 %.

Polygon 30 of Dolores: considered **acceptable**, in the evaluation of precision, based on a sampling intensity of 10 %.

Polygon 04 of Dolores: considered **acceptable**, in the evaluation of precision, based on a sampling intensity of 10 %.

Polygon 15 of Dolores: **Does Not Pass**, in the evaluation of precision, based on a sampling intensity of 5.3 %.

b) Field Evaluation (Statistical Analysis):

Polygon 30: Of ninety five percent of the times [sic], the difference between the average of the firm [Novo Techni] and the UTJ, would have an error no greater than 0.28 m, with these results it can be observed that the tolerance of 1 m established by the cadastral norms has been fulfilled.

Polygon 13: Of ninety five percent of the times, the difference between the average of the firm [Novo Techni] and the UTJ, would have an error no greater than 3.46 m, with these results it can be observed that the tolerance of 1 m established by the cadastral norms has not been fulfilled.

The report is performative. The unrelenting mathematical language of the report helps us to imagine the land policy process as purely technical and objective. It helps us to forget that supervision might also include an inquiry into the circumstances of land claimants or the process through which the land claim was first defined and then surveyed.

UTJ's juridical monitoring team conducted similar studies to those carried out by the government topographers. Like Novo Techni's surveyors, the lawyers and paralegals working for the firm assembled the documents of all landowners living in the area of each polygon. When all documents were collected for a given polygon, they were delivered to UTJ to be checked. UTJ's legal experts would review each collection of identification documents and note all errors. Like the topographers, the lawyers focused on technical issues and avoided the struggles of landowners involved in the process. According to one of the early reports produced

by UTJ's juridical team, the following are the most common errors encountered in the legal forms that Novo Techni was having landowners complete: "the use of white out, erase marks, information written in pencil, missing signatures, and missing data." The legal team concluded (UTJ 2005b) based on the frequency of these errors that

of the Field Investigation forms, 75% are acceptable, and of the Acts of Conformity and Inconformity forms, 53% are acceptable. Consequently the supervised polygon is rejected.

As annexes, the lawyers and paralegals included lengthy tables with the names of all landowners and observations describing the quality and quantity of documents collected for each one.

The descriptions and examples provided above only begin to scratch the surface of the huge volume of monitoring conducted on the activities of Novo Techni. Any activity that the firm carried out, UTJ seem to be able to enumerate, evaluate, and potentially find wanting. The directors of Novo Techni were frustrated with the evaluations which they felt to be unnecessarily strict. However, as the project progressed, it became apparent that the UTJ was able to pressure the firm by continuously rejecting its work on the basis of tiny errors. Furthermore, and more importantly for the purposes of this analysis, UTJ was able to supervise the firm and at the same time bypass any consideration of the agrarian struggles of landowners attempting to participate in the project (see below and next chapter). By limiting the field of evaluation in this way, UTJ was able to maintain a safe distance from the sometimes dangerous agrarian dynamics of Petén.

The Catholic Church and the Social Audit

The Catholic Church had been working since approximately 1990, longer than any other non-state organization in Petén, assisting *campesinos* to obtain government sanctioned private property rights. With the help of prominent lawyers and human rights activists from Guatemala City and Petén, the church established a network of promoters in rural communities. These promoters worked closely with *campesinos* who wished to obtain land titles. This network of grassroots legal experts, along with the associated staff people in the Catholic Church were collectively known as the Land Pastoral. As UTJ was contracting Novo Techni, Carlos Cabrera and others from the government approached the Church leaders in Petén asking them to carry out a "social audit" for the project. A priest involved in negotiations with Cabrera remembered him

saying, "We [UTJ] want the church to participate in the project to defend the *campesinos*, because [if not] they are going to be used, manipulated, and taken advantage of by the firms [empresas]." Cabrera also asked that the Church use its influence and reputation to persuade *campesinos* to cooperate with Novo Techni. He and others at UTJ felt that state adjudication projects had been so unsuccessful for so long in Petén that *campesinos* were unlikely to participate unless an institution with a better reputation than the government's would speak on behalf of the project.

The church leadership hesitated for almost one year before committing to support UTJ. In Guatemala, parts of the Catholic Church have a long history of advocating for the poor and have often been in conflict with the government. In fact, during the negotiations with UTJ, the Catholic Church was battling the government over its dealings with international mining companies in the Guatemalan highlands. In addition, during the Civil War some Catholic leaders joined the guerrillas while others were assassinated by government forces for their leftist views (CEH 1999). Given this history, it is not surprising that members of the Church resisted the idea of aligning with the Guatemalan government, UTJ, and the World Bank. Church leaders feared that the project would endanger the church's reputation with *campesinos* and *campesino* groups. However, ultimately it was decided that the opportunity to work with UTJ should not be missed. When the agreement was signed, it represented the first time that the Church had accepted the role of implementing a Bank-funded land project. In this section, I discuss how the Catholic Church, and the Land Pastoral in particular, monitored the work of Novo Techni.

The team hired by the Catholic Church to work with UTJ was known as VAP-UTJ (*Vicariato Apostolico de Petén*). In many respects VAP-UTJ was literally an extension of the Pastoral's ongoing work on land issues in Petén. Although several ex-employees of CONTIERRA were chosen to lead the project, the promoters and community representatives that became involved were the same people that had been working for the Land Pastoral for years. For this reason perhaps, VAP-UTJ was known as the Pastoral throughout the project and I will adopt that terminology here.

Unlike the technical surveillance programs designed and carried out by UTJ, Novo Techni, the World Bank, and others, the Pastoral saw its role as accompanying and advocating for the "beneficiaries" of the project. This difference is worth emphasizing. Throughout this chapter I

have documented how land market policy has proliferated through a consistent strategy of rendering political processes technical. In other words, the project has moved forward in part because policy makers have found ways to define and defend their work as part of a technical program. In contrast, as we will see, the Pastoral approached the monitoring of Novo Techni from a different angle. In spite of the technical job description—to carry out a social audit—the Pastoral participated in the project in an overtly political way, defending the rights of project participants and specifically *campesino* land claimants.

The first challenge for the Pastoral team was not precisely policing Novo Techni, but encouraging landowners to participate in the project. As the project director commented in a trimesteral report (VAP-UTJ 2004), people in many of the communities distrust the project because they remember that:

first it was FYDEP, later INTA, MAGA-INTA, PROSELVA, FONDO DE TIERRAS [state land agencies – See Chapter 3], and finally now comes UTJ asking them for the same documentation to legalize their land, but now they do not want to be tricked again... [and so the Pastoral responded] that this is a project that will conclude with the production of land titles inscribed and duly registered in the general property registry, and it is for that reason that the Catholic Church through the VAP is accompanying [the landowners] through the process, and in case the process is not completed that we will support the communities to demand the completion [of the project].

Representatives of the Pastoral visited hundreds of communities multiple times explaining the importance and opportunity represented by the project. Although many landowners began to participate in the project before they were contacted by representatives of the Pastoral, in 2005 the director of UTJ-Petén argued that the high level of participation in rural land administration was thanks to the work of the church.

In addition to advocating for the project, the Pastoral had two primary approaches to its role as “social auditor.” First, leaders of the Pastoral looked for aspects of the contract between Novo Techni and the government that were not being honored. They focused on compliance issues that affected *campesinos*. For example, the contract states that the services of Novo Techni are to be made freely available (no charge) for land claimants. Through its network of promoters, the Pastoral quickly identified patterns of fraud perpetrated by technicians. For example, in one letter written to UTJ, the director of the Pastoral states that

in a visit realized this month by the promoters to the community of Se Cacao⁵⁴, jurisdiction of San Luis, they report to us that once again Francisco Mis has been charged Q 225.00 and that five more people from the same community were charged Q 100.00 each by Mr. Mario Caal who works for the firm given that he uses an official name tag and jacket with the insignia of UTJ. [This was the standard uniform used by technicians working for Novo Techni.]

After a few technicians were reprimanded, these practices seem to have been greatly reduced or at least were no longer detected by the Pastoral's network.

The Pastoral also attempted to enforce more systemic breaches of the contract between the government and Novo Techni. For example, according to the contract the employees of Novo Techni were supposed to bring 50-pound concrete markers to the corners of all land claims that were to be surveyed (See Chapter 6). These heavy markers were meant to signify that claim boundaries were uncontested. In practice landowners were hauling the concrete markers. This was an important issue because the project required almost 20,000 markers weighing a total of 1,000,000 pounds to be hauled to the corners of land claims. The Pastoral insisted that it was unjust that an engineering firm should be subsidized by donations of labor and time from *campesinos*.

The argument between the Pastoral and Novo Techni spilled over into a series of angry meetings with UTJ mediating. The director of Novo Techni accused the Pastoral of standing in the way of the project and of progress. "There are numerous beneficiaries that previously had participated and collaborated positively with the project..." he noted, "[but] after the visit of the representatives of the Pastoral, [the beneficiaries] show a negative attitude towards the [firm's] technicians and towards Novo Techni" (Novo Techni 2004). Further, he insisted (Novo Techni 2004) that

...as much for the creation of the cadastre as for the titling of land, it is indispensable that people participate in each phase of the work; in each one [phase] they should contribute their documents, their signature, or simply their knowledge of the area and of their land claim. Of course this demands a dedication from the people who have interest in becoming owners of their land, but this is inevitable and the firm tries to minimize it..."

⁵⁴ All personal names and names of communities have been invented to preserve anonymity.

Ultimately, UTJ asked the Pastoral to drop the fight, landowners did deliver the concrete markers to the corners of their land claims, and the Pastoral turned its attention to other issues.

In addition to trying to make Novo Techni obey the contract, the Pastoral took a second approach to its participation in the project. They used the project as an opportunity to extend the Church's social justice mission in Petén. Representatives of the Pastoral inevitably used the word "accompaniment" (*acompañar*) to describe their role in relation to *campesinos*. A priest who supervised the program for many years before the alliance with UTJ described the purpose of the Pastoral as

to accompany, to guide, to orient, to share information; the [land] pastoral [is]...involved in... processes of the community... not from the outside, not from above, but from the inside... [we are] accompanying the process, the life, the pain, the suffering of the people... support[ing] the *campesino*, who is impoverished, vulnerable, defenceless...

As a part of the Pastoral's accompaniment program, in July 2004 several members of the Pastoral began assisting a group of *campesinos* who were involved in a boundary dispute. The conflict that ensued would reshape the Pastoral's subsequent involvement in the project.

The boundary dispute was a conflict between a *campesino* community and a cattle rancher. The rancher and the *campesinos* claimed the land. The *campesinos* insisted that the rancher was using the land titling process as an opportunity to expand his land claim at their expense. The rancher on the other hand made various calls and faxes to Novo Techni claiming that the *campesinos* were threatening him and invading his land. Eventually a meeting between the rancher and the *campesinos* was scheduled at CONTIERRA, a state organization dedicating to resolving land conflicts. On the afternoon before the meeting the rancher called to cancel. No one contacted the *campesinos* and so they departed as planned for the meeting at dawn on the following day.

On their way to meet the bus that would have taken them into town, they were intercepted by a group of armed men. According to the testimony of a survivor, the men called out the names of the *campesinos*, shined bright flashlights in their faces, and demanded their land documents. Then, after throwing the *campesinos* to the ground, they shot them at point blank range. In this first encounter two people were killed. One of the dead was the father of a Church leader with close ties to the Pastoral. In November of 2004, two survivors of that first encounter were

kidnapped from a minibus by heavily armed men. The lifeless bodies of the *campesinos* were recovered two days later showing signs of torture.⁵⁵

After the attacks, there is a palpable feeling of vulnerability at the main office of the Land Pastoral. During this period, I was in the office reading an internal report describing the recent events. The author of the report observed that a public statement (*denuncia publica*) in relation to the killings was ill advised because the church lacked "a seriously considered security plan that would include minimum requirements to confront an eventual emergency [in which] support, evacuation, rescue, or connections with national or international entities [would be required]" (Pastoral de la Tierra 2004: 12). One of the promoters was standing nearby as I read. "We don't do this because we have big balls (*somos cojudos*)," he said, "but for love of our fellow man, and we are scared." And then he laughed. "They have AK-47s. We only have machetes, and they are dull."

After the killings, the organization continued to operate, but they ended their work in the region of Petén where the attacks had occurred and one of the centers of Novo Techni's land administration work. In addition, the priest who had been in charge of the Pastoral in the region went into exile in Panama after receiving death threats. Other promoters took precautions, taking new routes into the field, using different cars, trying to make their actions less predictable. Co-workers of the deceased wrote a letter to other social justice and *campesino* organizations (including the United Nations in Guatemala) expressing their concern that

the agrarian problem in the Department of Petén is resolved through violence, impunity and a corrupt and incomPetént judicial system that favors large landowners and [discriminates against] *campesino* organizations... [and] organized terrorist groups continue operating with impunity, and assassins murder and silence truth, justice and law in exchange for a miserable payment.

Meanwhile, the response from the authorities was minimal. The Attorney General's office failed to investigate the crime and no one at CONTIERRA was willing to touch the case. There was hardly a response from UTJ or Novo Techni. The man who worked for the Catholic Church

⁵⁵ These were not isolated incidents. During the same period, another organizer working for the Pastoral became involved in another land dispute and was also killed. A few months earlier the church's main offices were vandalized. Images of an important church leader (Bishop Juan Gerardi) which had decorated the walls of church offices were burned and a pair of military boots was left on a table.

and his father had been killed likened the situation to a faucet that everyone just allows to continue running. When I asked the task team leader at the Bank about the killings one year later, he had not heard of them.⁵⁶

Concluding Remarks

This chapter has revealed an uneven proliferation of land market policy beginning with the institutionalization of the Peace Accords and ending with a Bank-funded land market policy project in Petén. In cases where agrarian policy could be rendered technical it spread through institutions and across the countryside. The technical mandate adopted by government officials unleashed a torrent of international funding for national agrarian policy and specifically for cadastre. Institutional templates developed by the World Bank helped to produce the architecture of UTJ. Similarly, narrative templates used to produce the Bank's Project Appraisal Documents further accelerated the elaboration of the policy. Those aspects of the policy which were not rendered technical advanced little. The social audit of Novo Techni and the efforts by government officials to resolve land conflicts and produce private property were ineffectual. Resistance to the work of the Pastoral was so strong that implementers had to regroup and reposition themselves more conservatively or risk injury and death.

In spite of the relative success of the project in expanding and insinuating itself into diverse aspects of Guatemalan rural life and institutions, from the perspective of Bank planners, the rural land policy was unsuccessful. State sanctioned private property rights in rural areas were never produced. According to the Bank's development vision, land titles are a key component of market-driven land reform because titles ostensibly increase tenure security, improve access to formal credit, and generate incentives for increased investment in land. Furthermore, land titles are supposed to produce the secure private property rights which permit land markets to function efficiently, delivering land to the individuals and organizations that can manage it most productively. While there is considerable evidence that land titles often fail to produce these results (Rossett et al. 2006), what can be expected from a program that doesn't even generate state-sanctioned private property rights?

⁵⁶ He also had not heard of the most famous massacres that had been perpetrated by the Guatemalan government in the region of the project during the civil war in the 1980s (See Chapter 3).

This is a question that I will explore in detail in the next chapter. For now however, we can make a few observations. First, others have observed that whatever else they accomplish, it is often the case that neoliberal policies reconfigure and often expand state policies (reviewed in Peck 2001). The apparently ineffective work of FONTIERRA, CONTIERRA and the Pastoral all helped to constitute land claimants as subjects of the state and as visible to the state. Through the work of the Pastoral and CONTIERRA the details of land conflicts became state business. The identities, locations, and traumas of *campesino* life became objects and targets of government. Likewise, through the work of these organizations as well as FONTIERRA and UTJ, identification documents of *campesinos* circulated more widely, were reproduced in more ways and with greater frequency, and moved at greater velocity than ever before. The point is that in spite of what were disappointing results for the planners and development experts, the project did have results, which was to make state subjects increasingly visible and available to government programs. A close analysis of Novo Techni's work will allow me to expand substantially on this point in Chapter 6.

Chapter 6: Land Market Performances in Rural Guatemala

Introduction

This chapter continues where the previous left off by examining the proliferation of land market policy in rural Petén. Here, I examine the work of Novo Techni, a Spanish consulting firm contracted to implement the Bank-funded land policy. I focus on the firm's efforts to produce state sanctioned private property rights, or land titles. I choose this focus because titles are at the heart of the Bank's market-led strategy to increase agricultural productivity and alleviate poverty in the Global South. In Petén, as in the rest of the World, creating land titles is a significant challenge for government (de Soto 2000). In fact, as I discuss in the previous chapter, the policy-making work that took place in Petén yielded no rural land titles. Nevertheless, Novo Techni did a substantial amount of work by *assembling* all the materials required to create land titles. However, for a variety of reasons these materials were never provided with the final stamps and signatures that would have converted them into state-sanctioned property rights. In this context, is it worthwhile to consider the practices and strategies through which land titles were *almost* made? How might a "failed" program such as this one have contributed to the proliferation of land markets?

I argue that Novo Techni's work had a variety of epistemological and material effects even if no land titles were produced. To make this argument, I return to Judith Butler's notion of performativity, on which I elaborated in the Introduction. "Performativity" is a concept that Butler developed to theorize the meaning and materiality of gender and sexuality. In her writings (1991, 1993), she insists that neither gender nor sexuality have a pre-discursive existence and that both are created through everyday "performances" of gender norms. While this approach may seem to imply a voluntaristic notion of gender, this is not Butler's intention (1993: x). Rather, she insists that performances constitute the gendered subject and not vice versa. Furthermore, Butler maintains that the conditions of possibility for these performances are closely constrained by norms, specifically by heteronormativity. Butler's work on performativity opened a new field of critique within gender studies, and led scholars from a range of fields to ask themselves if other, apparently autonomous bodies and bodies politic, are produced according to a performative logic. Since the publication of Butler's work, other authors have

extended the notion of performativity to consider bodies politic such as the state (Campbell 1991; Nelson 1998), environmental movements (Braun 2002; Sundberg 2005), and the economy (MacKensie 1997; Barnes 2007). In this context, this chapter focuses on what I call land market performances.

The bulk of the work carried out in the name of creating a land market in Petén consists of a carefully orchestrated program to make state-sanctioned private property rights in land. While I agree with other scholars that this process further marginalizes the weakest land claimants (Rossett et al. 2006), I argue that it also contributes to producing the conditions of possibility for subjects and territories. In other words, in the policy making process, encounters between technicians and landowners help to constitute what counts as a land claiming subject and what counts as a piece of claimable territory. Analogous to the way that gender norms regulate the possibilities of gendered bodies, this process is also regulated by norms. The taken for granted categories that I have described in the previous chapters serve as the source of some of the norms, e.g. the object status of policy, the rural land tenure regime in Petén, policy as national, and the relations and identities of Guatemalan and international development institutions. These categories, I assert, regulate land market performances as heteronormativity regulates gender performances.

This chapter is divided into three parts that emphasize different subject- and territory-constituting processes. I first describe mechanisms through which land claiming subjects are enrolled in the land market policy process. I emphasize how entering the process individualizes subjects. When I use the term “individualize,” I am not implying that these practices literally isolate land claimants. The process of creating a land title is one that creates multiple connections linking an individual to the state as well as other institutions, citizens and subjects. However, such documents individualize in the sense that they make people—as individuals--legible (and vulnerable) to state practices (Scott 1998; Li 2005).⁵⁷

⁵⁷ As modern subjects-- like the land claimants in this study-- we may (momentarily) forget the possibility of being anything other than individualized. In the case of Petén, land claimants are- or have been a part of other collectives such as the revolutionary movement, the pan-Maya movement, particular indigenous groups, communities or labor unions. Such membership required different forms of individual- and collective identities. As well, during the war in Guatemala people in Petén were at times treated by the army/government not as individuals but as an undifferentiated and worthless mass to be destroyed or removed from the land. Everyday practices of playing, loving, praying, and grieving constitute selves in ways that overlap and diverge with how subjects are individualized in projects of legibility.

I then describe how land is incorporated into the policy process. I emphasize the performative effects of clearing boundaries of land claims, surveying and mapping land, and even walking to and from claims. Through these processes and others, the landscape is constituted as national, uncontested, and naturally divided into private claims. Finally, I examine performances associated with a state ritual called a “public exhibition” in which technicians seek to unite individualized subjects and neatly defined pieces of national territory. Throughout I attend to the ways that embodied practices and discourses constitute subjects and territories of- and for land markets.

As I have done previously, here it is also important to note the limits of my analysis. This chapter examines individualization largely as a process of subjectification. By subjectification I refer to the ways that land market performances create conditions of possibility for land-claiming subjects and others. My focus is not on what *campesinos* and other landowners thought about land policy practices. In other words, my work is about individualization, not individuation (the way subjects identified with the process).⁵⁸ Furthermore, individualization represents only a part of the performative process that occurs through the production of land markets. As subjects are individualized, they are also becoming articulated into territorialized processes of modernization, racialization (ladinoization), nationalization. In my analysis of individualization, I can only hint at these complex performative processes which I hope to analyze more fully in the future.

This chapter draws from twenty months of field work accompanying technicians who carry out land market policy in Washington, DC, Guatemala City and Petén. However, most of the material presented here is from my time in Petén. During the field work, I accompanied technicians as they carried out their daily labors in government- and private agrarian institutions and in the countryside. I spent the most time with technicians from a Guatemalan consulting firm called TECA S.A. that was subcontracted by Novo Techni to carry out much of the rural land titling work. Although I conducted some formal interviews, most of the information presented here is derived from my observations or from casual conversation with technicians during land market performances. To provide a graphic record of the titling process, I present sketches describing my experiences accompanying technicians. These sketches are composites, not direct quotes from my fieldnotes, which are substantially more detailed. My fine grain

⁵⁸ See Introduction for why I did not focus on the responses of landowners.

descriptions of the work of the technicians complement other studies of landowners and landless people struggling to navigate the land policy process in Guatemala (Schwartz 1987; Carr 2006; Gould 2006; Grandia 2006; Ybarra 2008).

Land Market Policy Procedures

This section provides context for understanding the process of rural land titling as a component of the Bank-funded land policy project in Petén. As such, I focus on Novo Techni and its contractual responsibilities with the Guatemalan government. The firm had four primary tasks: updating the cartography of Petén, collecting all necessary documents for the elaboration of state-sanctioned private property rights (land titles) for land claimants, carrying out a social communication campaign to alert the population about the project, and finally, designing and conducting an internal audit to confirm that the latter three tasks were completed satisfactorily (See Chapter 5). Of these tasks, my focus is on the collection and elaboration of documents for land titles. To make my close descriptions of the land titling process easier to follow, I outline the process and define its most important stages in Table 2 (below). As Grandia (2006: 347) observes, the process has not changed much since the work of FYDEP and INTA.

Table 2: Stages in the Creation of State-Sanctioned Private Property Rights

Land Claimant

Application and screening: applicants formally solicit the government to begin the process of legalizing their claim. Each application is analyzed to insure that the land claimant has never received land from another government programs.

Collection of identification documents: all applicants must present marriage/divorce certificates or notarized common-law certificates, identification card (cedula), sworn statement about one's lack of property, documentation of residence, and finally, birth certificates must be submitted corresponding to the applicant, his or her spouse, and their adult children. All of these documents are retained in state institutions until a land title is completed.

Land Claim

Demarcation: Trails (brechas) must be cut along the boundaries of land claims and cement markers (mojones) placed on the corners of the claim. Trees and brush growing around corner markers must also be cleared.

Act of conformity: To be permitted to participate in the project, the applicant must have the signatures of his/her neighbors on this form indicating their agreement to the locations of boundary trails and markers.

Survey: Global positioning systems are used to create surveys of the land claims, as defined by the trails and markers.

Public Exhibition: A public forum attended by government officials in which the results of the land survey are exhibited for land claimants who have 30 days to accept or reject the work.

Payment

Down payment and installments: Claimants pay the cost of the land at 50 Q/ha for < 90 ha or 250 Q/ha for larger claims. They also pay tax, legal fees, and for those who pay the cost of the land on an installment plan, a percentage of anticipated interest fees. In total, claimants pay roughly Q 3000.00 per 45 hectare parcel.

Tutela: Until the land is paid in full, the claimant is not legally permitted to sell it. Formally, tutela lasted 20 years regardless of payment (see below).

Legal Process

Provisional title awarded: Provisional titles are awarded during the period of payment by FONTIERRA. When payment is complete, a formal title is presented to the landowner. In the days of FYDEP, the government attempted to produce a stable settler population by forbidding applicants to sell their land until 20 years after receiving provisional title.

Inscription in the National Property Registry: “Many confuse the previous step with definitive ownership of property, but one additional step is necessary for complete security in case of lost paperwork. The title must be registered by a lawyer in the National Registry...”

This chapter focuses almost exclusively on the first two processes, those directed at land claimants and land claims. Although the final stages of titling were never completed by FONTIERRA, the “Payment” and “Legal Process” stages (above) provide context and show the direction that the project was supposed to take. The format of the table and the quotes contained within are borrowed from Grandia (2006:347-8). There are differences between my table and Grandia’s because I have tried to highlight some of the requirements of the contract between the Guatemalan government and Novo Techni, e.g., public exposition.

This is not the first time the Guatemalan government has sought to create state-sanctioned property rights in Petén. Since the 1960s under FYDEP (See Chapter 3), *campesinos* have struggled to obtain state sanctioned private property in Petén.⁵⁹ However, government land agencies have been ineffective and/or have discriminated against *campesinos*, so many titles remain unfinished. As a result, most landowners have partially completed files in the archives of FONTIERRA. These files usually contain at least an initial letter of application and possibly a few personal identification documents or even a completed topographic map of the claim. Finally, it is important to clarify that the process I am describing is not a land reform in the traditional sense of states redistributing land directly. Although landowners are paying the government for land, the payment is for land that they already possess. The reason for the payment is that until a landowner receives a state sanctioned private property right (title), the land legally belongs to the government. The key clarification is that no state sanctioned land redistribution was anticipated as a part of Novo Techni's work.

Promoting Cadastral Culture

[The land claimants] don't believe, they don't believe in this project and in the process. So to get them to understand [that this project is legitimate] has been very difficult....

--TECA project manager, 2005

Technicians from the Guatemalan government, World Bank, the Catholic Church, and various Guatemalan and international firms developed institutional structures designed not only to manage a rural land market but to create one (See Chapter 5). In contrast to earlier stages of policy implementation, creating private property rights in the countryside presented an unprecedented challenge. No longer could technicians rely on elite connections to pass laws or create institutions over the heads of landowners. Now, the process could only continue if land claimants were willing to provide their identification documents to technicians and allow their claims to be surveyed. Although landowners and especially *campesinos* have struggled for

⁵⁹ It is beyond the scope of this chapter to discuss why landowners have worked so hard to obtain state sanctioned property rights (but see Chapter 3). The following references provide some background on the causes of dispossession and the struggle for private property rights in Petén: Schwartz 1987 and 1990; Kaimowitz 1995; Milian, Grunberg and Cho 2002; Gould 2006; Grandia 2006, Ybarra 2007.

years, and in some cases, decades to obtain private property rights, at the time this project was beginning, many land claimants were unenthusiastic about the project. Across Petén claimants were disgusted with the corrupt and inefficient agrarian institutions and reluctant to invest time or money in further attempts to obtain state sanctioned private property rights. In this section, I focus on the strategies used by Novo Techni's technicians to obtain the identification documents of claimants. Specifically, I explore how identities of claimants and the nature of land and government are constituted as these documents are collected. I pay particular attention to practices that individualize land claimants in relation to the state.

(in)Forming Subjects

During the time that UTJ and the World Bank were developing the contract for the rural land market policy and eventually hiring Novo Techni, UTJ was attempting to win the approval of municipal authorities and land owners for the urban component of the project. To gain this approval, UTJ developed a major public relations campaign which became known as "social communication." The generalized mission of this campaign was to develop "cadastral culture" in Petén. According to the manager of the program, an ex-public relations man for Guatemala's most popular beer, cadastral culture entails two things: an awareness that cadastre is the basis for development and a sense of responsibility to maintain one's property "inside" the government mandated system. By the time that Novo Techni was contracted in 2002, UTJ's social communication strategy was well-developed complete with radio announcements, propaganda in musical form, as well as cadastre board games, information pamphlets and even friendly cartoon surveyors. The firm adopted some of these techniques and even hired former employees of UTJ's social communication unit to promote land regularization in the rural areas.

The firm established several two-man teams that systematically visited rural communities explaining the land regularization process and urging landowners to participate. Landowners often responded positively to the encounters with these teams. Although NGOs and the Catholic Church experimented with bringing bureaucratic practices into the countryside in the 1990s and early 2000s, it remained a novelty for *campesinos* to encounter government employees in their communities. I accompanied two Novo Techni employees named Raul and Oto as they traveled from community to community in Sayaxche explaining the project and encouraging landowners to participate. The following sketch provides a sense of what their work entailed:

I meet Raul and his assistant Oto at Novo Techni's satellite office in Sayaxche. When I arrive, the two men are sitting on the steps of their office planning the week's fieldwork. Raul is wearing an old pair of shorts and flip-flops. The back room of the office doubles as a sleeping area, and both men have just woken up. After a greasy meal at the taco stand a few blocks away, we get into the front seat of a company car, an old banged up Toyota Hilux. Oto places a stack of colorful posters advertising the project on the back seat, and we head for a small town along the road south to Alta Verapaz. After a half hour drive along the highway, we park in front of the house of the deputy mayor of La Canica. Raul wants to ask the mayor for help to plan a community meeting, but no one is home. We walk back to the old car, and Raul takes a megaphone off the back seat. We wire it to the roof and connect the cables to the car battery (See Photo 1). Then we start slowly driving along the dirt roads of the community.

Oto, who worked for 20 years as a public health promoter in the area, takes charge. Raul and I chat and watch the few people. Speaking through a hand-held microphone connected to the bullhorn, Oto repeated our message over and over: "Next Monday, 4:00 pm, important meeting here in La Canica about the land survey. All landowners, please come to the meeting. Land legalization will be free." Oto repeats the same message over and over as we drive. Sometimes when he sees someone in a house or walking along the road he improvises a little. "The whole world is doing it," he says with enthusiasm. Then he plays a taped advertisement for the project that has been arranged around some popular country music. Sometimes people seem to listen to the message. Others disappear into their houses or seem to pay no attention at all. After we had driven along La Canica's small network of dirt roads, we park in front of a dry goods store and untie the megaphone. Raul takes out a few of the posters and nails them to an outside wall. I buy a couple of sodas for the guys. That day we visit three more small towns where we announce more meetings.

The sketch above is revealing about Novo Techni's strategy for obtaining the identification documents of landowners. Novo Techni does not have accurate information about the number of people much less the names of landowners in rural communities. Although the names of many land claimants can be found in documents stored in municipal government buildings, it is not in digital form and therefore hard to access. Also, municipal data is often out of date. Consequently, Novo Techni begins by literally calling out to the people with the bull horn. It is this process of calling out that begins a performative process through which the identities of landowners and state officials are constituted. To be more specific, the moment in which the people are called and recognize the call is a moment of subtle transformation. In the past, landowners traveled long distances at great expense to solicit state-sanctioned private property rights from government officials. *Campesinos* especially were often ignored or humiliated in the land agencies. In a sense, they begged to be individualized and were rejected or only grudgingly included. Suddenly, here we have officials who are playing the role of supplicants. Instead of being ignored, landowners were being instructed in how they can obtain this long sought after

relation with the state.⁶⁰ The following week, I return to La Canica with Raul and Oto where the process continues:

It is already almost 5:00 and there are 14 adults gathered in the old school waiting for Raul and Oto to begin. I sit in the back taking notes and watching the commotion. Oto stands at the front of the room in front of a wall decorated with children's drawings of the flag, the Mayan hero Tecun Uman, and the Guatemalan state bird (Resplendent Quetzal). Oto calls the meeting to order. "There are a lot of rumors about this project," he says. The small crowd gets quiet, and then, gesturing towards Raul, he advises them, "here you have a supervisor." "Ask him questions. He can get rid of your doubts about the project." But before the questions begin, Raul starts explaining the project, beginning with the costs, as usual. "Everything," he says, "is free, and," he continues, "we are not part of the state. We are part of a private business contracted by the state, and we come to help you legalize your land. Did state projects ever do this? "Never!" says someone from the audience. "No, never," says an older man seated in the back, "No one did this." "That's right," says Raul. "The only thing you'll have to pay for is the land. Then he explains how much the government will charge for each 45 hectare plot. Those with 45 or 90 ha will be charged 50 quetzales per hectare (1US\$ is equivalent to 6 Quetzales). Anyone with more than 90 ha, will be charged 250 quetzales per hectare. Some people in the audience look dubious. Raul reminds them that, "the land everybody in the world has to pay, in the city, in the town, here... we all pay for land."

Then Raul takes a different angle. "In return for all of this that we are providing free, all I ask is a little support." He then goes on to explain that when the technicians come each claimant should help to bring the concrete markers to the corners of the land. Furthermore, he asks them to be sure to clear the boundaries of their land and to guide the technicians when they need to do their surveys. Finally, he says, we need your documents and he names of all the ones that Novo Techni is collecting: marriage certificates, birth certificates, photocopies of your identification cards (*cedulas*), etc. Most of the claimants have partially completed files in the state land agency and are well aware of the documents that will be required. Raul closes by urging everyone to participate. "Remember," he says, "we are not the state and we are not going to be here forever. This is a fast project and if you don't participate, you are going to end up with nothing to show. Take advantage of this opportunity!" Then he opens the floor for questions.

At first no one asks questions. Raul chides them, "Let me get rid of your doubts," he repeats. Raul has worked for years for land agencies and he is knowledgeable about agrarian law and the institutions that carry it out. The people begin asking questions. One woman says that her husband left her six years ago, and he has the documents for the land. He never finished legalizing and she wonders if she can begin again. A man stands up and says, "I have a title from back with FYDEP but I don't know if it is any good. Could you have a look at it and tell me if it is worth anything?" The man holds up a tattered folder with a FYDEP insignia on the front, and Raul comes over to look at it. The questions continue on for 30 more minutes until the sun has set. The people thank us and we get into the car and drive back to the office.

⁶⁰ To be fair, not all landowners sought this visibility. Some wanted to avoid individualizing technologies to stay off state radar. In the past as well, some land claimants preferred anonymity to the particular sort of visibility that land titles can provide (see Chapter 3).

On the ride back to the office, Raul tells me a story. He compares the social communication project to hunting armadillos. Hollow trees, he explains, are where armadillos hide. To hunt them it is necessary to build a fire in such a way that the smoke fills the hollow in the tree and causes the armadillos to flee. The rhetoric and explanations about land titling, he compares to the fire. The landowners who came to the meetings, they are the smoke, he explains. And the ones who missed the meeting, these are the armadillos. He hopes that like smoke in a hollow tree, the landowners who attended the meeting will persuade the other landowners to participate. And in fact, after our work in rural communities, waves of landowners did travel to the office and submit these documents.

After eating some beans and eggs at the same taco stand, we return to the office and listen to the radio for a few minutes. Then we arrange our bedding in the back room of the office and go to sleep. The following day, we have another meeting to attend.

Raul's careful explanations of the titling process will help landowners to prepare strategically by saving money, preparing their boundaries, and generally knowing what to expect when surveyors and others arrive. However, the meeting in La Canica also provides an extended opportunity for state and landowners to perform their new roles. Claimants and the quasi-state officials alike are being constituted in new ways. Instead of being ignored or humiliated by state officials as in the past, landowners are being treated as citizens with the right to take part in government processes as informed participants. I am not suggesting that the brief meeting completely transforms landowners or that the mode of inclusion is especially radical. Rather, I suggest that this meeting and others like it help to sediment and subtly modify existing identities and relations.⁶¹ That said, the armadillo story is an important reminder of the limits of the process. While land claimants are ostensibly being invited to participate in state processes and take the roles of citizens, the invitation is highly strategic. As subsequent steps in the process will show, Raul and Oto are inviting landowners into a remarkably confined and confining space of participation/citizenship. Finally, if these events occurred only during a few meetings, the effects would be slight indeed. However, as this chapter will show, these performative processes carry through many aspects of titling.

⁶¹ Novo Techni was not the only organization holding these sorts of meetings. The subcontractors held similar meetings as I explain in the next section. Since the 1990s, NGOs, firms, and the Catholic Church have used community meetings to gather information and advance the land titling process. UTJ's approach in urban areas went considerably beyond community meetings. UTJ sought to influence young people through a project called INCULCA, short for "introduction to cadastral culture." The program sought to inculcate high school-age children in the meaning of cadastral culture in the hopes of transforming the next generation and reaching landowners and society at large. Inevitably, some rural claimants and their children encountered UTJ's programs in urban parts of Petén.

While I think this meeting and others like it were sites for subtle transformations, I don't wish to suggest that these encounters between state officials and landowners produced homogeneous effects. Claimants themselves occupy different subject positions as *campesinos*, indigenous people, wealthy ranchers, men and women and they interact with the technicians differently as a result. As well, the tenor of the meetings varied depending on the characteristics of the communities. For example, most of the technicians working for the project identified as Ladino and many expressed fear of working in Qeqchi communities. One technician commented that Qeqchi people must be approached cautiously. Like technicians throughout the project, he believed that miscommunications-- and especially those which raise false expectations for the project-- could lead to violent reprisals from Qeqchi people. The fearfulness of technicians meant that meetings such as the one in La Canica took a more simplified form in Qeqchi communities. One technician commented that he would never name the different agrarian institutions in a meeting with Qeqchi. "This would only confuse them," he claimed. In contrast, in Ladino communities technicians were often quite specific and detailed in their explanations. The fear that circulated among the technicians seemed to condense around the conventional wisdom that Qeqchi communities practice vigilante justice. In long car rides, technicians persistently made jokes about accidentally running over domestic animals or children in Qeqchi communities and then getting burned alive by villagers. While these jokes are based on racist stereotypes, and reverse the direction of much racialized violence in Petén, my point is that the technicians' prejudices made meetings in Qeqchi communities different than those in ladino communities and logically had different effects. Nevertheless, I maintain that the basic issue -- the individualization of land claimants through the land titling process -- occurred in different communities and under varying circumstances.

The social communication programs combined with the hard work of land claimants meant that the project rapidly began to develop some momentum. Technicians continued to give presentations describing the project and urging claimants to participate. However, as interest in the project grew, encounters between technicians and claimants took on a different tone. Instead of spending time describing the project and answering questions about agrarian law, technicians focused on helping/pressuring claimants to procure personal identification documents required for the process — birth certificates, marriage certificates, etc. For *campesinos*, obtaining these documents proved difficult. Many families had come to Petén fleeing violence in the southern

part of the country and they had lost their state documents. If they wished to obtain these documents again, they had to make expensive journeys to their- and their children's birthplaces. Many did.

(in)Formation Technologies and the Collection of Identification Documents

The performances constituting claimants as individualized subjects continued to occur beyond the face-to-face exchanges at community meetings and elsewhere. As landowners assembled their documents and brought them to technicians or directly to Novo Techni's offices, the firm's information technology engineer was designing databases. As documents poured in, the database was updated and files-- in computers and in archives-- were created to organize the documents pertaining to each participating landowner (See Photo 2). To accelerate the process, the database was then used to generate reminders which the technicians would distribute to landowners in the countryside. The bright yellow slips marked "Urgente!" listed the documents that each landowner was still lacking. When I accompanied Raul and Oto in the countryside, they were forever searching for landowners and handing them copies of these yellow slips. Every time a reminder was delivered the technician was required to sign it and to bring back a copy to Novo Techni headquarters. In this way, the systems for collecting identification documents also became systems for monitoring the activities of technicians. While only a few months before, Novo Techni hadn't known the names of landowners, now the firm had the most complete and easily accessible databases containing up-to-date information about individuals participating in the project. As land claimants participated in the titling process, they became more visible and accessible to the titling institutions as individuals. The use of data bases and yellow reminder slips created the conditions for more encounters that further individualized land claimants.

The expanded circulation of identification documents was not limited to exchanges among landowners and technicians. Many partially completed applications for land titles had accumulated in NGOs, consulting firms and most importantly in the state land agency, FONTIERRA. It is beyond the scope of this section to discuss how these organizations were persuaded to transfer their files to Novo Techni. However, this did occur. The flood of new identification documents arriving at the offices of Novo Techni from the other organizations required new data management strategies and more technicians. Unlike the documents from the

countryside, much of this material was out of date. Novo Techni was receiving documents that had been abandoned for years, even decades in the archives of agrarian institutions. Many of the land claims represented in these documents no longer existed. Landowners had given up on their applications, sold their land, moved to the United States, or died. Technicians working for Novo Techni had to sort through thousands of yellowed documents to locate the files that were still active. After months of work, the piles of identification documents were whittled down to the approximately 3000 land claimants who participated in the project. Although the monotonous work of organizing and purging obsolete identification documents was carried out unbeknownst to land claimants, I argue that these processes were also performative, and helped to further individualize the claimants in relation to the state.

The early stages of the land titling process created new flows of identification documents and new arrangements of experts. Now I want to briefly comment on how these flows help to reconfigure institutional architectures in the countryside. Novo Techni established satellite offices in the southern, the central, and the northern portions of the project area. These offices were established with the bare minimum of funding and staff—just enough to keep the identification documents flowing and to provide a location for land claimants to deposit their documents. The satellite office in Sayaxche was staffed by one 19-year-old technician fluent in Qeqchi and Spanish. The small office—which Novo Techni rented for less than US \$100 per month-- contained one old computer and a few plastic chairs for claimants to sit on while they waited for attention. The technician managed a database where she could input the names of the claimants and check off the identification documents as they submitted them. The documents were then shipped off to Novo Techni each week along with the information from the database. Unsupervised for the most part, the young woman decorated the office as she might have decorated her room with posters of hearts and Tweety birds. This is the same office where Raul and Oto slept in the evenings between trips to rural communities.

In summary, this section outlines the strategies through which claimants are identified and become enrolled in land market policy. Technicians use a range of approaches to overcome the initial reluctance many claimants feel about participating in the project. The acts of collecting and organizing identification documents further the work of the community meetings by reconstituting the identities of claimants and officials. Like the meetings, the elaboration and movement of documents further individualizes landowners at the same time as it (re)produces

them in relation to a state process. In modern life, bureaucratic processes are so common that they are sometimes taken for granted. Nevertheless, the identification of subjects in bureaucratic processes is always also a process of subject making. This particular bureaucratic process is notable because Novo Techni developed ways to reproduce, exchange, organize, and file identification documents at a magnitude and intensity unprecedented in the history of Petén. While the collection of identification documents does not single-handedly produces a new subject position, the process creates sites and moments in which landowners are individualized according to a performative logic. In the next section, I discuss processes through which the territory is produced such that it can be attached to this highly individualized subject.

Producing Uncontested Territory: Monuments, Acts, Surveys and Risk

Compared to the work of identifying landowners, which relies on an array of existing state sanctioned documents -- birth certificates and the like-- the technologies directed at land required greater elaboration. Land has to be surveyed using precision equipment. And technicians may not simply approach landowners and demand to survey their claims. This was especially true in relation to the owners of large cattle ranches, some of whom are connected to the drug trafficking industry and to the military. Furthermore, at the time that Novo Techni was initiating the work, the entire project lacked a legal mandate outside of the Guatemalan Peace Agreements. UTJ and the organizations it administered, including Novo Techni were underwritten by no law. UTJ's legal mandate was the Guatemalan Peace Agreements until 2006, when the Guatemalan Congress passed the Law of Register and Cadastral Information. Without a legal mandate and lacking the resources to impose the policy, the project managers had to entice landowners to participate voluntarily.

The beginning of this process of demarcating and measuring land intermingled with the subject-making practices described in the previous section. Technicians from Guatemalan subcontractors worked in the same set of communities where Raul and Oto were collecting identification documents and conducting training sessions. Technicians working for TECA arrived in rural communities with copies of old cadastres and lists of community members assembled by now-defunct land agencies. Although badly outdated, the old cadastres provided a beginning point for conversations with landowners. Often based only on these conversations, the technicians created a rough sketch of the arrangements of land claims. Some technicians had

years or decades of experience working in rural communities, so they could gather information quickly. Back at the office, the sketch maps were interpreted and integrated with the old cadastres and became the basis for planning the early stages of the survey. Just as meetings and the exchange of documents constituted landowners as individualized subjects, the cartographic practices of these technicians would also constitute the landscape.

Downloading Risk

As mentioned, Novo Techni did not have the resources or the legal mandate to impose a land survey. The success of the firm depended on the cooperation of land claimants. The firm gained this cooperation by delegating the demarcation of the land. As technicians collected identification documents and conducted their public-relations campaign, they told claimants to resolve any land conflicts and then cut paths along the boundaries of their claims. Technicians informed claimants that only when the perimeters of land claims were defined could the titling process move forward. Furthermore, the claimants were told that any land claims with contested boundaries would not be surveyed. This policy had diverse implications for technicians and claimants. First, since technicians did not know where land claims were located, this approach provided the missing information. Even though the process was ostensibly free, land claimants were asked to spend their resources clearing the boundaries of their claims and their time guiding technicians throughout the process. But there are implications of this strategy that go beyond its direct utility to the implementing organizations. For example, the practices that result from delegating demarcation constitute the landscape itself in particular ways. Although no survey had yet taken place, the practices of claimants are nevertheless carried out with the expectation of a future land survey. Claimants discuss with each other the locations of boundaries and corner markers. They visualize their land claims in relation to those of others. They spend days in the forest clearing paths along property boundaries or they pay others to do the work. The process is performative in the sense that it allows claimants to experience themselves as owners and it makes claims more visible as discrete sections of national territory.

A second effect of the firm's policy to delegate demarcation relates to both recent and historical land conflicts. As mentioned, there are strong incentives -- financial and otherwise -- to participate in the process and seek private property rights. And many land claimants wished to do so. However, the delegation of demarcation meant that a land conflict could potentially

exclude claimants from participating and capturing the benefits of the project, i.e., increased land value and state sanctioned property right. An unscrupulous and powerful claimant could easily bully a neighbor and redraw new “uncontested” property boundaries. Many claimants must have considered using threats as a means to change the position of land claim boundary. Because I did not investigate the frequency of these events, I cannot say how many “uncontested” boundaries were actually produced through threats or violence. Schwartz suggests that violent conflicts over land claims have been uncommon in Petén (1990, 1995). However, more recent research indicates that dispossession is major problem for *campesinos* who participate (or are caught up in) land market policy. The case of large landowners -- cattle ranchers in particular -- annexing pieces of land from *campesinos* was particularly common (Grandia 2006; Ybarra 2008). More studies will reveal the extent of this problem. My point is that unscrupulous individuals had an opportunity to steal land from their neighbors and then watch as the titling process constituted their spoils as “uncontested.” In fact, since the titling process was carried out on the assumption that land was uncontested, one could argue that the entire subsequent process furthered this same process, making it harder and harder for the dispossessed to reclaim their land.⁶²

The same argument can be made for historical processes of dispossession. By asking land claimants to negotiate among themselves over the proper distribution of land, the process frames out any possibility of reckoning with historical dispossession. As I discussed in Chapter 3, at the time of the colonial encounter the area where the project is being carried out was populated by indigenous people. These people were dispossessed by Europeans. Beginning at least in the early 1900s, Qeqchi people farmed patches of land and maintained trails through the same area but did not retain land claims (Grandia 2006). As the Petén was recolonized between the 1970s and the 1990s by agents of the state, there were many cases of *campesinos* being displaced by cattle ranchers and others. Finally, during the violence of the 1980s, tens of thousands of people,

⁶² It is worth noting that this policy was not developed by Novo Techni. It first emerged when CARE and other NGOs and private firms were titling land in northern Petén in the late 1990s and the first years of this century. According to the World Bank, the work of CARE led to the adjudication of 300,000 ha without any land conflicts (1998a:16). This miraculous result was used as evidence that the Bank funded land policy was an appropriate intervention in Petén. In fact, the claim of zero conflicts was an artifact of the same policy process used later by Novo Techni. In earlier research on the work of CARE, I identified multiple land conflicts in a study of just three communities covering just a few thousand hectares (Gould 2006). While perhaps expedient, it is undeniable that this method of conflict resolution renders dispossession invisible as it produces land as uncontested.

were displaced from their land particularly in southwestern Petén, where this project was implemented. I would not suggest that a single agrarian policy could resolve all of these interlaced processes of dispossession. However, allowing neighbors to resolve boundaries between land claims renders all of this agrarian history irrelevant. Past dispossession becomes water under the bridge. If the effects of this policy are to be understood, it is crucial to acknowledge this.

When I questioned World Bank officials and other project leaders about this problem, they responded that these patterns of dispossession were national concerns that should appropriately be resolved by Guatemalan law. This project, in contrast, was intended merely to provide a technical fix by legalizing land claims. While these arguments are convenient, I found them highly disingenuous. The same World Bank officials who were claiming that their hands were tied had helped to create the current agrarian laws and institutions. And the laws they had created did not include a built-in mechanism for addressing these larger concerns. In this context, it is clear that this early stage of the land regularization contributes to the erasure of both contemporary and historical processes of dispossession and consequently helps to constitute the territory as uncontested. Although this early and provisional stage in the land regularization process has implications for territory and subjects, this voluntary demarcation is only the beginning of an extended process. While landowners had ostensibly defined the boundaries of their property claims, there was still no mechanism for legally binding these claims to the identification documents of claimants. In the remainder of this section I discuss three important technologies which served to constitute a territory not only as uncontested but as able to be legally bound to the identification documents of individualized claimants.

Monuments

...the cadastre is going to heal many conflicts... and according to the old agrarian law of Petén... antisocial people [gente desasociador] don't qualify to receive land, right? This [law] was never followed... but now implicitly it will be accomplished because each person will know the limits of their claim, what they have, how much they have, [and] physically where their mojones [corner markers] are. And now we have mojones made of concrete, not wooden stakes that get lost in a fire, and that's where problems started, right? As well [the mojones] are geo-referenced so that the moment there is any sort of problem, it will be possible to locate the corners [of the land claims]. In contrast with the old cadastre, this would have been impossible. Well, it [the cadastre] is important for consolidating the peace.

--TECA project manager, 2005

The first process for solidifying this landscape of uncontested claims is known as *mojoneo* which translates roughly to "placing blocks." The process is deceptively simple. During *mojoneo* technicians and land claimants place concrete markers on the corners of land claims. I accompanied land claimants and technicians from TECA as they carried out this process (See Photo 3). The following is a description of a day (and a night) of *mojoneo* in southwestern Petén.

Three technicians and I leave from the satellite office of Novo Techni in a faded blue pickup truck at about 3:00 in the afternoon. Because of the weight of the *mojones* [concrete markers] piled into the back of the truck, we drive three hours slowly to the community where we will be working for the next few days. When we arrive, we eat a hurried meal of beans and eggs, and the deputy mayor allows us to throw our bedding and cloths in the one-room schoolhouse. After we get settled, we meet with a group of complaints. They have many questions about the titling process and several agree to meet us the following morning.

The claimants arrive a little after dawn the following day. We pack our things, and we set out to mark the first corner. The claimants show the way. It turns out that the first corner marks the meeting place of three land claims. All three claimants are supposed to be present, but only one is. Another is absent and the third has sent a representative. Several of the men are carrying the 50 pound *mojones* on their backs. A few more of the concrete markers are tucked into saddlebags hanging from the sides of a tired looking horse. I ask one of the men if the 50 pound cement monument is hurting his back. He says no but I can see through his torn shirt that the concrete leaves a red mark on his shoulder.

When we arrive at the next corner, there isn't much discussion. There is already a stake hammered in the ground. The technicians remind the claimants that overhanging branches around the corner point must be cleared or else the global positioning system will not work when the survey begins the following month. As the technician works the *mojon* into the soil, a few of the men smoke cigarettes and the boys laugh and throw berries at each other. Once the *mojon* is in place, the technician paints a five digit number on the side of the concrete mark.

It is only 930 in the morning, but is already beginning to get hot. We bury several more *mojones* on the corners of forest land claims. Then we cross from forest into pasture and begin walking along the edge of a newly constructed barb wire fence. Each time a *mojon* is placed, a technician uses a small global positioning system to get the approximate coordinates of the property corner. Around midday we share a tortillas and a can of tuna and begin chatting. Some of the landowners leave and others join us as we move from one land claim to the next. The technicians and one of the landowners ask about wages for manual labor in the United States. "Does your father need any help on his land?" one of the men asks me. The discussion continues as we pack up and continue walking beside the tired horse.

By the late afternoon we have buried twenty *mojones* in six land claims and we are all sweaty and tired. As we are arriving back in town, the technicians tell the claimants to bury *mojones* in the corners that we did not have a chance to visit. In the evening, we meet with another group of claimants and make plans for the following day.

Placing heavy concrete blocks on the corners of land claims literally and figuratively adds weight to the territorial imagination discussed in the previous section. As the mojones are placed, the uncontested landscape of property claims becomes visible, tangible. As well, the weight of the concrete marks seems to promise that this landscape will endure. Over the course of the project, nearly 20,000 mojones will be placed along the boundaries of some 3000 claims. This is almost one million pounds of cement that must be hauled from town centers and roadsides. Many of the claims measure 45 ha or more and so claimants spend days cutting trails and placing the cement markers. The moment I describe above when the mojon abrades the skin of the landowner was nothing out of the ordinary. As the mojones are carried, they mark the flesh in relation to the contours of these claims and in relation to a vision of national territory naturally divided into property claims. I emphasize the embodied aspect of mojoneo because, I believe, the strength of this process to constitute subjects and territories is rooted in embodied performances. The weight of the blocks and the time spent carrying them along the boundaries of land claims helped to constitute subjects and territories in ways that other “easier” processes would not.

The act of placing the mojones articulates with national territorial imaginaries in other ways as well. The mojones are shaped like small versions of the concrete monuments that have been placed at the corners of the Guatemalan territory. Many people living in Petén have seen the monuments that mark the boundaries with Mexico to the west and north. Furthermore, as the mojones are placed, the technicians paint them with a number identifying that particular mojon within a planned national network of property markers. In addition, historically in Petén those landowners recognized by the state land agency have used mojones to mark the corners of their claims. Elites were famous for using helicopters to deliver mojones to the corners of their enormous land claims. Mojones connect claims and claimants to national territorial imaginaries.

Just as the placement of mojones constitutes the uncontested landscape that begins to take shape in the early stage of the process, the mojones also helped to solidify processes of dispossession. I saw several incidents in which powerful landowners placed mojones strategically to annex pieces of neighbors' claims. Even the project manager for TECA, a staunch supporter of the policy, admitted that such cases occur and invariably the “weak give way.” He went on to illustrate his point with an example.

Here there was a case of a man who went three times to speak to his tough-guy neighbor [*el fuerte*]. The first time he said, ‘put it [the mojon] where you would like,’ and after that [he noticed]... that the mojon was [in a different place and so he told the neighbor] to just leave it there, and after that, I don't know what problem occurred, but he went to the neighbor again, and he said, ‘look, measure carefully and when you've decided where on my land you are going to put the mojon, just let me know, and I will come and sign off because I don't want problems.’

Although the anecdote describes a particular incident, it can also be read allegorically to understand the vulnerability of the weak in relation to the powerful within the titling process.

While titling contributes to dispossession and constitutes the landscape as uncontested, there is an additional process of dispossession that materializes specifically during the placement of mojones. Because women co-sign property rights documents including titles, they are not as likely to be dispossessed in this project as in other cases (Deere and Leon 2001). However, several of the technicians commented that in the four or five years they had worked for land titling projects, they had only accompanied women in the countryside a handful of times. They believed this was so because husbands and fathers didn't like the idea of women going into the forest with the technicians who were almost invariably male. In fact, in Petén the statement “let's go to the forest” (*vamos al monte*) can have a vulgar meaning of “let's have sex.” Since social norms (and men) prevent women from participating in the placement of mojones, women are especially vulnerable to losing land during this stage in the process since they rarely accompany the technicians to survey or demarcate the land.

Although the placement of thousands of concrete marks across the countryside is a dramatic performance of territory as a landscape of property claims, there is no guarantee that the effects of these processes will be homogeneous. These performances necessarily had different effects in different contexts. As I accompanied claimants during mojoneo, many seemed more interested in talking with me about going to the United States than anything else. They played along with the state ritual, but perhaps saw the mojones as simply pieces of cement that guaranteed little. Furthermore, land theft could and did occur regardless of the placement of mojones. While the practices of land titling helped to constitute an uncontested landscape of property claims, these processes remain provisional. The locations of mojones will be forgotten. Boundaries that have been cleared will become overgrown again. The painted numbers on mojones and the cement itself will be worn down over time. In any case, the placement of monuments requires

supplementary technologies before the territory could be articulated with identification documents in the ways that project planners hoped.

Acts

The weakness of the mojon as a technology of territorialization is closely related to its strength. The weight and permanence of the mojon makes it a powerful tool for constituting the landscape as uncontested. However, because of these same characteristics, the agreement embodied in the mojon travels awkwardly. A second technology, known as an act of conformity [*acta de conformidad*], further solidifies this uncontested landscape. According to the contract between Novo Techni and the Guatemalan government, these acts are supposed to be signed in the countryside as the mojones are placed at the corners of land claims. In practice, the acts are signed in community meetings held during the days that mojoneo is being carried out. The following is a description of one such meeting.

During the mojoneo, the technicians spend their evenings organizing claimants to sign "acts of conformity." We asked claimants to meet us at the schoolhouse to sign documents. The first evening, a group of five claimants arrive. After discussing the details of mojoneo for a few minutes, the technicians show the claimants the blank "acts of conformity."

These acts consisted of a single piece of paper with spaces for landowners and technicians to sign and insert data about the land claims. The topmost space of the acts contains blanks for a single land claimant to provide his address, government issued identification number [*numero de cedula*], and to sign and print his name. Next to this information, the technician fills in the cadastral classification code for the claim pertaining to this first claimant. Each land claim in the project, and eventually in the country, is to have its own cadastral classification code.

Below the cadastral code is a space for the neighbors to sign their names and provide their government issued identification numbers. According to the act, the signatures indicate that all of the land claimant's have "express[ed] their acceptance and conformity with the corner marks and boundaries" that separate their land claims. At the bottom of the page is a space where the technician validates the form by signing and dating it.

As on other nights, the claimants sat expectedly in front of us. One of the technicians opened an ink pad and gestured to a claimant that he should either sign or put his thumb print on the document. To speed up the process, the same technician reached forward and grasped the claimant's hand firmly. Then, using the hand as he might have used a rubberstamp, the technician pressed the man's thumb first into the ink pad and then onto the form, leaving behind a neat purple print.

Since each of the land claims had several neighboring claims, the claimants signed several times on different forms. By the end of 20 or 30 minutes, we had all the signatures we were going to get, but the acts of conformity were not complete. We would have to find the remaining claimants at other meetings or in their houses. When the claimants had left,

the technicians filed away the forms in cardboard boxes which they carried with them. We spent a few more minutes chatting as we got ready for bed. The following day one technician would search for signatures that we missed at the meeting and the rest of us would continue with the mojoneo.

How does this process further solidify the uncontested landscape that is initially constituted by the practices of demarcation and mojoneo? First, the acts of conformity underwrite the network of monuments dotting the landscape with a network of quasi-legal agreements. In doing so, the acts allow the network of monuments to be inspected and finally mobilized without making the long walk to the corner of a land claim. Furthermore, by enrolling the mojones in the legal system, and by providing each land claim with its own unique number, the acts of conformity further nationalize the territory. However, the narrative construction of the acts means that they do not produce a fully reciprocal relationship among the landowners who sign. The form consists of a group of landowners who commit to respect the limits of a single landowner's claim. The landowners in the list have not committed to respecting each other's claims, only to respecting the claim of the landowner whose name is at the top of the act. As one World Bank consultant pointed out, had all landowners signed their mutual agreement to the location of boundaries, the landscape would have been constituted through an even denser network of quasi-legal commitments. In any case, the signing of acts of conformity and the existence of these documents helps to produce an intricate geography, a landscape of uncontested property claims.

I now turn to the mode of acquiescence through which the acts of conformity were made. At the moment that landowners agreed to the boundaries of their claims, their bodies, or at least their thumbs, literally became rubberstamps (See Photo 4). Of course this occurred unevenly. It was poor and indigenous people who are less likely to read and write and especially Qeqchi people who received this treatment. Furthermore, I noticed the technicians would often grasp not only the hand but the elbow as a way of guiding the thumb to the document. To bring the thumb flat against the page the technician would sometimes gently lift the elbow until the landowner looked as if he were caught in a wrist lock. In remote villages where visits by technicians were uncommon, the process of obtaining signatures and especially the use of the "wrist lock" seemed to help landowners learn a particular range of movements through which they would continue to signal their acquiescence to government policy in the future. Of course, the fact that landowners

signed without reading documents would not have prevented them from resisting or attempting to transform the policy at other opportunities. Nevertheless, the moment in which territorial claims are rendered uncontested is also the moment in which landowners become docile bodies in the hands of state representatives. The transforming of the applicant into a rubberstamp for the land titling process is provocative because it illustrates how bodily performances are made to constitute a particular vision of individualized subjects and uncontested territories.

Within the context of the land titling process, the acts of conformity are presented merely as formal agreements between neighbours about the locations of boundaries. So far, I have accepted this framing. However, these acts and signatures can also be considered more broadly. When landowners are asked to sign their conformity, they are signing their approval not only to specific boundaries, but to a larger process. The signatures are part of an individual and societal acceptance of the landscape as settled and uncontested despite lingering processes of violent dispossession. Furthermore, at the time that these documents were being signed, few landowners knew much about how or when the policy would be completed, much less the implications for themselves or their families. The signatures on the act of conformity constitute the strongest yet act of (blind) faith in the technicians and firms that are managing the process for the government.

Survey

The third technology that constitutes a landscape of uncontested property claims is the survey. Technicians use the mojones as the basis of the survey and the geographical data that are collected become incorporated into property maps, also known as cadastres. The following is a description of a typical day with a group of surveyors.

It is the morning of the sixth day of a ten day surveying trip. I'm staying with nine technicians in an unfurnished concrete block house lent to us by a wealthy land claimant. Although the windows are wide open, the house smells like sweat. Sleeping bags and hammocks are strewn across the floor and an assortment of global positioning systems (GPS) and other surveying equipment are piled up in one corner. By 7 a.m. we are eating a breakfast of re-heated tortillas and canned black beans. Soon the project leader-- who has been working on land projects in Petén since the late 1990s-- calls us together. He takes out a map and shows each man the mojones where he will collect GPS coordinates. Then the men grab their equipment, some food and water, and copies of the map. We climb into the back of a pickup truck and the project leader drops the technicians off in pairs at gates, trailheads and farmhouses. I accompany a young technician named Josh who is a recent graduate from a local technical school.

We are working a line of mojones that runs along a barbed wire fence so there is no problem finding the mojones. At the first mojon, Josh sets up the GPS. It is the shape of a UFO and the size of a lunchbox. It screws onto the top of a metal pike. Josh places the point of the pike on the top of the mojon and sets up a metal tripod to stabilize it (See Photo 5). The GPS is now positioned a meter or so above the mojon. Then Josh takes a blank survey data sheet from his backpack and records the time, the height of the GPS, and the height of the mojon from the ground. Finally, he draws a sketch map of the mojon in relation to the land claim and other nearby mojones. We are using a high precision GPS that requires 30 minutes to collect data from the U.S. military satellites passing overhead. There is no shade because we are working in cattle pasture. The sun is hot, and the day passes slowly.

By the time we return to the house, we have "surveyed" 12 mojones. The rest of the technicians are already back. Someone has started heating up more beans and another man has a huge stack of tortillas that he bought from a landowner's wife. The project manager has a pile of GPS units sitting beside him and he is downloading the data into his laptop. I'm trying to interview a couple of the technicians, but I can hardly hear their answers over the din of a generator that powers the laptop and a few dim light bulbs strung around the house. After dinner, the technicians neaten their data sheets and get ready for bed.

We return to the main office on Friday evening after a long bumpy ride in the back of the pickup. Everyone throws down their things and heads home or out for a beer at the nearby strip bar/brothel, El Paso La Frontera. Early Saturday morning we are back in the office. We review the data sheets that have been collected and a couple of the guys do what is called post-processing. The data that the GPS units receive are scrambled as a precaution by the US military, and a series of steps are required to unscramble the data. The technicians use software supplied by the GPS company to unscramble and then calibrate the data. In the coming weeks, technicians working in the office will convert the purified data and the sketch maps into maps of property claims.

The survey is a powerful technology for constituting landscape and subjects precisely because it is imagined as an objective description of the world. The struggles over territory that were hidden in the earlier stages of the land titling process become that much more difficult to detect in precision property maps. The neat black lines and empty white spaces of property maps reveal only an uncontested territoriality. As Pickles has observed (2004: 107-123), objective surveys and maps conceal processes of dispossession and violence. Surveys and the institutions that produce them, Pickles asserts, "delimit potentialities through the control of space-time-action and thereby produce certain types of subjects, actors and places" (2004: 111). Although this cadastral mapping project has not been imposed by an invading army, it nevertheless has the power to erase and reconfigure struggles over land and resources. The strength of this production is magnified because the property maps that were produced by the technicians were digital and they were immediately replicated and circulated among government institutions.

While the map itself has an important productive function in the process, the effects of the survey extend far beyond the effects of the map. The collection of the data to produce the map is itself a productive process. In the survey, technicians who are essentially government employees walk the boundaries of land claims usually accompanied by land claimants. As the global positioning system (GPS) collects data, technicians and landowners get to know one another. They have 30 minutes to wait as the coordinates (location) of each mojon are estimated. Sometimes the men are quiet, but more often they talk. According to the surveyors working for TECA, some of the most common topics of conversation are the policy process, local politics, immigrating to the United States, and sexual experiences. The act of walking these boundaries, having these conversations, witnessing the mysterious actions of the GPS -- all of this and more help to solidify the uncontestedness and the settledness of the landscape. I contend that the everydayness, the banality of the relations/conversations sanction this process. Furthermore, the survey is not the only time the boundaries are traced by owners and technicians. I have already mentioned the process of mojoneo where large concrete blocks are hauled to the edges of claims. There are also supervisors who come to these sites and repeat the measurements with other GPS units or they inspect the mojones to ensure that they have been planted correctly in the soil (see Chapter 5). In both cases, technicians require landowners to guide them to the edges and corners of the claims. Over the course of the project, the 3000 landowners and their families dedicated tens of thousands of work-days to the land regularization process, and many of those days were spent walking the boundaries of land claims.

The embodied nature of the survey is part of its power to constitute subjects and territories. Land claims are extensive and many are partially or completely forested. Some land claims could more accurately be described as swamp claims. On one occasion I accompanied technicians and claimants along the boundary of one claim that was underwater. We walked for hours, often hip deep in water. On another occasion, I accompanied a technician who became tired and accidentally allowed a pike to slip off of the mojon where it had been balanced. The tip of the pike punctured his boot. The technician's foot oozed blood through the top of his boot. All day he limped along the fence lines where we were working. Even the process of creating maps from the survey data is embodied. Technicians work for hours at a time cleaning up the property maps. The process is repetitive because not only must the cadastre be composed point by point from the GPS data, but separate maps of every land claim must also be produced. To

keep themselves alert, the technicians often do their cartographic work to the sound of the same techno-merengue that is played in the strip clubs. As the maps were being made, the digital landscape convulses under the rapid clicking of computer mice to the same rhythm that the women dance at the strip club. I emphasize the embodied nature of surveying and mapmaking to emphasize that even these seemingly technical processes are performative and help constitute the idealized subjects and territories of the market.⁶³

Finally, to the extent that the survey of land claims in Petén constitutes a landscape of uncontested boundaries, the condition of possibility for that fact originates with US military technology. GPS technology was developed during the Cold War by the US armed forces and has revolutionized land survey/land policy around the world, including Guatemala. Other aspects of the survey are also linked to US military support of Guatemala directly. After World War II, the United States provided technical assistance to countries throughout Latin America to develop topographic maps. Fort Clayton in the Panama Canal Zone was a key site for this training. Throughout the Cold War, US military aircraft and technicians assisted professionals from the Guatemalan National Geographic Institute (IGN) in one of its biggest challenges: the creation of topographic maps of Petén. The process required decades and was eventually completed in the 1970s. The maps that resulted were the starting point for Novo Techni's cartographic and cadastral work and the basis for all previous land regularization projects carried out in Petén. Furthermore, there were some personal connections between the project and this era of US military programs. As a young man, the owner of one of the subcontractors working for Novo Techni learned advanced survey techniques at Fort Clayton and worked with US military technicians in the geodetic mapping of Petén.

In conclusion, this section has explored four processes through which rural territory is constituted as a landscape of uncontested private claims: the delegation of demarcation, the placing of mojones, the signing of acts of conformity, and the land survey. Throughout, I have emphasized that the power of these processes is entwined in their embodied and repeated performance. As in Mitchell's work on the land survey in colonial Egypt (2002), this contemporary land survey is not merely a product of the actions and ideas of humans.

⁶³ The critical cartography literature has paid a great deal of attention to the power of maps, but placed less emphasis on mapmaking. When cartographic practices have been considered, the focus has been on the idealized practices of experts and their tools rather than monotonous, embodied labor which also has important effects (but see Kitchin and Dodge 2007).

Materiality plays a tremendous role. GPS technologies, concrete blocks, metal spikes, fences, swamps, the bodies of technicians and claimants, and the sheer expanse of the landscape all play a role in the making of this territory. In the next section, I examine the performative process through which individualized subjects are linked to territory in the expectation of private property rights.

Territorializing Subjects

With the completion of the survey and the collection of acts of conformity, the land titling process shifts gears. In the next stage, technicians assemble the materials that have been collected to describe land claims and claimants and present these materials to the "beneficiaries" of the project. In a ceremony called a public exposition, claimants are asked to approve the work that the technicians have completed. The moment of approval echoes the Act of Conformity, but signals a wider acceptance of the work of the technicians. The land claimant's signature at the public exposition is equivalent to his/her acceptance not just of the boundaries of a land claim, but of the shape and size of the claim. Once a land claimant has given his/her approval at the public exposition, all further steps for the eventual completion of the land title are carried out automatically by employees of Novo Techni and/or the Guatemalan Government. The following is a description of the first public exposition in 2005.⁶⁴

Preparations for the public exposition begin weeks before the encounter with the claimants. Technicians arrange for announcements to be broadcast on local and national radio stations and for advertisements to be printed in national newspapers. The text of the newspaper announcement invites all interested parties to the "... exposition of results of the establishment of a cadastre of rural land claims... so that those who are interested can manifest their conformity or inconformity with the results obtained..." (See Photo 6).

On the day of the exposition, the land claimants are the first to arrive in the town of Dolores. Most are *campesinos* who have come on early-morning buses from the countryside. A few well-healed ranchers drive up in pickup trucks. By 8 a.m., technicians from Novo Techni and TECA enter the locked exhibition building. They take out folding chairs for the claimants to sit on, and make last-minute adjustments of the cadastres that have been tacked to the walls inside. By 9 a.m., technicians as well as the leaders of most of the organizations involved in the World Bank-financed policy are present. I see virtually all of my friends and contacts from UTJ, FONTIERRA, Novo Techni CONTIERRA, the Land Pastoral, and the three Guatemalan subcontractors. As well, the mayor of the municipality, one of the owners

⁶⁴ Public expositions, like other aspects of the process, are organized by polygons. The first public exposition included land claims from several adjacent polygons. For an explanation of the creation of the polygons, see Chapter 5.

of Novo Techni, and the newly appointed director of UTJ are all on hand to make speeches and welcome the claimants. Although there are some 60 claimants in attendance, they seem to be outnumbered by the technicians!

The authorities use the exposition to make speeches. The mayor of the municipality welcomes everyone and reminds them of the quality of the work the government and the consulting firms are doing for their benefit. The owner of Novo Techni makes a brief speech, but it is the director of UTJ who speaks the longest. He begins by emphasizing the role of the claimants to accept or reject the work. He says, "It is our obligation to carry out [the public exposition] because we do not want to do anything hidden... or anything with which you are not in agreement... and if you are not in agreement [with the results of the exposition], don't sign." And then he adds, "Be very careful. Review what has been done. Not everything we do is correct. We are human beings and we can make errors, but it is you that can validate and decide [if] what has been done has been done well."

Although the sun is already strong and the claimants appear restless, the director of UTJ continues speaking in an inspirational, nearly evangelical, vein. "You are going to be true property owners, and the government, according to the second article of the Constitution, has the obligation to guarantee the security of your land... This is a thing for now [and] for your whole life, for your children and for your grandchildren, [and so] take great care." But then he warns, "... I hope that the problems that can emerge can be solved easily between neighbors. The conflicts that may appear, handle them like civilized people. Many times conflicts derive from aggressions, from violence, and result in nothing [good]." He urges the people to find solutions to land conflicts through words and not violence. Then he concludes, "This is the beginning of a series of advantages for you, for your children, for your grandchildren. No one can take away your land if you [don't wish to give it up]..."

When the speeches conclude, the first eight land claimants are directed into the exposition. With the claimants and the five technicians already present in the exposition area, the room feels crowded. The technicians have created a system for guiding the claimants through the exposition. The first claimant checks in with a technician sitting at a computer while the others look around the room. The technician at the computer consults a database which indicates the identification documents and other materials that each claimant is missing. He informs the claimant that he still needs to submit his birth certificate before his file will be complete. Then, the same claimant is guided to a property map where a technician helps him to identify his property claim. After inspecting the map, the claimant returns to the computer station where he receives a slip of paper indicating the size of his land claim in hectares. At this point the claimant can sign a form entitled, "Manifest of Conformity of the Cadastral Titleholder" (*Manifestacion de Conformidad de Titular Catastral*). By signing the *Manifestacion*, the claimant agrees that "all of the data in the cadastral file for my land claim [*predio*] are correct... and that [these data] be incorporated into the [National] Register of Cadastral Information."

After all of the claimants have passed through the exposition hall, I get into the cabin of a pickup truck with the owner of Novo Techni and a couple of his top managers from the Petén office. On the ride back to the departmental capital everyone is talking about the exposition. There is a palpable relief that over half of the claimants arrived for the exposition and nearly all of them signed. The owner of Novo Techni compares the exposition to a piece of chocolate. "Give the people a chocolate, and they will eat it." "The people," he says, "are of a very low level, and so it is hard for them to appreciate what is happening or to question it." For the next 30 days, a technician will spend each day in the exposition hall waiting for claimants to arrive and sign their agreement. At the end of the 30 days, the mayor will sign

an act formally closing the exposition and accepting the property maps that have been on display.

The earlier stages in the land regularization process-- the collection of identification documents, *mojoneo*, the signing of conformity acts, and the survey-- aim to individualize landowning subjects on the one hand and territory as naturally divided into uncontested property claims on the other. Through a variety of discourses and practices, the public exposition builds on this discursive work, further solidifying and integrating it. The ritual of the exposition is arranged to produce a linkage between land claimants and their claims. The key point in this process is the moment when land claimants sign their agreement to the technical work that has been carried out in the name of property, i.e., the property maps. By signing their agreement to what they have seen in the exposition hall, the claimants create a linkage between themselves as citizens who have been individualized through the identification documents and the land claims which have also been individualized through survey techniques. In other words, the signature reconstitutes the identities of subject and territory in relation to each other through the discursive production of a legal link.

The power of the signature to connect subject and territory is based on the notion that land claimants are free to accept or reject the work. The representatives of UTJ insisted so strongly that claimants had the right to reject the work that the manager of Novo Techni became nervous that they would and that the project would stop. And yet by the time the exposition begins the scope of participation for claimants has narrowed almost to the point of the absurd. The claimants can only accept or reject lines on a map which many are seeing for the first time. There is certainly no possibility of rejecting the maps on the basis of historical injustices such as the Army's counterinsurgency campaign in the 1980s, which dispossessed thousands of *campesinos*. While landowners can technically bring land conflicts to CONTIERRA or the Land Pastoral, by this stage in the process it is well known that these organizations could not effectively advocate for *campesinos* in conflicts against cattle ranchers and other elites. CONTIERRA was underfunded and resolved few cases, and, because of the murders discussed in the previous chapter, the Land Pastoral was no longer operating in a large part of the project area. But despite all of this, the rhetoric of participation -- defined as the landowners' option to accept or reject the work --nevertheless constitutes the landscape as uncontested and the landowners as individualized and as nearly property owners.

While I would not argue that landowners automatically adopt the vision of subjects and territories produced in state ritual, nevertheless the public exposition is made meaningful in part through the theatrical speech of the director of UTJ. Because the exposition is the last point in the regularization process where landowners participate, the director uses the event to speak to the claimants as virtual property owners. His rhetoric turns on well-known liberal discourses about the transformative power of property. For example, he urges landowners to recognize the “series of benefits” that property will bring to their families for generations. He seems to be talking about a new way of living or being rather than merely about new privileges or responsibilities. This is consistent with the liberal notion that property ownership is transformative and basic to full citizenship. The director plays the part of a father figure pleading with claimants to accept the responsibilities and the privileges of property ownership. His exhortation for the land claimants to “be civilized” and resolve land disputes pacifically also fits neatly into the liberal vision of property as bringing civilization/citizenship. There is a special irony in this because *campesinos* in Petén have traditionally been the victims, and not the perpetrators of violence, and because the whole land policy process contributes to the erasure of dispossession. While subsequent expositions had less pomp and circumstance, government figures would nevertheless reliably emphasize the importance of property as transformative and the good fortune of the land claimants for being on the verge of obtaining it.

It is important not to fetishize the exposition as the one-day ritual attended by so many landowners and technicians. Discursive work also occurs through the preparations for the exposition and in the 30 days that follow it. Both the pre- and post-exposition events create a particular framing of land conflicts in Petén. Until this point in the land regularization process, all conflict has been downloaded onto land claimants. Landowners must handle everything themselves. The scenario, as I have demonstrated, provides little hope for weaker parties much less for people who have been dispossessed. And yet the emphasis on informing all stakeholders ahead of time and maintaining the exposition open for thirty days constitute the process as fair and the final results as uncontested. Especially given the recent violent history of Petén, again, it seems absurd to frame an agrarian policy in this way. Landownership is established not by truth commissions, special tribunals or investigations, or other collective means, but by making sure that an advertisement appears the correct number of days in advance in the right newspapers. The resolution of bloody social struggle is reduced to the challenge of contacting all

stakeholders. Admittedly, other institutions have attempted to unearth the industries of land conflicts in variety of ways. Truth commissions coordinated by the Guatemalan government and the Catholic Church come to mind. Nevertheless, none of these activities have the potential to reach as many households or operate at as fine a spatial scale as land titling. And it is land titling (land market policy), and not truth commissions, that are the heart of Guatemala's future national agrarian policy.

In less than a year, public expositions were held throughout the project area. Through these expositions, all of the land surveys were validated. There were only a handful of disagreements in which landowners requested surveys to be repeated. What followed was a lengthy bureaucratic process through which identification documents and maps of land claims were combined according to the requirements of Guatemalan law. Novo Techni finalized the identification documents as well as the cadastral materials that had been prepared by the Guatemalan subcontractors. Throughout the process UTJ supervisors checked random samples of all materials insuring that they were produced consistently and correctly (see Chapter 5). The finished documents were then submitted to FONTIERRA, the agency which had the final responsibility of giving the documents a final check, billing the landowners for the price of the land, and finally emitting completed land titles. One year later, no titles had been produced. Two years later, there was still nothing. The slowness of the process threatened the goals of the project more than might initially be apparent. Like everywhere else, people in Petén need to move. During the years that documents were collecting dust in FONTIERRA, many of the land claimants will have sold their land and bought new parcels via the extra-legal land market (See Chapter 3). Because the process of land titling is personalized, anyone who moves in the midst of the process will have to begin the process again. Likewise, anyone who purchases an untitled (or partially titled) claim must reinitiate the titling process. Depending on how many landowners decide to sell and/or move, much of the work of Novo Techni has been made obsolete. In 2006 one of the most experienced agrarian experts in UTJ was already insisting that the whole project should be repeated because of the long lag time in the production of titles.

Conclusion

Despite the failure of the project to realize its objective of producing rural land titles, I argue that it was highly productive. The everyday performances of titling -- from the collection of

identification documents to participation in community meetings -- constitute individualized subjects in relation to the Guatemalan state. Related performances consolidate territory as Cartesian, national, and naturally divided into private claims. None of this happens once and for all and most of the people involved are not experiencing the making of private property rights for the first time. Making property has been happening—in this same way for almost fifty years and is connected to much older processes. Why does it matter that this arduous and ultimately unsuccessful land titling process constituted these familiar subjects and territories?

This approach helps to show how a status quo is maintained. This particular status quo is important to consider because it helps to maintain violent and inequitable social relations, naturalizing them as a land market. An important aspect of Butlers' work on performativity was to show how heteronormativity is maintained. Her analysis does not provide any easy way to subvert this hegemonic norm. However, it made the norm visible. Likewise, studies like this one can help to denaturalize the processes through which land markets are made.

Photo 11: Using a Bullhorn to Publicize the Project

Oto attaches a bullhorn to the roof of the Toyota Hi-Lux in the community of La Canica, Sayaxche, Petén.



Photo 12: Information Technology Expert with Land Title Applications

The archive containing the landowners' applications for state sanctioned private property rights. All of the personal identification documents and survey maps contained in these files have been scanned and organized in a parallel digital archive.



Photo 13: Placing a Mojon at the Corner of a Land Claim



Photo 14: Signing Acts of Conformity

A technician places a land claimant's thumb onto an Act of Conformity.



Photo 15: Conducting Land Surveys with a Global Positioning System

After setting the GPS on a pike, which rests on the top of a mojon, Josh will begin the 30 minute wait until sufficient data has been collected.



Photo 16: Advertisement for Public Exposition

The public exposition is advertised in national newspapers, in this case, the *Prensa Libre*.

The text of the announcement reads:

Cadastral and Regularization

In the process of the establishment of cadastral and the regularization of land tenure in the rural area of the municipalities: Santa Ana, Dolores, Poptun, San Luis, Sayaxche, Petén

Invites

To the exposition of the results of the establishment of cadastral for rural land claims of the polygons 4, 6, 13, 15 and 30 located in the communities: Boca del Monte...Las Ilusiones, all of the municipality of Dolores, Department of Petén, where the cadastral map will be exhibited in order that interested parties can manifest their conformity or inconformity with the obtained results, in order to continue with the process of regularization of land tenure through Fondo de Tierra.

The exposition will be realized from 17 February through 17 March in the municipal office of cadastral and regularization of Dolores, Petén, during the hours of 9:00 to 13:00 and 14:00 to 17:00, Saturdays from 9:00 to 12:00.

February, 2005

(The emblems at the bottom of the announcement are for UTJ, the Ministry of Agriculture, the state land agency (FONTIERRA) and the World Bank.)



Universidad de San Carlos de Guatemala Facultad de Ciencias Económicas

La Junta Directiva de esta Casa de Estudios y el Decano Lic. Eduardo Antonio Velásquez Carrera M. Sc. se complacen en invitar a la comunidad universitaria y al público en general, a las conferencias siguientes:

Fecha: jueves 10 de febrero de 2005

"LA JUVENTUD EN LA EDAD DE LA MUNDIALIZACION:
VICTIMAS DE LOS CONFLICTOS SOCIALES"

"EL AMBIVALENTE CAMBIO DE LA POLICIA: AMBIGÜEDADES EN LA
EDUCACION Y EN EL COTIDIANO DEL OFICIO"

Fecha: viernes 11 de febrero de 2005

"PERSPECTIVAS DEL DESARROLLO SOCIAL EN AMERICA LATINA:
MAS ALLA DEL MIEDO, LA ESPERANZA DE UNA SOCIEDAD
DEMOCRATICA Y PARTICIPATIVA"

QUE DICTARÁ EL DOCTOR

JOSÉ VICENTE TAVARES DOS SANTOS

Profesor de la Universidad Federal de Rio Grande del Sur, Brasil

LUGAR: Salón de Actos "Dr. Severo Martínez Pelaez"
Primer Nivel del Edificio S-9
Ciudad Universitaria Z.12
Hora: 18:00 hrs.

"ID Y ENSEÑANZA A TODOS"

"Año del Centenario del Nacimiento del Expresidente de la República
de Guatemala, Dr. Juan José Arévalo Bermejo, 1904-2004"

Comisión de Conmemoración de eventos históricos del Consejo Superior Universitario.

Declaran emergencia por rotavirus en El Salvador

SAN SALVADOR, EL SALVADOR. Tres departamentos de El Salvador fueron declarados en estado de emergencia ante el incremento de casos de diarrea provocados por un rotavirus que ya ha provocado la muerte de 15 personas y afectado a otras 43 mil 175, informó ayer una fuente oficial.



Foto Prensa Libre: EFE

"El estado de emergencia es para los departamentos de San Salvador, La Libertad y La Paz, en la zona central del país", aseguró a la Prensa el ministro de Salud, Guillermo Maza.

"En estos tres departamentos se ha dado un aumento significativo de casos de diarrea y eso nos ha llevado a declarar estado de emergencia para hacer frente con medidas que nos lleven a contener el avance de la diarrea", de-

claró Maza. El ingreso de niños afectados por diarrea se incrementó en el hospital Benjamín Bloom, en San Salvador.

Con el estado de emergencia, el ministerio de Salud Pública (MSP) podrá disponer si lo estima necesario de fondos financieros adicionales, así como de los recursos humanos y técnicos de otras instituciones del gobierno para implementar medidas sanitarias.

El MSP podrá contratar más médicos pediatras, en forma temporal, para reforzar los hospitales nacionales y unidades de salud ubicadas en los tres departamentos del país que estarán bajo estado de emergencia por un tiempo no definido, explicó Maza.

ACAN-EFE

CATASTRO Y REGULARIZACIÓN

En el proceso del Establecimiento Catastral y Regularización de la Tenencia de la Tierra
en el Área Rural de los Municipios: Santa Ana, Dolores, Poptún, San Luis y Sayaxché, Petén

Invita:

A la Exposición de Resultados del Establecimiento Catastral de los predios rurales de los polígonos 4, 6, 13, 15 y 30 localizados en las comunidades: Boca del Monte, Poxté, Ixcxol, La Borrachera, El Bombillo, El Calabazal, El Rosario, La Lucha, Nuevo Paraíso, El Quetzalito, Santa María Dolores, San Juan Actelá, Unión Bayer, Poxté I y Las Ilusiones, todas del municipio de Dolores, departamento de Petén, en donde se estará exhibiendo el mapa catastral para que los interesados puedan manifestar su conformidad o inconformidad ante los resultados obtenidos, para continuar con el proceso de regularización de la tenencia de la tierra, ante el Fondo de Tierras.

La exposición se llevará a cabo del 17 de febrero al 17 de marzo
en la oficina Municipal de Catastro y Regularización de Dolores, Petén,
en horario de 9:00 a 13:00 y de 14:00 a 17:00, sábados de 9:00 a 12:00

CATASTRO NACIONAL
Oficina departamental de Petén
2 calle entre 8 y 7 avenida, Zona 2
Santa Elena de la Cruz, Flores, Petén
Telefax: 7926-4713 y 7926-4714

Febrero, 2005

TRACASA - NOVOTECNI, S.A.
Oficinas en Santa Elena, Dolores, Poptún,
San Luis, Santa Ana y Sayaxché, Petén
Tels. 7926-3293 al 4 y 2286-2166 /
7927-7609 y 5514-0454



**CATASTRO
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Porque es nuestro y lo vale!



Ministerio de Agricultura,
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FONDO DE TIERRAS
FONTIERRAS



BANCO MUNDIAL

Chapter 7: Concluding Remarks

Introduction

How are markets made? What techniques are used by policy makers to create markets? How are state-sanctioned property rights produced? How are competing property claims resolved? What kinds of subjects and territories are produced in the name of markets? To clear a space to answer these questions and others, this research focused on the making of a land market in northern Guatemala. The dissertation began by exploring the origins of a World Bank policy in the 1980s in Thailand and its subsequent transformation in Eastern Europe and at World Bank headquarters. I then explored the emergence of a land tenure regime in Guatemala, one of the ostensible targets of this World Bank financed land policy. I showed that the distribution and the nature of land claims in this regime resulted from centuries of struggle over land and, just as importantly, struggles over the meaning of land. The remainder of the dissertation then described how this Bank-financed land policy was adopted in Guatemala and how this policy proliferated across landscapes and institutions, transforming them.

Studying the conditions of possibility for markets led me to a particular view of markets. Since Adam Smith's vision of the invisible hand and the rise of liberalism generally, markets have often been imagined as disembodied, external forces which society can do nothing about. The approach I took was set against this view. The production of markets is an all too human process. Inspired by Mitchell's work, I sought to demonstrate that what counts as a market is produced in relation to a set of often violent and always historically and geographically contingent practices (2002). Furthermore, I agree with Mitchell that the creation of markets is not about a one-time crossing of the line between extra-legal economic relations and state sanctioned private property rights and institutions (Mitchell 2006). Rather, as Mitchell asserts, the transformation to market relations is a field of struggle. In my work on the creation of a land market in northern Guatemala, I attempted to flesh out this understanding of things by showing the diverse kinds of struggles through which markets and especially private property rights are manufactured. I also emphasized that the struggles through which markets and rights are created are also struggles over meaning and therefore epistemology. As I made my arguments I never

found it necessary to make claims about markets possessing some essential structure, much less an internal mechanism or logic.

My examination of the conditions of possibility for a land market in Petén began in the second chapter of the dissertation where I described the emergence of the World Bank's land market policy. I examined how the policy was born in the early 1980s at a time when the World Bank was redefining its mission and its commitment to development. This chapter aimed to unsettle conventional depictions of this policy as having been conceived in response to the laws of economics and the needs of nation-states and individual land claimants in the Global South. Instead, I showed that the policy emerged-- and radically expanded in its scope and meaning-- in relation to historically and geographically specific opportunities recognized by World Bank consultants and government officials. In the third chapter I turned to the target of the Bank's land market policy, a contemporary land tenure regime. I showed that this nearly hegemonic way of understanding the meanings and relations of land and people in Petén is not the natural order of things. Rather, this tenure regime is the product of long, often violent, transnational and colonial histories. The land market policy, I argued, will efface these histories as it formalizes land claims in Petén.

The fourth chapter sought to build on the previous two by showing how the World Bank's land market policy became established as Guatemala's national agrarian program in the mid-1990s. This chapter traced the meaning-making and material work of government officials and World Bank consultants as they promoted the Bank's land market policy before and during the Peace Accords which ended the Guatemalan Civil War. In this chapter, I argued that the practices of World Bank consultants, government officials and others not only helped to produce the policy but also contributed to constituting the locally understood boundaries between the Bank and the Guatemalan government.

The remaining two chapters of the dissertation focused on how the Bank's land market policy materializes in northern Guatemala. Although the policy was not successful on its own terms since no rural private property rights were produced, it nevertheless had effects in Petén. The fifth chapter showed how the Bank policy became the basis for an uneven transformation of agrarian institutions. In cases where new land institutions could translate their objectives into technical language and practices, the Bank policy proliferated rapidly. In contrast, the land

market policy did not proliferate through institutions perceived as political, especially those which attempted to advocate for the rights of *campesinos*. Employees of such institutions were exposed to violence and the threat of violence. In the sixth chapter, I took a fine-grain look at how technicians working for the new agrarian institutions attempted to enroll land claimants in the new policy. I demonstrated that everyday encounters between these technicians and the land claimants helped to create new conditions of possibility for subjects and territories. Specifically, I explored how the land policy process constituted land claimants narrowly as individualized national subjects and land claims as national, Cartesian and naturally divided into private claims.

In the remainder of this conclusion I reflect on some of the key themes that emerged over the course of the dissertation. Specifically, I examine the relation between the political and the technical, the issue of violence in economic policy, and some continuities between this work and recent scholarship on neoliberalism. Finally, I consider possible directions for future research.

The “Technical”

In December 2005, the World Bank-financed land project being carried out in Petén was supposed to conclude, and no state-sanctioned private property rights (titles) had been produced.⁶⁵ Given that private property rights are the basis for land market policy, this state of affairs represented a failure from the perspective of World Bank project managers. And yet, as this dissertation amply shows, the project had its effects. Land market institutions were transformed. Cartographers, computer technicians, surveyors, accountants and lawyers were trained to carry out land market policy. As well, rural land claimants and their families participated in the process of developing new connections with each other and with land institutions. Furthermore, thousands of private land claims were surveyed and maps of property claims were produced and disseminated throughout the Guatemalan government. And all of this helped to change the way that land claimants and officials came to imagine each other and themselves as well as the territory of Petén. Finally, these dynamics occurred in a region of Guatemala that is known as the least settled and most lawless part of the country. How can we

⁶⁵ The project was ultimately extended for approximately one year. During this period and the earlier years of the project, some land titles were completed for rural land claimants, but these were not produced through the World Bank-financed project.

account for the productivity of the project especially given that it was carried out without the direct use of force?

One could argue persuasively that the “success” of the policy was over-determined by the genocidal violence of colonialism and of the Guatemalan Civil War. Yet, I think it is also possible to answer this question in relation to strategies of policy makers. This research suggests that the success of land market policy was often associated with policy practices understood as “technical.” By “technical practices” I mean practices that are authorized by the knowledge of the individual carrying them out. I have discussed many such examples over the course of the dissertation. Land market policy is made possible almost exclusively by such practices. From the writing of proposals, planning documents, and consultant’s reports to the surveying of land and the interventions to make land institutions more efficient, land market policy is composed almost entirely of technical practices. The reason that I encountered so many technical practices in this study of land market policy is because of how the policy is formulated. Since the work of Gershon Feder and his associates in Thailand, advocates of this policy at the World Bank have been framing rural poverty as a technical problem that can be resolved through expert interventions in markets and property rights (See Chapter 2). The next logical question that must be answered is why these practices proved so useful in promoting the conditions for rural land markets in Petén.

In an often cited study of development in Lesotho, James Ferguson argues that the strength of technical policies is that they depoliticize by “insistently reposing political questions of land, resources, jobs or wages as technical ‘problems’ responsive to the technical ‘development’ intervention” (Ferguson 1994 in Li 2007). For this reason, Ferguson memorably describes the development apparatus as an anti-politics machine. The success of the land market policy in Guatemala is another example of this sort of dynamic. The policy is formulated in such a way that it effaces key political struggles in Guatemala related to access to land. As I described in the dissertation, access to land is one of the central demands of the marginalized population in Guatemala and elites are vehemently opposed to conventional land reform, i.e., redistributing land to the poor. Furthermore, the inequitable distribution of land in the country is the result of centuries of violent dispossession. By focusing land market policy on the strength of private property rights and the efficiency of markets, these issues are sidestepped. While the logic of the policy promises that the market will re-allocate land to those who can best make use of it, the

policymakers themselves are not obliged to become involved in redistribution. Often this strategy was successful and policymakers were able to carry out their work unopposed.

Because land is such a politicized issue in Guatemala, this technical framing was not always enough to depoliticize the work of land market policy. As the dissertation demonstrates, some aspects of the policy were accepted as technical and others were not. For example, the early efforts to promote land market policy took place in the wake of Cold War violence and through the work of elite consultants and government officials. Although these individuals promoted the policy without any effort to involve civil society, their work was unopposed. Later in the countryside in Petén, constructing policy practices as technical was more challenging. Elite landowners opposed certain aspects of the policy including the final construction of private property rights and efforts by the Catholic Church and government conflict resolution organizations to advocate for small scale farmers. I mention these details to emphasize that there is nothing inevitable about policy practices being accepted as technical. What counts as technical is contingent on geographical and historical conditions, and as Tania Li points out, should be “recognized as a (political) project, not a secure accomplishment” (2007: 10). For this reason in this dissertation I have been interested in taking a close look at the conditions under which some practices can be seen as technical and others are not. Just as this dissertation is the story of the making of land owning subjects and territories of property, it is also the story of the making of technicians as modern subjects and the technical as a field of (anti)politics.

Violence

As the previous section indicates, when policy makers and others represent their work as technical, they are able to get a lot done. However, the dissertation does not suggest that the success of this approach is only the result of carefully framed “technical” mandates, much less the inherent persuasiveness of modernist agrarian visions. For example, the Bank’s land market policy was presented at the Peace negotiations between the Guatemalan government and the guerrillas. The proposal was formulated as a technical development intervention, but this is not why it was acceptable. The guerrillas recognized that the policy offered little of what they had struggled for. However, the guerrillas had a weak position at the negotiating table with the Guatemalan government because the government had decimated their military wings and killed, displaced, and terrorized millions of Guatemalan civilians. Consequently the policy was

accepted. As well, when policy implementation began in the late 1990s, the violence of the war over-determined the distribution of land and the kinds of land claims that existed for the technicians to find in the countryside. The director of the project at the time was quite clear that the Bank made no effort to learn how land distributions had been produced, but simply tried to develop a system that would allow local claimants to resolve any land disputes that they might have had (Interview Shaw 2005).

Recently Naomi Klein has written an important book linking violence and the proliferation of neoliberal policies. She argues that the architects of neoliberal policies use crisis—or what she calls “shocks”—as opportunities to install market policies and to eradicate social programs around the world (2007). Such an argument could be made in the case of Guatemala, especially for the economic policies—including land market policy-- that were incorporated into the Peace Accords in the mid-1990s. During the negotiation of the Peace Accords, at a time when the country was still in shock from the terrible violence of the war, architects of neoliberal land policies were able to solidify their program in Guatemalan law. However, such an argument is limited; the violence of the 1980s did leave the country in shock, and it was orchestrated by agricultural elites and United States Cold War strategists as part of an attempt to maintain a brutal economic structure (Schirmer 1998). However, the Bank’s land market policy had not been formulated at the time of the killing. Furthermore, the genocidal violence of the Guatemalan civil war also had deeper roots in the colonial and national histories of the country (Grandin 2000).

Naomi Klein’s intervention is crucial, and I completely agree that violent shocks have repeatedly been used to install neoliberal policies. However, in some respects it does not go far enough. The violence that I described in Chapter 3 was more than a residual or a back-up strategy to impose policies, neoliberal or otherwise (Mitchell 2002 Blomley 2003). The history of agrarian policy in Petén demonstrates that the categories through which policy operates were themselves forged through violence. The making of the rural and the urban as categories, the geographical imaginary of the agricultural frontier, the arrangement of communities, the possibility of open land that could be claimed by settlers, and of course the distribution of land claims—all of this was made possible by violence. As discussed by Mitchell (2002) and Blomley (2003), the opposition between violence and law or between violence and property

should be understood as the effect of framing. In this sense, neoliberal policy is not imposed through violence, but rather is itself a form of violence.

Neoliberalism

Throughout this dissertation I emphasized that land market policy is a diverse process with multiple origins. The events and historical trajectories that I described overflow the limits of any one political project. In this sense, I resist classifying this research as a study of neoliberalism since this policy is a part of other ongoing political projects such as colonialism, imperialism and nationalism. Nevertheless, land market policy is certainly—whatever else it is—a part of the neoliberal project. The evidence is overwhelming. One of the most important neoliberal institutions, the World Bank, developed the policy and promotes it globally. Hernando de Soto, the leader of the first neoliberal think tank in the Global South, has been a tireless advocate of the policy (Mitchell 2005, 2007). As well, land market policy has been adopted over and over again by neoliberal governments such as the Guatemalan administration of the mid-1990s. Given the connections between the policy and the larger neoliberal project, this study may have some useful lessons for the rapidly expanding literature on neoliberalization.

The segment of the neoliberalization literature which is closest to the research I have carried out concerns the effects of neoliberalism in rural areas. Strongly influenced by political ecology, this rapidly growing literature is known as “neoliberal natures.” My work could help to respond to a recent methodological critique of this literature. Noel Castree, the author of the critique, is concerned that the case study format of much of this literature does not provide a strong enough basis for the assumption that the scholars are writing about the same thing (2008). Castree observes that the studies can easily be linked through a list of formal similarities, e.g. neoliberal policies include privatization, marketisation, deregulation, etc. (Castree 2005). However, these terms are abstractions. Castree warns that without more concrete connections linking them, there is a danger that the neoliberal natures literature “could remain a collection of substantively disparate, theoretically informed case studies unified only in name (by virtue of their common focus on ‘neoliberal’ policies)” (Castree 2008: 131).

Here is where I think my approach is useful. To understand how neoliberal policy transforms subjects, territories, and institutions, I took a relatively broad historical approach to one policy.

As a result, my dissertation revealed the connections between land market policy and neoliberal institutions like the World Bank and neoliberal administrative structures like parts of the US- and Guatemalan governments during the 1980s and 1990s. This I think is a viable alternative to the case study approach. I am not implying that some generalized history of neoliberalism can be used as a scaffolding on which to hang case studies. Instead, inspired by the work of Hart (2002) and Tsing (2005), I sought to trace the particular geographical and historical connections through which the policy took form. In an approach of this sort, the question of whether or not neoliberalism was studied is resolved not by comparing land market policy with a set of generalized criteria, but by reference to a particular political formation of which the policy I studied is a part.⁶⁶

If scholars who study neoliberal nature explored (more of the) historical conditions of their case studies, they might more easily avoid Castree's critique and help to create a more robust literature. This is not as difficult as it sounds because leading scholars of neoliberalism are publishing descriptions of the emergence of neoliberal formations (Harvey 2005; Peck 2009), institutions (Goldman 2005) and ideologies (Sheppard 2005). In addition, the work of critical development scholars can help to show the connections between this work and neoliberal practices and programs in the Global South, e.g. Escobar 1995 and Li 2007. These studies and more can provide strategic hand holds for scholars who wish to further contextualize their own case study work. In fact, one can imagine a cooperative effort as the writers of histories and the writers of case studies meet in the middle. In any case, a broader historical and geographical approach in the literature on neoliberalization would help reveal the connections between neoliberal processes and other formations such as colonialism, nationalism, and imperialism. Recognizing the importance of these other formations will lead to a better understanding of neoliberalism and will also help scholars to break their dependency on neoliberalism as explanation for everything (wrong), and therefore explaining nothing (Larner 2003).

Guatemala

Throughout the dissertation I have emphasized that the categories of policy are unstable. I have shown that countries, multi-lateral institutions, territories, and policy itself are formed and

⁶⁶ I recognize that "my" approach has continuities with many existing methodologies in the social sciences including progressive contextualization (Vayda 1983) and the extended case method (Burroway 1998) among others.

reformed through policy practices. As unstable as they are, these categories are also lived. And when these categories are lived, they become a part of the lived experiences of technicians, landowners, and many others, including researchers like myself. And this brings me to a reflection on Guatemala as a space of my own becoming. I have come to know myself as a scholar-- and as a person-- in relation to experiences in Guatemala. In this context then, what does it mean to say that I hope to conduct future research in Guatemala? Certainly, it does not mean that I, as an autonomous subject, will turn my gaze to a series of new research questions, expanding the state of knowledge about land policy. This is impossible because as I have said, the research process is itself transformative. There is no autonomous researcher that I can project into the future. Nevertheless, I wish to continue to engage with people in Guatemala in the name of that peculiar social process that we understand as “research.” In the coming years I hope to have the opportunity to extend relationships that began during the dissertation research. In what remains of this chapter, I discuss a few ways I hope to do that.

The most straightforward way that I can continue investigating land market policy is by staying connected with technicians who worked on this project, in Washington, DC, Guatemala City, and/or in Petén. Many of these technicians work for engineering firms which operate transnationally and play an important and understudied role in developing and propagating economic policies. Yet little is known about how such companies operate. At the conclusion of the work, most technicians who had worked for Novo Techni remained in Petén but some were transferred to other parts of Guatemala, Central America, or returned to Spain. To better understand the conditions of possibility for land markets it would be useful to examine the (im)mobility of technicians and their visions of markets through and between such companies. Studies of development companies would complement and extend the more extensive work that has been carried out on the contribution of government- and non-government organizations to the development process. A similar argument could be made that the work of World Bank technicians deserves more attention and especially the movement of ideas and practices between projects, regions, and countries.

Another way in which I would like to extend this work relates to Mitchell’s recent examination of land market policy as economic science. He shows that land market policy both changes the conditions in which people live, and at the same time, is a source of knowledge about the world. Specifically, Mitchell argues that land titling projects are conceived of by

planners and economists as sources of information about the functioning of economic laws. As Mitchell explains, projects like the one I observed in Petén become the proof of economic facts. This approach opens a space to continue thinking about the effects of land market policy in Petén long after the project is complete. Within the World Bank the project may be deemed at least partially a failure since it resulted in no new rural private property rights. As such, lessons may still be drawn from the project about how economic laws were broken or misunderstood. Conducting this sort of work in relation to Central American projects is especially important because World Bank consultants are enthusiastic about the region as a site of policy experimentation. One consultant excitedly compared Central America to a “petri dish,” because the effects of land policies can be compared among small closely related countries which have “different issues [such as] environmental issues, indigenous issues, gender issues, disaster management issues, [and] related issues” (interview 2005).

A third area where I would like to extend my work relates to individuals and communities that are located outside of the policy area. Specifically, I am interested in looking at how the policy constitutes landless people and especially people whose land claims are not recognized by the state. In Petén, many indigenous people have been so marginalized that they choose to live within natural protected areas. My suspicion is that such people are also strongly affected by land market policies because their “illegal” claims become more legible to government officials as landscapes are demarcated and mapped. In fact, in Sayaxche, Petén, the land titling program that predated the World Bank project was implemented in conjunction with a parallel program to remove settlers from protected areas. My concern is that as land market policy makes marginalized people more visible, they will be increasingly exposed to state violence. If I were to consult with the people who are included in the project in this way—in other words, included by virtue of their official exclusion—I believe I would find evidence that the violence of the project is even more pervasive than this dissertation suggested.

In conclusion, I turn once again to the focus of the dissertation: the market. This project is a response to conventional and deeply entrenched views of markets as outside of our lives, as disembodied and beyond human control. Whereas scholars, and everyone else too, have become accustomed to thinking of markets as separate from the social and political sphere, this dissertation revealed how deeply intermingled these spaces actually are. By studying the diverse efforts to create a land market in northern Guatemala, I have sought to unpack the concept of the

market and to reveal just how human markets are. In this context, I am especially hopeful about the use of performativity as a lens for thinking about the effects of market practices and discourses. This approach helped me to see just how productive and violent everyday “technical” practices can be. When we accept the conventional wisdom that markets and market forces are beyond our control, we relinquish possibilities that we cannot afford to give away. By focusing attention on the present and the fragility of categories which we often take for granted, such as the market, the performativity approach helps us to imagine – and to live -- futures and possibilities that we otherwise would not have thought possible.

References

- Agnew, John A. 2003. *Geopolitics: Re-visioning world politics*. 2nd ed. New York: Routledge.
- Agrawal, Arun. 2005. *Environmentality: Technologies of government and the making of subjects*. Durham: Duke University Press.
- Anderson, Kay. 2007. *Race and the crisis of humanism*. New York: Routledge.
- Anonymous. 2000. RUTA project document, 2000-2004. United Nations Development Program.
- . 1996. RUTA III: Interim evaluation report.
- Appelbaum, Nancy P., Anne S. Macpherson, and Karin Alejandra Roseblatt. 2003. *Race & nation in modern Latin America*. Chapel Hill: University of North Carolina Press.
- Barnes, Grenville. 2003. Lessons learned: An evaluation of land administration initiatives in Latin America over the past two decades. *Land Use Policy* 20, (4): 367-74.
- Barnes, Trevor J. 2008. Making space for the economy: live performances, dead objects, and economic geography. *Geography Compass* 2/5, 1432-1448.
- Bebbington, Anthony. 2000. Re-encountering development: Livelihood transitions and place transformations in the Andes. *Annals of the Association of American Geographers* 90, (2): 495-520.
- Bentham, Jeremy. 2005. *Theory of legislation* [Traité de législation civile et pénale]. Trans. from the French of Etienne Dumont, by Richard Hildreth. London: Adamant Media Corporation.
- Berger, Susan A. 1992. *Political and agrarian development in Guatemala*. (Westview special studies on Latin America and the Caribbean). Boulder: Westview Press.
- Binswanger, Hans P., Klaus Deininger, and Gershon Feder. 1995. Power, distortions, revolt and reform in agricultural land relations. In *Handbook of development economics*., eds. Jere Behrman, T. N. Srinivasan. Vol. III, 2659-2771.
- Blomley, N. 2003. Law, property, and the geography of violence: The frontier, the survey, and the grid. *Annals of the Association of American Geographers* 93, (1): 121-41.
- Boserup, Ester. 1965. *The conditions of agricultural growth: The economics of agrarian change under population pressure*. New York: Aldine Pub. Co.
- Brandon, Katrina E., and Michael Wells. 1992. Planning for people and parks: Design dilemmas. *World Development* 20, (4): 557-570.
- Brenner, Neil, and Nikolas Theodore. 2002. *Spaces of neoliberalism: Urban restructuring in North America and Western Europe*. Oxford: Blackwell.

- Bruce, J. W., and S. E. Migot-Adholla. 1994. *Searching for land tenure security in Africa*. Iowa: Kendall/Hunt.
- Burawoy, M. 1998. The extended case method. *Sociological Theory*: 4-33.
- Butler, Judith. 1993. *Bodies that matter: On the discursive limits of "sex"*. New York: Routledge.
- . 1990. *Gender trouble: Feminism and the subversion of identity*. New York: Routledge.
- Cabrera, Carlos. 2002. *Agrarian policy and rural development in Guatemala: Visions for a state agenda*. Guatemala City: Government of Guatemala (Technical and Juridical Unit/Protierra).
- CAC, FAO, IDB, IICA, UNDP, and WB. 1999. *Regional unit of technical assistance in Central America. A multi-agency assessment of current performance and future potential*.
- Callon, M. 1998. Introduction: the embeddedness of economic markets in economics. In *The Laws of markets*, ed. M. Callon, pp. 1-57. Oxford: Blackwell.
- Callon, M. 2007. What does it mean to say that economics is performative? In *Do economists make markets?: On the performativity of economics*, eds. Donald A. MacKenzie, Fabian Muniesa and Lucia Siu, pp. 311-357. New Jersey: Princeton University Press.
- Callon, Michel, Yuval Millo, and Fabian Muniesa. 2007. *Market devices*. Sociological review monographs. Malden, MA: Blackwell.
- Cambranes, J. C. 1985. *Coffee and peasants: The origins of the modern plantation economy in Guatemala, 1853-1897*. Stockholm, Sweden: Institute of Latin American Studies.
- Campbell, David. 1992. *Writing security: United States foreign policy and the politics of identity*. Minneapolis: University of Minnesota Press.
- Carr, D. 2006. A tale of two roads: Land tenure, poverty, and politics on the Guatemalan frontier. *Geoforum* 37, (1): 94-103.
- Carter, M. 2000. Old questions and new realities: Land in post liberal economies. In *Current land policy in Latin America: Regulating land tenure under neoliberalism*, eds. Annelies Zoomers, Gemma van der Haar, 29-44. Netherlands: KIT Publishers.
- Casasola, Oliverio. 1968. *Grandezas y miserias del Petén*. Guatemala City: Ediciones Indiana.
- Casaus-Arzu, Marta Elena. 2005. La generacion del 20 en Guatemala y sus imaginarios de nacion (1920-1940). In *Las Redes intelectuales centroamericanas: Un siglo de imaginarios nacionales (1820-1920)*. eds. Marta Elena Casaus-Arzu, Teresa Garcia Giraldez. Guatemala City: F&G Editores.
- . 1992. *Guatemala: Linaje y racismo*. San Jose: FLACSO.

- Castree, N. 2005. The epistemology of particulars: Human geography, case studies and 'context' *Geoforum* 36, (5): 541-4.
- Castree, Noel. 2008. Neoliberalizing nature: The logics of deregulation and reregulation. *Environment and Planning A* 40, (1): 131-152.
- Centeno, Miguel Angel, and Patricio Silva. 1998. The politics of expertise in Latin America: Introduction. In *The politics of expertise in Latin America.*, eds. Miguel Angel Centeno, Patricio Silva, 1-12. New York: St. Martin's Press.
- Clark, Charles. 2000. Land tenure delegitimation and social mobility in tropical Petén, Guatemala. *Human Organization* 59, (4): 419-27.
- Cloud, John. 2002. American cartographic transformations during the cold war. *Cartography and Geographic Information Science* 29, (3): 261-82.
- Comisión para el Esclarecimiento Histórico (CEH). 1999. *Guatemala: Memoria del silencio*. Guatemala City: United Nations Operating Projects Services.
- CONAP (Consejo Nacional de Areas Protejidas). 1996. Ley de areas protegidas y su reglamento (Protected areas law and its regulation). Guatemala City: CONAP.
- CONTIERRA-Petén. 2003. *Memorandum from CONTIERRA-Petén to Novo Techni*. Péten, Guatemala: 178.
- Craib, Raymond B. 2002. *Cartographic Mexico: A history of state fixations and fugitive landscapes*. North Carolina: Duke University Press.
- del Valle, José Cecilio. 1969. Escritos del Licenciado Jose Cecilio del Valle. Tomo Primero. Containing numbers 1-24 of *El Amigo de la Patria* (16 October 1820 – 30 April 1821). Editorial Jose de Pineda Ibarra: Guatemala City.
- . 1930. Guatemala hace cien años. *Anales de la Sociedad de Geografía e Historia de Guatemala*. Reprinted from *Mensuales de la Sociedad Economica de los Amigos del Estado de Guatemala*, 5 (6): 263-286.
- . 1929. Guatemala hace cien años. *Anales de La Sociedad de Geografía e Historia De Guatemala*. Reprinted from *Mensuales Mensuales De la Sociedad Economica de los Amigos del Estado de Guatemala*, 5 (2): 244-258.
- de Soto, Hernando. 2000. *The Mystery of capital: Why capitalism triumphs in the West and fails everywhere else*. New York: Basic Books.
- Deere, C. D., and M. León. 2001. Institutional reform of agriculture under neoliberalism: The impact of the women's and indigenous movements. *Latin American Research Review*: 31-63.
- Deininger, Klaus W. 2003. *Land policies for growth and poverty reduction*. Washington, DC: World Bank.

- Deininger, Klaus, and Hans Binswanger. 1999. The evolution of the World Bank's land policy: Principles, experience, and future challenges. *World Bank Research Observer* 14, (2): 247-76.
- Denevan, William N. 1992. The pristine myth: The landscape of the Americas in 1492. *Annals of the Association of American Geographers* 82, (3): 369-385.
- Durocher, Bettina, Teresa Coello, Susanna Lastarria-Cornhiel, Manolo Morales, and Jorge Alvarado. 2003. *Evaluación externa del programa "apoyo a la implementación y fortalecimiento institucional de la CONTIERRA (Proyectos PNUD GUA-97-023 y PNUD GUA-01-013)" y de su impacto en la conflictividad agraria en Guatemala*. Guatemala City.
- Escobar, Arturo. 1995. *Encountering development: The making and unmaking of the Third World*. Princeton, N.J.: Princeton University Press.
- Euroconsult: Center for World Food Studies. 1995. *Farm restructuring and land tenure in reforming socialist economies: A comparative analysis of Eastern and Central Europe*. World Bank discussion papers. Washington, DC: World Bank, 268.
- Falla, Ricardo. 1994. *Massacres in the jungle: Ixcán, Guatemala, 1975-1982*. Boulder, Colorado: Westview Press.
- FAO, IDB, IFAD, IICA, and WB. 1996. *RUTA III: Evaluation mission, mission report*.
- Feder, G., and A. Nishio. 1998. The benefits of land registration and titling: Economic and social perspectives. *Land Use Policy* 15, (1): 25-43.
- Feder, Gershon, Tongroj Onchan, Yongyuth Chalamwong, and Chira Hongladarom. 1988. *Land policies and farm productivity in Thailand*. Baltimore: Johns Hopkins University Press.
- Ferguson, James. 1990. *The Anti-politics machine: "development," depoliticization, and bureaucratic power in Lesotho*. Cambridge: Cambridge University Press.
- Foucault, Michel. 1980. *The History of sexuality*. New York: Pantheon Books.
- Gallo Armosino, Antonio. 2001. *Los Mayas del Siglo XVI*. Guatemala: Universidad Rafael Landívar.
- García Giraldez, Teresa. 2005. El debate sobre la nación y sus formas en el pensamiento político Centroamericano del siglo XIX. In *Las Redes intelectuales Centroamericanas: Un siglo de imaginarios nacionales (1820-1920)*, eds. Marta Elena Casaus-Arzu, Teresa García Giraldez, 13-70. Guatemala City: F & G Editores.
- Gibson-Graham, J. K. 1996. *The End of capitalism (as we knew it)*. Cambridge: Blackwell.
- Gidwani, V. 2002. The unbearable modernity of 'development'? canal irrigation and development planning in Western India. *Progress in Planning* 58, (1): 1-80.

- Goldberg, David Theo. 1993. *Racist culture: Philosophy and the politics of meaning*. Massachusetts: Blackwell.
- Goldman, Michael. 2007. How “Water for all!” policy became hegemonic: The power of the World Bank and its transnational policy networks. *Geoforum* 38, (5): 786-800.
- . 2005. *Imperial nature: The World Bank and struggles for social justice in the age of globalization*. Connecticut: Yale University Press.
- Gould, K. A., D. R. Carter, and R. K. Shrestha. 2006. Extra-legal land market dynamics on a Guatemalan agricultural frontier: Implications for neoliberal land policies. *Land Use Policy* 23, (4): 408-20.
- Gould, Kevin A., Andrew F. Howard, and Gustavo Rodriguez. 1998. Sustainable production of non-timber forest products: Natural dye extraction from El Cruce Dos Aguadas, Petén, Guatemala. *Forest Ecology and Management* 111, (1): 69-82.
- Gould, Kevin A. 2006. Land regularization on agricultural frontiers: The case of northwestern Petén, Guatemala. *Land Use Policy* 23, (4): 395-407.
- Grandia, L. 2006. Unsettling: Land dispossession and enduring inequality for the Q'eqchi' Maya in the Guatemalan and Belizean frontier colonization process. Ph.D. dissertation, University of California, Berkeley.
- Grandin, Greg. 2007. *Truth commissions: State terror, history and memory*. Durham, North Carolina: Duke University Press.
- . 2006. *Empire's workshop: Latin America, the United States, and the rise of the new imperialism*. New York: Metropolitan Books.
- . 2004. *The Last colonial massacre: Latin America in the cold war*. Chicago: University of Chicago Press.
- . 2000. *The Blood of Guatemala: A history of race and nation*. North Carolina: Duke University Press.
- Harbury, Jennifer. 1997. *Searching for Everardo: A story of love, war, and the CIA in Guatemala*. New York: Warner Books.
- Harrison, Ross. 1983. *Bentham*. ed. Ted Honderich. London: Routledge.
- Hart, Gillian Patricia. 2002. *Disabling globalization: Places of power in post-apartheid South Africa*. Berkeley: University of California Press.
- Harvey, David. 2005. *A Brief history of neoliberalism*. New York: Oxford University Press.
- Heliodoro Valle, Rafael. 1942. *Cartas de Bentham a Jose del Valle*. Mexico City: Editorial Cultural.

- Hernandez-Alarcon, Rosalinda. 1998. *La Tierra en los Acuerdos de Paz: Resumen de la respuesta gubernamental*. Cuadernos de investigacion interactiva. Guatemala City: Inforpress Centroamericana.
- Hernández-Alarcon, Rosalinda. 2000. *Problemática de la Tierra reclama soluciones efectivas*. Cuadernos de Investigación interactiva No. 3. Inforpress Centroamericana. Guatemala.
- Heynen, Nik, James McCarthy, Scott Prudham and Paul Robbins, 2007. *Neoliberal environments: False promises and unnatural consequences*. New York: Routledge.
- Holstein, Lynn. 1993. *Review of Bank experience with land titling and registration*. Unpublished Manuscript: Washington, DC.
- IBRD. 1983. Opening remarks by President Reagan, summary proceedings of 1983 annual meetings of the boards of governors.
- Jansen, Kees, and Esther Roquas. 1998. Modernizing insecurity: The land titling project in Honduras. *Development and Change* 29, (1): 81-106.
- Jonas, Susanne. 2000. *Of Centaurs and doves: Guatemala's peace process*. Boulder, Colorado: Westview Press.
- . 1991. *The Battle for Guatemala: Rebels, death squads, and US power*. Boulder, Colorado: Westview Press.
- Jones, Grant D. 1998. *The Conquest of the last Maya kingdom*. California: Stanford University Press.
- Kaimowitz, David. 1995. Land tenure, land markets, and natural resource management by large landowners in the Petén and the northern transversal of Guatemala. Paper presented at Conference of the Latin American Studies Association, Washington, DC.
- Kain, Roger J. P., and Elizabeth Baigent. 1992. *The Cadastral map in the service of the state: A History of property mapping*. Chicago: University of Chicago Press.
- Karasinski, Vincent. 1994. Analysis—Diagnostico del avance de la frontera agricola en zonas de bosque tropical humedo en Guatemala, Petén. Paris: Grupo de Investigaciones e Intercambios Technologicos (GRET).
- Katz, Elizabeth G. 2000. Social capital and natural capital: A comparative analysis of land tenure and natural resource management in Guatemala. *Land Economics* 76, (1): 114-32.
- Klein, Naomi. 2007. *The Shock doctrine: The rise of disaster capitalism*. New York: Picador.
- Ladejinsky, W. I. 1951. Japan's land reform. *Foreign Agriculture* 15, (9): 189.
- Larner, Wendy. 2003. Neoliberalism? *Environment and Planning D: Society and Space* 21, (5): 509-512.

- Lerman, Zvi, Csaba Csaki, and Gershon Feder. 2002. *Land policies and evolving farm structures in transition countries*. Washington, DC: World Bank, 2794.
- Li, Tania. 2007. *The Will to improve: Governmentality, development, and the practice of politics*. Durham: Duke University Press.
- Lipsky, Michael. 1980. *Street-level bureaucracy: Dilemmas of the individual in public services*. New York: Russell Sage Foundation.
- Lohmann, Larry. 1993. Land, power and forest colonization in Thailand. *Global Ecology & Biogeography Letters* 3, (4-6): 180-91.
- Lovell, George W. 1988. The Maya of Guatemala in historical perspective. *Latin American Research Review* 23, (2): 25-57.
- Lutz, Christopher H., and George W. Lovell. 1990. Core and periphery in colonial Guatemala. In *Guatemalan Indians and the state: 1540-1988.*, ed. Smith, Carol A. with the assistance of Marilyn M. Moors, 35-51. Austin: University of Texas Press.
- MacKenzie, Donald A., Fabian Muniesa, and Lucia Siu. 2007. *Do economists make markets?: On the Performativity of economics*. Princeton: Princeton University Press.
- Macours, Karen, and Johan F. M. Swinnen. 2000. Impact of initial conditions and reform policies on agricultural performance in Central and Eastern Europe, the former Soviet Union, and East Asia. *American Journal of Agricultural Economics* 82, (5): 1149-55.
- MAGA (Ministerio de Agricultura, Ganaderia y Alimentacion). 1998. *Politica agraria y sectorial (1998-2030): Instrumento para la revalorizacion de la ruralidad y el desarrollo en Guatemala*. Guatemala City: MAGA.
- Mansfield, Becky. 2007. Privatization: Property and the remaking of nature-society relations: Introduction to the special issue. *Antipode* 39, (3): 393-405.
- Manz, Beatriz. 2004. *Paradise in ashes: A Guatemalan journey of courage, terror, and hope*. Berkeley: University of California Press.
- McClintock, Michael. 1992. *Instruments of statecraft : U.S. guerrilla warfare, counterinsurgency, and counter-terrorism, 1940-1990*. New York: Pantheon Books.
- McCreery, David. 1983. *Development and the state in Reforma Guatemala, 1871-1885*. Athens, Ohio: University Center for International Studies.
- Meurs, Mieke. 2001. *The Evolution of agrarian institutions: A comparative study of post-socialist Hungary and Bulgaria*. Ann Arbor: University of Michigan Press.
- Milian, B., G. Grunberg, and M. B. Cho. 2002. *La Conflictividad agraria en las tierras bajas del norte de Guatemala: Petén y la franja transversal del norte*. Dinamicas agrarias en Guatemala. Vol. 2. Guatemala City: FLACSO, MINUGUA, CONTIERRA.

- Mitchell, Timothy. 2007. The Properties of markets. In *Do economists make markets?: On the performativity of economics.*, eds. Donald A. MacKenzie, Fabian Muniesa and Lucia Siu, 244-275. New Jersey: Princeton University Press.
- . 2002. *Rule of experts: Egypt, techno-politics, modernity*. Berkeley: University of California Press.
- Mollett, Sharlene. 2006. Race and natural resource conflicts in Honduras: The Miskito and Garifuna struggle for Lasa Pulan. *Latin American Research Review* 41, (1): 76-101.
- Morales, Roberto. 1994. Analysis of Guatemalan Agrarian Legislation in the Context of the Modernization of the Registry and Cadastre. Internal Report. Guatemala City: RUTA.
- Mountz, Alison. 2003. Human smuggling, the transnational imaginary, and everyday geographies of the nation-state. *Antipode* 35, (3): 621-44.
- National Coordination of Campesino Organizations of Guatemala (CNOC). 2005. *Propuesta de reforma agraria integral*. Guatemala City: Magna Terra.
- Nelson, D. M. 2003. The more you kill the more you will live: The Maya, “Race” and biopolitical hopes for peace in Guatemala. In *Race, nature, and the politics of difference.*, eds. Donald S. Moore, Kosek, Jake and Anand Pandian. Durham: Duke University Press.
- . 1999. *A Finger in the wound: Body politics in quincennial Guatemala*. Berkeley: University of California Press.
- Novo Techni. 2004. Memorandum number 185 from Novo Techni to director of rural supervision, UTJ.
- Pastoral Social de la Tierra, and Parraquia San Antonio de Patau-Sayaxche, Petén. 2004. Memorandum from pastoral social to diverse social justice organizations. Petén, Guatemala.
- Peck, Jamie. 2008. Remaking laissez-faire. *Progress in Human Geography* 32, (1): 3-43.
- . 2004. Geography and public policy: Constructions of neoliberalism. *Progress in Human Geography* 28, (3): 392-405.
- . 2001. Neoliberalizing states: Thin Policies/Hard outcomes. *Progress in Human Geography* 25, (3): 445-455.
- Peck, Jamie, and Adam Tickell. 2002. Neoliberalizing space. *Antipode* 34, (3): 380-404.
- Peet, Richard. 2003. *Unholy trinity: The IMF, World Bank and WTO*. London: Zed Books.
- Petras, J. F., and R. LaPorte. 1971. *Cultivating revolution: The United States and agrarian reform in Latin America*. Random House.
- Pickles, John. 2004. *A History of spaces: Cartographic reason, mapping and the geo-coded world*. New York: Routledge.

- Pratt, G. 2004. *Working feminism*. Philadelphia: Temple University Press.
- Pratt, Mary Louise. 1992. *Imperial eyes*. London: Routledge.
- Primack, Richard B. 1998. *Timber, tourists, and temples: Conservation and development in the Maya forest of Belize, Guatemala, and Mexico*. Washington, DC: Island Press.
- Prudham, Scott. Poisoning the well: neoliberalism and the contamination of municipal water in Walkerton, Ontario. In *Neoliberal environments: False promises and unnatural consequences*, eds. Nik Heynen, James McCarthy, Scott Prudham and Paul Robbins, 163-176. New York: Routledge.
- Quesada Saldana, Flavio. 2005. *Estructuracion y desarrollo de la administracion politica territorial de Guatemala: En la colonia y la epoca independiente*. Guatemala City, Guatemala: Universidad de San Carlos de Guatemala, Centro de Estudios Urbanos y Regionales.
- Rabe, Stephen G. 1999. *The most dangerous area in the world: John F. Kennedy confronts communist revolution in Latin America*. Chapel Hill: University of North Carolina Press.
- Radcliffe, Sarah A. 2001. Imagining the state as a space: Territoriality and the formation of the state of Ecuador. In *States of imagination: Ethnographic explorations of the postcolonial state*, eds. Thomas Blom Hansen, F. Stepputat, 123-148. Durham: Duke University Press.
- Ramos, Victor. H. 2001. Si Petén. Flores, Petén: CEMEC/CONAP (Centro de monitoreo y evaluacion del Consejo de Areas Protejidas).
- Rattanabirabongse, Vichien, Robert Eddington, Tony Burns, and Kevin Nettle. 1998. The Thailand land titling project: Thirteen years of experience. *Land Use Policy* 15, (1): 3-23.
- Robinson, William I. 2003. *Transnational conflicts: Central America, social change and globalization*. London: Verso.
- Robles, Teresa. 1994. *Smallholder migrants in el Petén*. World Bank Internal Report.
- Rodriguez-Beteta, Virgilio. 1951. *El Libro de Guatemala grande Petén-Belice*. Vol. 2. Guatemala City: La Tipografia Nacional de Guatemala.
- Rojas, Catalina. 2006. Adjusting to peace: The political economy of post-war reconstruction land, privatization and fiscal reform in post-war El Salvador and Guatemala. Ph.D. dissertation, George Mason University.
- Rosset, Peter, Raj Patel, and Michael Courville, eds. 2006. *Promised land: Competing visions of agrarian reform*. Oakland, California: Food First Books.
- Sader, S. A., T. Sever, J. C. Smoot, and M. Richards. 1994. Forest change estimates for the northern Petén region of Guatemala: 1986-1990. *Human Ecology* 22, (3): 317-32.

- Salas, Oscar, Knight, Foster, and Saenz, Carlos. 1970. Land titling in Costa Rica: a legal and economic survey. US AID Contract 515-178-T. San Jose : US AID and University of Costa Rica Law School.
- Santiso, Florencio. 1944. *Informe acerca de la cartografia de Guatemala*. Tipografia Nacional, C. A.
- SARES and AGRIDEC. 2003. *Evaluacion del FONTIERRAS*. Guatemala City.
- Schirmer, Jennifer G. 1998. *The Guatemalan military project: A violence called democracy*. Philadelphia: University of Pennsylvania Press.
- Schwartz, Norman B. 1995. Reprivatizacion y privacion: Sistemas tradicional y contemporaneo de tenencia de la tierra en el Petén, Guatemala. *Mesoamerica* 29: 215-232.
- . 1990. *Forest society: A social history of Petén, Guatemala*. Philadelphia: University Of Pennsylvania Press.
- . 1987. Colonization of northern Guatemala: The Petén. *Journal of Anthropological Research* 43: 163-83.
- . 1974. Milperos, chicleros, and rituals of passage in el Petén, Guatemala. *Cultures Et Development* 6, (2): 369-95.
- Scott, James C. 1998. *Seeing like a state: How certain schemes to improve the human condition have failed*. New Haven: Yale University Press.
- Sheppard, Eric. 2005. Constructing free trade: From Manchester Boosterism to global management. *Transactions of the Institute of British Geographers* 30, (2): 151-72.
- Shore, Cris, and Susan Wright. 1997. *Anthropology of Policy: Critical perspectives on governance and power*. London: Routledge.
- Sieder, Rachel, ed. 1998. *Guatemala after the Peace Accords*. London: Institute of Latin American Studies.
- Silverblatt, Irene Marsha. 2004. *Modern inquisitions: Peru and the colonial origins of the civilized world*. Durham: Duke University Press.
- Simpson, S. Rowton. 1976. *Land law and registration*. United Kingdom: Cambridge University Press.
- Smith, Carol A. 1984. Local history in global context: Social and economic transitions in western Guatemala. *Comparative Studies in Society and History* 26, (2): 193-228.
- Smith, Carol A. 1990. Origins of the national question in Guatemala: A hypothesis. In *Guatemalan Indians and the state: 1540-1988.*, ed. Smith, Carol A. with the assistance of Marilyn M. Moors. Austin: University of Texas Press.

- Smyth, Frank. 2005. The untouchable narco-state: Guatemala's military defies the DEA. *The Texas Observer*, November 10.
- Sparke, Matthew. 2005. *In the space of theory: Postfoundational geographies of the nation-state*. Minneapolis: University of Minnesota Press.
- Spence, Jack, David R. Dye, Paula Worby, Carman Rosa de Leon-Escribano, George Vickers, and Mike Lanchin. 1998. *Promise and reality: Implementation of the Guatemalan Peace Accords*. Massachusetts: Hemisphere Initiatives.
- Spivak, G. C. 1993. *Outside in the teaching machine*. New York: Routledge.
- Stanfield, David. 1996. Creation of land markets in transition countries: implications for the institutions of land administration. Paper prepared for the International Conference on Land Tenure and Administration, November 12-14, Orlando, Florida.
- Stepan, N. 1991. *The Hour of eugenics: Race, gender, and nation in Latin America*. New York: Cornell University Press.
- Strochlic, Ron. 1994. Factors associated with tenure insecurity among smallholders in Guatemala: Guatemala land administration project. Washington, DC: World Bank.
- Sundberg, Juanita. 1998. Strategies for authenticity, space and place in the Maya Biosphere Reserve, Petén, Guatemala. *Yearbook, Conference of Latin American Geographers* 24: 85.
- . 2005. Looking for the critical geographer, or why bodies and geographies matter to the emergence of critical geographies of Latin America. *Geoforum* 36, (1): 17-28.
- . 2008. Placing race in environmental justice research in Latin America. *Society and Natural Resources* 21, (7): 569-582.
- Taracena Arriola, Arturo. 2004. *Etnicidad, estado, y nacion en Guatemala, 1944-1985*. Vol. II. Antigua, Guatemala: Nawal Wuj S. A.
- . 2002. *Etnicidad, estado y nación en Guatemala, 1808-1944*. Guatemala: Guatemala: nawal wu.
- Timossi Dolinsky, Gerardo, and Sarah Stookey. 1990. Debt and structural adjustment in Central America. *Latin American Perspectives* 17, (4): 76.
- Thailand Ministry of Interior. Department of Lands. 1983. The Land titling project: proposal to the World Bank. Bangkok, Thailand.
- Todorov, Tzvetan. 1984. *The conquest of America: The question of the other* [Conquête de l'Amérique.]. Trans. Richard Howard. Oklahoma paperbacks ed. Norman: University of Oklahoma Press.
- Traven, B. 1963 [1933]. *March to the monteria*. New York: Dell Publishing Company, Inc.

- Tsing, Anna Lowenhaupt. 2005. *Friction: An Ethnography of global connection*. New Jersey: Princeton University Press.
- United Nations. 1998. *The Guatemala Peace Agreements*. New York: United Nations Department of Public Information.
- UTJ. 2005a. Juridical supervision report. Petén, Guatemala: 0005-2005.
- VAP-UTJ. 2004. Memorandum from VAP-UTJ to director of UTJ-Petén. Petén, Guatemala.
- Vayda, A. P. 1983. Progressive contextualization: Methods for research in human ecology. *Human Ecology* 11, (3): 265-81.
- Wainwright, Joel. 2008. *Decolonizing development: Colonial power and the Maya*. Massachusetts: Wiley-Blackwell.
- Wedel, J. R. 1998. *Collision and collusion: The strange case of western aid to Eastern Europe, 1989-1998*. New York: St Martin's Press.
- Whitehead, Laurence. 2000. The Politics of expertise in Latin America: Antecedents and actualities. *Brazilian Journal of Political Economy* 20, (2): 23-35.
- Wittman, Hannah, and Laura Saldivar-Tanaka. 2006. The Agrarian question in Guatemala. In *Promised land: Competing visions of agrarian reform.*, eds. Peter Rosset, Raj Patel and Michael Courville, 23-39. Oakland, California: Food First Books.
- Williamson, Ian P. 2001. Land administration "best practice" providing the infrastructure for land policy implementation. *Land Use Policy* 18, (4): 297-307.
- Winichakul, T. 1994. *Siam mapped: A history of the geo-body of a nation*. Hawaii: University of Hawaii Press.
- Woodward, Ralph Lee. 1990. Origins of the national question in Guatemala: A hypothesis. In *Guatemalan Indians and the state: 1540-1988.*, ed. Smith, Carol A. with the assistance of Marilyn M. Moors. Austin: University of Texas Press.
- World Bank. 2006. Project appraisal document on a proposed loan in the amount of US\$ 62.3 million to the republic of Guatemala for a land administration program. Washington, DC: World Bank, 37995-GT.
- . 1998a. Guatemala - Land Administration Project: Project appraisal document on a proposed loan in the amount of US\$ 31.0 million to Guatemala for a land administration project. Washington, DC: World Bank, 18550-GU.
- . 1998b. Guatemala - Land Fund Project: Project appraisal document on a proposed loan in the amount of \$US 23 million to republic of Guatemala for a land fund project. Washington, DC: World Bank, 18555-GU.

- . 1996. El Salvador - land administration project (staff appraisal report). Washington, DC: World Bank, 15085-ES.
- Ybarra, Megan. 2008. Violent visions of an ownership society: The land administration project in Petén, Guatemala. *Land Use Policy* 26, (1): 44-54.
- Zimmerer, Karl S. 1994. Human geography and the "new ecology": The prospect and promise of integration. *Annals of the Association of American Geographers* 84, (1): 108-125.

Appendix A: University of British Columbia Behavioural Research Ethics

Board Certificate of Approval

THE UNIVERSITY OF BRITISH COLUMBIA



Research Ethics, Office of Research Services
Suite 102, 6190 Agronomy Road
Vancouver B.C., V6T 1Z3

Phone: 604-827-5112
Fax: 604-822-5093

Dear Kevin,

The following study lists you as a co-investigator and was approved on October 28, 2004.

File No.: B04-0602 Entry :2004-08-23
Researcher: Sundberg ,Juanita ,J. 822-3535
Appointment: Arts Geography
Co Pi : Kevin Gould

Title: Surveying Land and Producing Citizens in Pete, Guatemala
Agency: NSERC

ACTION ----- DATE --- CONTENT
Approved 2004-10-28

Best regards,

Shirley

Shirley Thompson
Manager, Behavioural Research Ethics Board University of British
Columbia 102-6190 Agronomy Road Vancouver, B.C. V6T 1Z3
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