
MEGHAN L. MORRIS
MAKING
PEACE
with
Traces of Post-Conflict Colombia
PROPERTY

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Traces of Post-Conflict Colombia

MEGHAN L. MORRIS

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Preface

There is a Soviet-era joke about political horizons I first heard when working in Cuba. The joke goes something like this: Khrushchev makes a public pronouncement that "communism is on the horizon." A villager, unsure about the word "horizon," asks a local sage what it means. The sage replies that a horizon is a line that, as you approach it, recedes into the distance.

In 2016, Colombia signed a peace agreement between the government and the Revolutionary Armed Forces of Colombia (FARC) guerrillas. The agreement held the promise of an end to Colombia's half-century civil war and the achievement of the country's ultimate political horizon: peace. Property reforms, from land restitution for war victims to titling of informally held land, were billed by the state as central to achieving a post-conflict era. But despite these measures, for many Colombians, peace remained elusive. Murders of social leaders—particularly land activists—spiked in the years after the signing of the agreement. Right-wing neo-paramilitary groups, many of which rearmed after the paramilitary demobilizations of the mid-2000s, continued to control everything from commerce to transit to land access in certain regions. Several years into the implementation of the agreement, more than seven million people—14 percent of the population—remained internally displaced by the conflict, a number that continued to grow. At the close of the anticipated ten-year implementation period of a land restitution program in 2021, only a fraction of the millions of hectares of land lost in the war had been granted in restitution.

This book is an ethnography of property in the ambiguous space between war and peace I call the shadow of the post-conflict. This ambiguity defined the political climate of the years leading up to the peace agreement in 2016, when the majority of the fieldwork conducted for this book took place. But it also suffuses Colombian politics in the post-agreement

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1 Map of Colombia. Map by Gabriel Moss.

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era, as it did over the many decades during which the country repeatedly attempted to make peace in the middle of war. Peace was continually deferred, even as it was repeatedly promised to be just on the horizon.

The situation in Colombia is often analyzed as a question of transitional justice and its many attendant legal regimes—peace agreements, amnesties, demobilizations, international criminal responsibility, constitutional transition. It is also frequently treated as a question of human rights and the truth, justice, and memory projects built in places attempting to give a voice to the victims of long-running wars. This book both builds upon and departs from this tradition. A common critique of transitional justice regimes is that they often fail to effect transformational change because they tend to ignore the distributive aspects of justice, such as measures to remedy inequality or historic dispossession. Recent efforts to use property to achieve peace in Colombia present a striking counterexample. Although they were both imperfect and incomplete, they did, in fact, make central the question of who owned the land.

This book takes that choice as its point of departure, examining the political unfolding and consequences of turning to property—the issue that was widely understood to be a root cause of the war—to create peace. What might this tell us about property and its relationship to political horizons that promise change? How do people render social and material worlds through property—and enact property itself—in these endeavors? What do these processes reveal about property, its possibilities, and its limits?

Answers to these questions lead to places both familiar and strange to those interested in property or post-conflict politics. This book tracks the unfolding of the reordering of property for peace, from legal arguments to soil sampling. It interrogates how people enacted this reordering on different terms—land, territory, soil, plot, housing—which had a certain affinity with property, but collectively exceeded it. This capacious interpretation of property facilitated broad reconfigurations of both the natural and the social bodies of the nation. In the process, property became an instrument for the state to rearrange these bodies in the imagined image of the post-conflict, crafting an aspirational future order of people and things. At the same time, this reordering opened up a broad reimagination of political possibility by other actors, inspiring initiatives such as the retaking of land by small farmers, the creation of new institutions by bureaucrats, and the reinvigoration of modes of possession by large landholders. The reordering of property, in this sense, was a politically indeterminate

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project, simultaneously generating boundaries and expanding horizons for political action.

The state's effort to put people and land in place through property was a knowledge project that was fundamentally crafted around liberal legal notions of how to both call into being and provide order to peace. The project carried with it a specific temporal arc, which charted a path of progress from informal to formal, disordered to ordered, war to peace. But the process of reordering property for peace excavated traces of past conflicts as evidentiary arguments in efforts to determine the truth about past violence that would ground the allocation of property in a future peace. This meant that the arc of linear political time constantly came undone, as projects mobilizing property for peace became tangled in contested territorial claims, ethnic tensions, debates over environmental protection, overlapping speculative endeavors, and the violence of the ongoing conflict.

As people enacted property through things like territorial disputes and land speculation, they invested property with power—the power that comes with ownership, but also the power to promise new political horizons. This rendered property an intensely productive legal form in the context of purported transition, opening creative forms of mobilization by a broad set of social actors. But these modes of enacting property were simultaneously the undoing of the ability of property to pave the path to peace, as the promised horizon continually receded into the future.

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Introduction

PEDALING FOR PEACE

President Santos had ridden the bicycle several meters across the stage before accidentally running into a flag and falling off. He was visiting the northwestern region of Urabá for a public event to promote the national Victims and Land Restitution Law (Victims' Law). Santos considered the law to be one of his signature achievements and a cornerstone of ongoing efforts to resolve Colombia's decades-long civil war. War victims had lent him the vintage 1950s bike to symbolize the duration of the conflict. As his bodyguards helped Santos to his feet, an attendee shouted that he should "keep pedaling for peace!"[1] Santos took this opportunity to emphasize the importance of persisting for peace, later posting on Twitter: "When we fall we have to get up and keep on the path, amongst others the path to peace. This is the brilliant and true comment to me from a victim in Urabá."

Everyone had their own interpretation of the significance of the event. "When he got up from that bicycle, Santos himself said it: People have to *meterse a las tierras para lograr la paz* (go onto the land to achieve peace)," Gloria said to Alirio.[2] She exuded motivation, a common mood for her lately, as she and other small farmers organized to take back land they had lost during the war, planting crops and building small shelters on plots. Gloria's interpretation of *meterse a las tierras* in this context referred not just to going onto land, but to occupying plots small farmers felt were rightfully theirs. Alirio sat quietly in a plastic chair on the packed earth floor of Gloria's kitchen, seeming unconvinced. He had stopped by to talk about taking back his land but was worried about the potential consequences. Just that morning, an official from the Land Restitution Agency (LRA) had given an interview on local radio cautioning people not to recur to

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"*las vías de hecho* (nonlegal means)" to take land, but rather to wait for judges to grant it to them in restitution. The local ranchers who now held the land opposed people taking it. And some people who had tried to take back land had received death threats from successor groups to right-wing paramilitaries, a powerful force in Urabá.

Gloria's assertion to Alirio that Santos had encouraged people to "go onto the land to achieve peace" was a flexible interpretation of the president's message. The Victims' Law, passed in 2011, had established the right to land restitution for those who had abandoned or been dispossessed of their land as a result of the conflict.[3] It had also established the LRA, the state bureaucracy responsible for receiving and investigating restitution claims as well as arguing them before restitution judges. Through this process, the LRA aimed to return and title over six million hectares of land—approximately 5 percent of Colombia's surface area—over ten years. The intended beneficiaries of restitution included some of the over five million people who had been internally displaced during the war, many of whom, like Gloria and Alirio, were now living in informal settlements on the country's expanding urban peripheries. In the event of a successful claim, plots would be titled and subject to a two-year moratorium on resale by the claimant.[4] The idea was that the pattern of ownership that had existed prior to claimants' loss of their plots would be restored and that title transfers through restitution would update the cadaster, bringing the national inventory of properties ever closer to completion. This not only was intended to grant victims reparations and facilitate a return to their land, but also was one of the key elements of a broader state effort to achieve a new national era: "*el posconflicto* (the post-conflict)."

The government, however, generally opposed situations like the one Gloria was promoting, in which restitution claimants returned to land without a judge granting it to them. Still, people saw restitution as a political opening, for everything from the reinvigoration of land takings to increased state control over territory to the legalization of illicit land acquisitions. In this sense, Gloria's comment underscored the ways that restitution was reordering not only property, but also the political imagination in places like Urabá. Her interpretation of Santos's comment was intended specifically to motivate Alirio to recuperate his land. But it also pointed to a more general sense that the reordering of property for peace was reconfiguring the entire legal, material, and social landscape, as well as the sense of political possibility. This was true not only for people like

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Gloria, but also for bureaucrats, large landholders, armed actors, and social organizations. These actors took up restitution on their own terms, both reconfiguring their modes of action and shaping the political horizons that emerged as the reordering of property for peace unfolded.

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State bureaucrats had initially envisioned restitution as a means of enticing the Revolutionary Armed Forces of Colombia (FARC) guerrillas to negotiate peace. One of the primary initial proponents of this idea, a government advisor named Federico, once traced its history for me. "I've always known that we need to resolve this knot of agrarian problems. The agrarian question is Colombia's big unresolved task," Federico said, using a poker to shift the smoldering logs in his fireplace. He'd been patiently trying to light a fire without success since I arrived at his home, nearly an hour and a half earlier.

> There was a consensus that we had to do it [land restitution] . . . but the previous government didn't want to approve a law on land restitution and victims . . . I had a series of meetings and conversations when the current President Santos was Minister of Defense. And I started talking with him about security issues, since as Minister of Defense his interest was security. But my conversations were all directed toward telling him, Doctor Santos, the security problems in Colombia are in the countryside, and they correspond to an unresolved agrarian conflict. We have to pay attention to agrarian problems to be able to resolve the violence . . . I was trying to argue the thesis that if the government made moves in favor of the peasants who were victims of violence and displacement, and we granted land restitution to peasants and did redistributive land reform, the government and the armed forces would gain the trust of the peasants, and that . . . was the only real way of diminishing or eliminating peasant support for guerrillas and putting [the guerrillas] in a situation in which they'd have to negotiate peace. Santos really liked this perspective.

Federico considered this strategy to have been at least a partial success. It was 2013, three years into Santos's first term and two into the implementation of the Victims' Law, and the government and the FARC had commenced peace talks in Havana the year before. The talks were aimed toward demobilizing the FARC and, as Santos pronounced at their

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initiation, achieving "a general agreement to end the conflict and build a stable and lasting peace." The two parties were just months away from an agreement on Point 1 of the agenda, dedicated to rural issues. The first point discussed under this item was land access and the "formalization of property." In the process, peace had become a bureaucratic obsession, along with the idea that the reordering of property might both bring peace into being and help define a future peaceful order.

The notion that the reordering of property was central to state efforts to achieve peace was shared by not only scholars and bureaucrats like Federico, but also other sectors of society. This analysis was grounded in the idea that the war was rooted in a combination of rural problems, including Colombia's historically unequal land distribution, its high rates of land held without title, and the decades of violence that had wracked the countryside.[5] This violence had caused some of the highest rates of internal displacement in the world as well as widespread land dispossession.[6] The argument was that solving those problems was a necessary condition for achieving a lasting peace. The measures bureaucrats proposed to solve it included land restitution, rural titling, and the completion of the national cadaster. These were all major state-led projects that in some sense were oriented toward what bureaucrats called the "*ordenamiento* (ordering)" of property. Ordering served simultaneously as a legal concept that meant the collection of rules that governed property and as a way of describing the social and legal process of reorganizing those rules with the goal of putting both people and land in place for peace.[7] The fact that the (re)ordering of property was also intended to entice the FARC to the negotiating table reflected the prevailing bureaucratic sense that this was an integral element of the FARC's own revolutionary desires.

These notions reframed a long history of attempts to forge peace, from commissions initiated in 1981 to commence peace talks with guerrillas to a series of failed efforts to negotiate peace with the FARC over two decades and four previous presidential administrations. The idea that peace might be forged in the midst of war had been reenacted and renewed over decades of failed efforts to end the world's longest-running civil war. It was called up in the peace talks and reframed in a fresh bureaucratic iteration: that the restitution of land would pave the path to peace. While the peace talks also included a number of other points common to transitional justice regimes, such as the demobilization of the FARC guerrillas and the conditions of their political participation, it was property that headlined the agenda.

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Making Peace with Property: Traces of Post-Conflict Colombia is an ethnography of property in the ambiguous space created by these efforts to achieve peace in the middle of war. It examines how the reordering of property for peace unfolded and how different actors involved in and touched by this reordering enacted it on different terms. In doing so, they drew on traces of the social and material worlds around them to make and dispute property claims and to contest the versions of history that were being litigated through the project of post-conflict transition. The book analyzes how that in turn precipitated the reconfiguration of those worlds, shaping both how property was understood and the political horizons of war and peace that would emerge.

The book draws on eighteen months of fieldwork in three primary sites. The first is the region of Urabá, where I focused on the process of building land restitution claims and the layered forms of contestation that emerged during the first several years of the restitution process. Urabá had long served as a base for right-wing paramilitaries and had one of the country's highest rates of displacement and land dispossession. As a result, it was often articulated by bureaucrats as "emblematic" not only of the violence with which it had long been equated in the national imagination but also of "*despojo* (dispossession)" of rural land (Morris 2017).[8]

Many of Colombia's displaced people, however, lived in expanding urban settlements, with little desire to return to their former rural land. These sites were also central to projects to reorder property for peace. The second site I discuss in the book is an informal settlement in the city of Medellín, where I conducted research around the city government's establishment of—and local resistance to—a new municipal Territorial Ordering Plan (TOP). The TOP included green infrastructure projects that were billed as a means of achieving peace within the city but simultaneously involved the eviction of displaced residents, particularly those lacking title to their homes. Finally, I draw on fieldwork in state bureaucracies, including the national cadastral mapping agency and a municipal land registry, where bureaucrats carried out the reordering of property for peace through activities like title registration, cartographic analysis, soil sampling, land surveying, territorial ordering, and cadastral engineering.

In these sites, *propiedad* (property) was a legal term of art used frequently by state bureaucrats. It was also used outside of official discourse by people in the towns and fields that were the object of state interventions to reorder property for peace, who were well versed in the terms of those interventions and of transitional justice more broadly. Property

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was an organizing political and legal conceit for the project of transition, binding together the articulation of the root cause of the war and the proper mode of achieving peace.

At the same time, actors both within and outside state agencies also enacted the reordering of property for peace on other terms that traveled in the company of property. Each chapter of the book loosely focuses around a term that people used to enact this reordering of property for peace. These terms—land, territory, soil, plot, housing—had a certain proximity to property, but were not equivalent to it. While *tierra* (land) was occasionally used as a synonym for property, it had a more redistributive valence as the core term used in historical debates over agrarian reform. *Territorio* (territory) was a complex concept that had overlapping ethnic, environmental, political, spiritual, and para/military iterations, gaining its closest proximity to property in its application to collectively titled ethnic territories, even as this iteration held specific cultural and historical meaning. *Suelo* (soil) had both an affective and technical valence in this context, serving as a forensic site with evidentiary value for property claims and disputes as well as a locus of specters, dreams, and nightmares. *Predio* (plot) was both a technical and financial term most closely associated with practices of surveying and mapping the boundaries of property, as well as modes of determining the value of a given area for tax purposes. Finally, *vivienda*—as with the term "housing" in English—had more social and familial connotations in its use to describe a dwelling or home, as well as a political valence in its use as a policy term, particularly in urban areas.

These terms were not neatly coextensive with property, nor were they alternative forms of property. They each implied different forms of relationality that were not reducible to property but were opened up and activated by its rearrangement. People used them as overlapping modalities of substantiating, disputing, and enacting property, granting it currency and efficacy within different social and technical spheres of action. The reordering of property for peace thus unfolded into a reconfiguration of relations that informed and were bound up with, but also collectively exceeded, relations of property. These simultaneous reconfigurations were part of what allowed the reordering of property to open such broad terrains of political possibility.

While transitional justice regimes and debates often privilege the penal, it was property that became a particularly critical and generative legal form in the pursuit of peace because people perceived the potential within it to enact this kind of broad reconfiguration of both the social and physical

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landscape. Property sat at a particular intersection between material and social worlds, in which the continual redrawing of lines around the proper subjects and objects of property simultaneously rearticulated the shifting boundaries of those worlds and their relationships to each other. As people both enacted and contested the reordering of property for peace, they mobilized elements and traces of the natural world as evidence for their claims and also to question the stories about the past and the future horizons that were central to the imagination of transition from war to peace.

The reordering of property in land thus opened new possibilities for rearranging the natural and social bodies of the nation to both call into being and provide order to peace. It activated existing and new struggles that were enacted on other terms, such that the reordering of property simultaneously implied a reconfiguration of land markets, territorial regimes, soil conflicts, plot maps, and housing and eviction policies. For small farmers, large landholders, and paramilitaries, state efforts to reorder property for peace reconfigured speculative markets around land, foregrounding land possession as a critical speculative strategy. Reordering property simultaneously reorganized territorial relations, redrawing contested ethnic, political, and para/military territorial boundaries as well as the shifting borders between rural and urban, forest and farm. It rendered soil a forensic site, as soil scientists, engineers, and claimants narrated soil and its qualities as evidentiary arguments for particular rearrangements of property. Surveyors and other technicians charged with the production of cartographic knowledge for reordering established new maps of plots, villages, and neighborhoods, with implications for the possibilities of ownership of farms and homes and for access to housing.

The breadth of this reconfiguration pointed to a certain capaciousness of property, in terms of both the kinds of enactments and relations its reordering activated and the political valences the project of property for peace could take on. The notions of both "property" and "peace," in fact, meant very different things to different actors. Property, for bureaucrats, generally meant restitution and titling. For small farmers, it evoked a return to or retaking of land. And for large landholders, it signaled security of title and protection of land acquisitions. Similarly, peace held a variety of meanings, from a formal agreement with the FARC for bureaucrats to freedom from violence for small farmers.[9] For some large landholders, the idea of peace was bound up with paramilitary control.

The capaciousness of these two categories allowed actors across the political spectrum to subscribe to a similar structural relationship between

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the two, even as they advocated for very different political and distributional outcomes. While the mechanism of the return of land to displaced people differed between the official state position and Gloria's notion that peace would come via the retaking of land, for example, the structure of the relationships implied was similar: With the reallocation of property would come the possibility of peace. This general relationship between property and peace was also shared with other actors, including large landholders, who had long emphasized the importance of the protection of the status quo distribution of landed property for peace and order.

POST-CONFLICT TEMPORALITIES

In the state project of calling the post-conflict into being, there was an aspiration to linear time, in which the country would move ever closer toward peace, the ultimate "horizon of expectation" (Koselleck 2004), leaving the chaos and uncertainty of war in the past. Similarly, the revolutionary project of the FARC—at one time inspired by Marxist ideals centering the redistribution of large private landholdings—was one iteration of the idea of revolution that, as David Scott observes, has been a "founding paradigm for the modern organization of political time, for connecting old endings to new beginnings and, therefore . . . connecting our dissatisfactions with the past to our hopes for alternative futures" (Scott 2014, 3).

In these aspirations to social order, temporality and legality were inextricably fused.[10] The state aspiration that law would operate as a constraint to violence projected into the future the liberal legal notion that "we live in and by the law" (Dworkin 1986, vii). This promise of living in and by the law sat on the official horizon as what gave both content and order to peace. This operated in direct opposition to the notion of war as a time of lawlessness, dispossession, and informality—a time that the post-conflict in theory would place definitively in the past.

Property was a particularly good fit for these notions of political time, as it had long held a central place in political and social theory as marking or driving crucial political turning points. Rousseau (1997 [1766]) identified the first enclosure of ground with the moment of founding of civil society. Hobbes (1996 [1651]) wrote that the right to property was necessary for peace and at the origin of the social contract. Locke (1980 [1690]) attributed the move from the state of nature to the social contract

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to the need to protect property. In both state and revolutionary political projects that mobilize property, the arc of progress bends ever closer not only to peace or revolution but to the particular ordering of property that helps define those projects. Property in this sense has always been an older concept than its common neoliberal or capitalist stereotypes might imply, one tethered fundamentally to the pursuit of social order more than to any particular economic arrangement.

The notion that property marked a political and social progression from the disorder of war to an orderly peace was fundamental to its role in the peace process. Though the horizon of the "post-conflict" was not equivalent to a "perpetual peace" in Kantian (1917 [1795]) terms, the clean break imagined between war and peace and the imagined arc of historical time resonated with this idea. Reinhart Koselleck speaks to the ways that Kant's formulation relied on the notion of the acceleration of progress, noting that "if hope evades experience, then Kant used the topos to reassure himself of the approaching organization of world peace" (Koselleck 2004, 270).

This promise, however, repeatedly came undone. The first clue to this undoing, for me, lay in the swift shift of the official horizon of expectation. In Austin Zeiderman's (2016) work on temporal politics in Colombia, he theorizes the temporality of endangerment around which urban life in Colombia was organized. This was the official horizon that I experienced as I first began working in Colombia at the end of the 2000s. But then, seemingly almost overnight, the official horizon shifted, such that peace became the future in the making. I don't mean that everyone believed that peace would certainly arrive, but rather that the official state narrative around which political life was organized changed, such that peace replaced danger.

The durative open-endedness of the temporality of endangerment Zeiderman describes, however, remained a fundamental quality of Colombian temporal politics. Like many purportedly "post-conflict" sites, Colombia was a place where efforts toward peace had long coexisted with war.[11] The reorientation of the official horizon may have shifted the sense of proximity or possibility of peace, but not this ambiguity. As with future harm, it was never clear when—or, for many residents of Urabá and Medellín, if—peace would arrive. This was in part because the peace agreement kept being deferred, but also because the reorientation toward peace did not actually eliminate endangerment as a central form of political experience. This contributed to the sense that the possibility of violence sat in persistent ambiguity with the possibility of peace.

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The shift in the official horizon, however, hitched property to post-conflict, such that it became a central form of calling peace into being and defining its content. In the process, the temporalities of property and of post-conflict were made to overlap, such that over the arc of linear time, informality would resolve into an increasingly complete national cadaster and war would cede to peace, the ruins of both informality and war left definitively in the past. But property—forced, like land rights elsewhere, to "bear the burden of national anxieties it cannot solve" (Povinelli 2002, 181)—was the continual undoing of the promise of peace.

The reordering of property for peace produced entirely different temporalities that fundamentally disrupted aspirations to linear political time. While reordering projects were intended to settle property once and for all in the pursuit of peace, these processes by definition excavated traces of past conflicts in attempts to reconstruct a past "before the violence" that might serve as the basis for future peace. As restitution and territorial ordering unfolded, restitution officials, claimants, paramilitaries, settlement residents, judges, and scientists invoked these traces of the past as evidentiary arguments about property. These traces were often simultaneously spectral and material, integrating the uncanny quality of elements of the past with the specific materialities of the rural and urban landscapes in which the reordering of property for peace was unfolding. Ghost forests and watery soils from the past were invoked in restitution cases as evidentiary arguments. Past political practices, such as the use of crops to establish possession, reemerged to both challenge and justify restitution. Corpses and buried truths erupted to the surface to call the premises of territorial ordering into question. These evidentiary traces emerged not in spite of the law, or in excess of it, but *through* it. They produced a sense of what Susan Lepselter (2016) calls "resonance," as their return simultaneously activated and contested the histories of land dispossession that grounded official narratives of the war and the aspiration to peace.

This opened up the often conflicting temporalities that pervaded efforts to reorder property for peace, as past, present, and future repeatedly folded into each other. As people mapped plots, excavated evidence, and anticipated future regimes, they attempted to stabilize the boundaries of property at a specific point in time in the past as the basis for future right. But each property claim charted a path with multiple temporal referents, as the process of mapping itself raised old conflicts over boundaries, the determination of soil quality was upended by the shifting humidity of the soil, and the planting of crops to establish land claims incorporated

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the uneven cycles of plant life and death as they were not only seeded and harvested but also burned, bulldozed, and uprooted. While these elements were mobilized as evidence precisely because of their perceived material stability, these uneven material temporalities continually defied and exceeded evidentiary expectations.

While the state aimed to produce a new, stable geometry of property for the post-conflict, these "temporal discontinuities," to borrow a term from Karen Barad (2007), were the key to its undoing, as they challenged the Cartesian geographies and liberal legal temporalities that had become fused in the official state project of reordering property for peace. To the extent the reordering of property in Colombia was a spacetime project, used to mark a particular linear temporal arc toward a peace that was simultaneously geographic and legal order, these materialities bent it.[12] This frequently triggered old conflicts and seeded new ones, causing property reordering projects to consistently undermine the best-laid plans and dreams for peace. In this sense, the promise of property for peace produced a kind of "cruel optimism" (Berlant 2011), in which people were continually compelled to return to the same structural fantasy, even as it itself placed obstacles in the path to peace.

At the same time, the process also opened up new horizons of political imagination and action. For people like Gloria and Alirio, it inspired the retaking of land, which was rooted in both historical political practice and the disappointments in the failure of that structural fantasy to bring about peace. For large landholders, it spurred new modes of maintaining claims to land through possession. For the state, it facilitated the creation of new initiatives, agents, and bureaucracies built around the reordering of property for peace, which redefined the Colombian political and institutional landscape.

David Scott (2014) discusses the increased conspicuousness of the sense of time being "out of joint" in the aftermath of the loss of the promise of revolution in Grenada, without the horizon of revolution to anchor the temporal arc of progress. Unlike much of the literature on post-conflict, which tends toward a temporal focus on memory of the past and how it shapes present politics, Scott attributes this out-of-jointness to the dissolution of the future horizon of a revolution that wasn't. This ruptures the way time is experienced, challenging the modernist synchronicity between time and history. How might we understand this disjuncture in the experience of time when the horizon is peace? Why does property, in particular, play such an active role in this desynchronization of time and history?

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Scott also notes that this accentuated consciousness of temporality allows people to notice "just how much, and how uncannily, fictive models of time shape our experience of the past in the present and our expectations for the future" (Scott 2014, 28). Fictive accounts are a strong undercurrent both in the sites I describe and in my own thinking about the subject of property. Gabriel García Márquez, Colombia's most beloved writer, died during my fieldwork. Gabo, as he is affectionately known in Colombia, spent his life's work writing and traversing the kinds of discontinuous material temporalities I discuss here, weaving uncanny temporal experience through story. His legacy on Colombians' understanding of their own worlds and history runs deep—so deep, in fact, that in one of my initial conversations with an LRA official confirming that I planned to follow restitution cases in Urabá, he replied, "Yes, you're going to meet the Aurelianos, the Buendías, and . . ." raising his eyebrows, "the Úrsulas." There was a sense in daily conversation that people of all stripes perceived reality and fiction as quickly bleeding into each other and Gabo's "traffic of the dead" (García Márquez 1970, 331–32) close at hand.[13] This was particularly true around questions of property and conflict, which have long resided at the center of the fictive dreamscape of Latin America.[14]

In this book, many of the situations I discuss involve multiple conflicting narratives, speculations, and conjectures, claims that sound fantastical but are so close to proximate truths that they are plausible, or things that sound true but are so close to fiction that they seem questionable. In the context of a peace process that was defined in part by an excavation of the past to determine the "truth about the war," I frequently confronted the expectation that my research would reveal the truth at different scales—about who a person really was, or what really happened in a given case, or what the restitution process was really doing. I do my best to resist this and hold García Márquez's legacy present as I narrate property as it unfolded in these past, present, and possible worlds.[15]

WAR BY OTHER TERMS

I initially set out to do an ethnography of property in Colombia; given the country's politics and history, it was impossible that this would not also involve the question of the war in some way. But I did not expect this ethnography to be carried out over the course of the peace talks and the eventual declaration of a "post-conflict," which is what effectively occurred.

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I conducted my first summer of research in 2012, just as the government began the talks, and I concluded the writing of the dissertation on which this book is based a year after the 2016 peace agreement was signed. In a visit to Colombia several months after the signing of the agreement, a colleague opened a workshop by saying, with great emotion, that it was the first time in his life (he was in his sixties) that he was able to welcome the attendees from outside Colombia to "*un país sin guerra* (a country without war)." The agreement with the FARC had been signed and ratified, the post-conflict declared.

The sense of hope around the possibility of peace was palpable throughout my fieldwork, particularly among bureaucrats and left-leaning friends and colleagues conducting legal advocacy in Bogotá. But my time in Urabá and Medellín consistently revealed other orientations toward the post-conflict—hope from some, but more often cynicism, disbelief, expectation, uncertainty. The war could be felt there in everything from the continued displacements people endured to the death threats and murders of land activists by armed groups. There was virtually no presence of the FARC in either Medellín or Urabá, but successor groups to the right-wing paramilitaries that had demobilized in the mid-2000s controlled everything from debt collection to transit. These groups were so similar to the paramilitaries in method, and in some cases in membership, that people often described them to me as "the same people with the same arms."[16] One Medellín resident articulated a sentiment that I found across the city as well as in Urabá: "*No hay paz, no habrá paz . . . va a haber lo mismo a diario: guerra* (there isn't peace, there won't be peace . . . there will be the same thing every day: war)."

The country's repeated attempts to make peace in the middle of war had led some scholars of Colombia to call the situation a "pre-post-conflict" (Laplante and Theidon 2006; Theidon 2009). Several different guerrilla groups were demobilized as a result of these prior efforts, including the M-19 and the Ejército Popular de Liberación (Popular Liberation Army) (EPL). These were followed by the demobilization of the right-wing Autodefensas Unidas de Colombia (United Self-Defense Forces of Colombia) (AUC) paramilitaries in the mid-2000s under the Álvaro Uribe administration, through an institutional regime governed by the Justice and Peace Law (Law 975 of 2005).[17]

Given the persistence of armed violence, however, even as the government prepared to declare the arrival of the post-conflict in 2016, public debate revolved around whether the signing of the peace agreement would

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herald the "post-conflict" or simply a "*posacuerdo* (post-agreement)" era, with peace deferred into the future.[18] Once the agreement was signed, in a public ceremony featuring United Nations Secretary-General Ban Ki-moon, the arrival of the post-conflict was again postponed, as an October 2016 public referendum on the agreement failed by a slim margin. The Colombian Congress approved a revised agreement two months later, but opponents of the agreement—led by the right-wing former president and then Senator Álvaro Uribe—walked out of Congress before the vote, and the possibilities of peace amid the fractured political landscape remained uncertain. After the declaration of the post-conflict's arrival, I began to receive messages from people in Urabá reporting what had long been feared: Paramilitaries had expanded into the territory formerly controlled by the now-demobilized FARC in the Chocó, west of Urabá, displacing people and setting off a crisis of new proportions.

This sense of ambiguity between war and peace suffused the politics of my sites throughout my fieldwork. It continued to do so as the conservative administration of Iván Duque, in office from 2018 to 2022, repeatedly undermined the implementation of the peace agreement. Even as the subsequent administration of Gustavo Petro and Francia Márquez made history as a left presidency and renewed official commitments to peace, the blurry boundaries between war and peace were evident in everything from the continued murders of land activists to the ongoing violent displacement of people from farms and neighborhoods. The ambiguity between war and peace was in this sense not new or specific to particular efforts to achieve or undermine peace, but was a condition of Colombian politics.

Law has played a critical and widely debated role in this ambiguity. Colombian history, from its early independence under Francisco de Paula Santander—known as both the "Man of Laws" and the "Organizer of Victory"—has on the one hand been characterized by strong public institutions, legal regimes, and courts, generating a certain public hope in and fetishism of law (Lemaitre 2009). As the government held talks with the FARC, this hope extended to the potential ability of law to both call into being and define a future peace. At the same time, this legal fetishism existed in an intimate interplay with the country's history of violence.[19] Some scholars have theorized that law simply created moments of pause that marked an ongoing cycle of violence from the time of Colombia's independence (Valencia Villa 1987). Others have hailed legal institutions as part of a long liberal democratic tradition in Colombia that they have argued was unrelated to the violence the country has suffered (Posada

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Carbó 2006). Still others have read Colombia's history as defined by the intimate relationship between liberal democracy and violence (Palacios 2006) or liberal legalism and war (Uprimny 2010; Uprimny and García Villegas 1999). This latter reading speaks to the ways in which law became part of both the scaffolding and the products of war, even as it emerged as the privileged instrument for making peace. Law was, as Francisco Gutiérrez Sanín and Richard Stoller put it (2001, 69), "the language that subtly and paradoxically but very effectively links the courtroom and the bivouac."

The dominant bureaucratic fantasy during the leadup to the agreement with the FARC was one that heralded law as what would bring the country from conflict to post-conflict, defining the break between the two. Legal measures like land restitution would both "prepare" the country for the post-conflict and provide order to the promised future peace. This notion instilled hope in state bureaucrats in particular because many believed, like Federico, that the reordering of property was the cornerstone of the FARC's own revolutionary platform. Santos himself promoted restitution as a program that "stole the discourse of the FARC."[20] In this sense, the state crafted its collective political imaginary through the mimetic enactment—and bureaucratization—of its own projected fantasies of guerrilla desire.

This notion, however, turned out to reside largely in the bureaucratic imagination. On the one hand, the FARC was not particularly committed to land restitution and titling. The FARC's lead negotiator began the peace talks with a speech expressing the FARC's position *against* the state's restitution and titling program, arguing that titling would not lead to redistribution, but rather "legal dispossession" of peasants.[21] The government's interest in updating the national cadaster was also met with indifference by the FARC, further reflecting the fact that state and FARC priorities around property were actually quite different.

Despite this, the bureaucratic fantasy remained organized around the idea that the reordering of property would lay the groundwork for the post-conflict that was just on the horizon, even as its arrival was repeatedly deferred. I call this uncertain, elastic temporal space between war and peace the "shadow of the post-conflict."[22] I use the term "shadow" to evoke the temporal ambiguity of the post-conflict, understood both as a time yet to come and the condition of the present. Its shadow was thus cast in multiple directions, changing shape and extension as peace was deferred, accorded, and retracted. As the horizon of peace kept receding into the future, the shadow kept lengthening, deepening the uncertainties that proliferated

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within it. This term borrows loosely from Robert Mnookin and Lewis Kornhauser's (1979) notion of "bargaining in the shadow of the law," which describes how divorcing couples negotiate outside of court based on their conjectures about what they would be allocated if they went to trial. The shadow of the post-conflict was a temporal space that was defined by a relationship to law that was speculative, as people oriented their action with an eye to potential legal futures that might or might not come into being. It was an infinitely expandable space of ambiguity, but also of possibility and imagination. While on its face, the shadow of the post-conflict appeared to be contingent and immediate, it reflected underlying structural affinities and contradictions between violence and law, war and peace, that helped to define Colombian history and may well continue to define its future.

ON PROPERTY

Early in my fieldwork, I met with a senior anthropologist in my area for coffee to talk about my research. He encouraged me to study something else, observing that a project about property would be "boring." Why not do fieldwork in Greece instead, where I had family and which was in the middle of a historic debt crisis? Now *that*, he suggested, would be interesting.

Initially, I felt surprised at this reaction and defensive about my choices. My colleagues and interlocutors in Colombia had placed property at the center of their political projects for a reason. These projects were shifting Colombian politics in ways that seemed no less consequential than Greece's debt spiral. And my initial fieldwork had begun to reveal a rich constellation of ideas around property that seemed to speak in different registers and at different scales to relationships between law and war that were foundational to Colombian politics. I decided to ignore the advice, chalking it up to—in its most generous iteration—different orientations toward what is "interesting" in anthropology.

But the deeper I dug into the term "property" and its various trajectories through disciplines, theoretical traditions, political movements, and state projects, the more I realized that the notion that property was boring was far more conceptually significant than I had initially understood. It aligned in certain ways with a move in anthropology in recent decades to displace or de-center property as an inherently Western concept, a received category that was insufficiently capacious and incompatible with

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more complex forms of relationality (Hirsch and Strathern 2004; Strathern 1988). It also shared sensibilities with a more activist approach to abandon the term as a conceptual tool that belonged to power, in line with the notion that "the master's tools will never dismantle the master's house" (Lorde 2018). Both of these approaches relied on assumptions about property as inextricably bound up with capitalism, possessive individualism, and colonial power, rendering it an inappropriate or unproductive conceptual locus for anthropological or political inquiry.[23]

Analytic refusal or avoidance of property, in this sense, sutured together a conceptual critique about the universal application of Western analytics and a political critique of property as an instrument of domination with a theorization of property as a stable, unitary concept. The broader implication of this for theorizing property within anthropology was that we always already knew what property meant, as both a conceptual and an ethnographic matter. From this point of view, using property as an analytic would be, at its worst, anti-emancipatory or colonial, and, at its most benign, just plain boring.

My fieldwork in Colombia constantly challenged these assumptions and their theoretical and political implications. Although this is certainly not true everywhere, property was explicitly engaged as such by nearly everyone in my sites, and there were innumerable enactments of it and disagreements over its interpretation. People conceptualized and mobilized property as a tool of oppression, theft, and dispossession and simultaneously as a mode of resistance, solidarity, and collective politics. Property unfolded ethnographically and conceptually in ways that revealed its theoretical multivalence and political indeterminacies as well as its deep significance for ongoing efforts to achieve peace. I maintained property at the center of this project because it continually resided at the center of my interlocutors' various projects, demanding an analysis that was ethnographically attentive to these seemingly contradictory trajectories.

Making peace with property in this sense refers not only to the project of making peace through the reordering of property, but also to this analytic choice. In taking up property as a central conceptual category emerging from this ethnography, I am arguing against the notion that property is a category that we might always already understand. Taking up property as a concept carries deep challenges. It often operates as an actor's and an analyst's category simultaneously, and carries with it all of the baggage and thickets of meaning that come along with a concept that is frequently taken as a given, even as it sits at the center of so many contradictory and

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significant projects to remake worlds. And yet it is for precisely this reason that it is so critically important not to leave property unexamined. I am arguing here for the importance of an anthropology of property that is sharply attentive to its conceptual and political baggage and at the same time brings an ethnographic and theoretical openness to the subject, avoiding the conceptual caricature and overdetermination that can come along with analytic refusal.

In keeping with this sensibility, I follow Katherine Verdery's (2003) lead in refusing to define property, but rather developing modes of approaching it methodologically. I take knowledge practices around property as an entry point, using them to ethnographically open up property, tracing how it is (re)configured and, in the process, comes into relation with other concepts and forms.[24] Annelise Riles (2004) suggests that anthropologists make legal knowledge itself the object of study, and I follow her in this regard. Knowledge about property, however, is not the exclusive domain of legal experts. In recognition of this, I follow the many actors who became involved in the production of knowledge about property, including armed actors, claimants, businessmen, and activists, in addition to state bureaucrats and scientists.

Throughout the book's chapters, I trace the terms in which the reordering of property was enacted, following the unfolding of this reordering into shifts in land markets, housing debates, soil forensics, territorial disputes, and plot maps. These modes of enactment (Mol 2003) shaped the way property itself was differentially conceptualized, understood, and rearranged.[25] In this analysis, I do not conceive of property as something wholly incompatible with or separate from other forms of relationality. Rather, it was the rich relational and conceptual universe of not-quite-property that the reordering of property activated that became a critical site for theorizing property, rather than turning away from it as an analytic.

Examining the ways that legal relations of property intersect with social relations between actors is part of a long tradition in both anthropological and legal accounts of property. This tradition asserts that property is essential to the configuration of the social, a relationship between people with respect to things. This view of property as a social form—and, as legal scholars would articulate it, as an *in personam* right—was a critical departure from the classic Blackstonian (1765) *in rem* understanding of property as "that sole and despotic dominion which one man claims and exercises over the external things of the world" and allowed questions of social order to be understood through property.[26]

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Early work in legal anthropology analyzed property as a marker of the evolution of society (Maine 1861; Morgan 1877), an approach that also influenced other evolutionary theories (Engels 1884). Through his work on land tenure in the Trobriand Islands, Bronisław Malinowski moved away from this evolutionary view while maintaining an emphasis on the role of property as the basis for social order (Malinowski 1978 [1935]). Midcentury legal realists—themselves influenced by anthropologists, via the seminal collaboration between legal realist Karl Llewellyn and anthropologist E. Adamson Hoebel (1941)—drove a rise in this approach, drawing on Wesley Hohfeld's (1913, 1917) distinctions between legal rights, duties, privileges, and powers to build a theory of property as a "bundle of rights" (Alexander 1997; Penner 1996). These interventions posited that property was not the right of exclusive ownership by a person over a thing but rather a collection of relationships between people with respect to the things of the world, involving Hohfeldian duties not to enter as well as rights and privileges to use, possess, profit from, and manage. Anthropological theories of property further developed this approach (Hoebel 1966; Gluckman 1965), influenced both by theories of the bundle of rights and by Malinowski's analysis of land tenure as the foundation for different modes of social organization, from kinship to political power. I understand this shift in property theory as one of the most important joint insights of anthropology and law.[27]

That said, I aim to push this approach to property in several ways. First, the book examines not only how people use property to build social worlds—or how it is an exemplary form of law as a means to social ends (von Jhering 1913)—but also how they build the concept of property itself in the process. This approach insists upon an analysis of property that attends to its ethnographic specificities as well as its political and conceptual indeterminacies. Examining the conceptual making of property in this place and time sheds light on the potentialities people perceive within property, how they enact them, and how this in turn opens terrains of political imagination.

Opening up the conceptual making of property requires an attentiveness to processes of delineation of boundaries—around subjects and objects of ownership but also around political territories, racial and ethnic categories, material dimensions, plots, ecologies, legal relationships—and the ways these are continually defined and redefined. Ethnographically attending to these processes served as a constant reminder of the extent to which property was bound up with both material and social worlds and

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with efforts to narrate their intimacies and disconnections. In enacting the reordering of property, people drew on elements of the natural world, such as trees, crops, and soils, connecting spectral qualities of the unseen with material traces that were often used as evidence toward a particular version of the past and a claim on the future. This was true not only for claimants but also for state bureaucrats, surveyors, and scientists who frequently understood themselves as reconfiguring broader relationships between different elements of natural and social worlds for the achievement of peace. These processes reconfigured not only property, but also in turn those worlds and the ways the relationships between them were understood.

This book stakes out an approach to attending to these processes that begins from the recognition that property is the legal form that often sits most closely at the intersection of the material and the social. Claims to property are simultaneously arguments about what can be owned and who can do the owning, which frequently invoke or advocate for particular articulations of that intersection. This book brings the material dimensions of property and the ways they are bound up with social relations more into the foreground of analysis than the place they generally hold in both anthropological and legal theory.[28] This is an ethnographically driven approach, motivated by the central role that elements of the material world played in technoscientific and other knowledge practices around property in my sites. I do not understand these material dimensions as equivalent to the objects of property; there is often no one discrete "thing" with clearly defined boundaries that serves as the object of property, as quite frequently these boundaries—the extent and scope of the "thing"—are the very matter that is the subject of contestation. Instead, I discuss these material dimensions as they emerged ethnographically—occasionally as objects of property, but above all as objects of knowledge. Through this, the book articulates an anthropology of the materiality of property, building out from Kregg Hetherington's (2009) observation that an attentiveness to the materiality of property rights has the potential to open up tensions within property itself.[29]

To theorize the materiality of property in my sites was to simultaneously theorize the materiality of war and peacemaking, as the riverbanks, plantains, cattle, and soils that people used to enact and oppose claims to property were also integral to the modes of violence and efforts to achieve peace that characterized the shadow of the post-conflict. If law was the language that linked the courtroom and the bivouac, then

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property was the iteration of that language that grounded that linkage in the fields, forests, and settlements that were the sites of continual efforts to wage war and materialize peace. Building on work theorizing the multiplicity of relationships of other-than-humans and material worlds to violence (Kim 2022; Navaro et al. 2021; Ruiz-Serna 2023) and the ways nature can be mobilized for "making peace" in places not quite at peace (Kim 2022), this book considers how law, and property in particular, became a powerful way of rendering, articulating, and surfacing those relationships.

Attending to traces was a critical mode of both ethnographic and conceptual approach to theorizing the making of property in these sites.[30] Traces often took material form, in the color or humidity of the soil, the quality or height of crops, or the placement of trees. But they were also absences—of the remains of homesteads, of trees in ghost forests, of paper titles, or of streams that may or may not have existed. These traces were often evidentiary and also lent property efficacy, converting abstract *bienes raíces* (roughly, real estate) into grounded *bienes de raíces* (goods with roots), as I explore further in chapter 1.

Carlo Ginzburg (1990) finds the origins of an evidential paradigm centering the trace in an analysis of ancient hunters, who drew together clues and material traces of animals in the wild to construct narratives about the movement of potential prey. This evidential paradigm, for Ginzburg, was foundational to a wide range of epistemic regimes, from divination to forensics to medical semiotics, that had multiple temporal orientations toward construction of knowledge about the past, present, and future. Throughout the chapters, I consider the specific legal and temporal trajectories traces took on when drawn through evidentiary and forensic regimes that developed around the reordering of property for peace. This is a mode of ethnographic attention and also an analytical approach to the ways in which arguments about property narrate relationships between social and material worlds.

The narration of these relationships through property also raises questions about "old" materialism. In his work on oil development in Venezuela, Fernando Coronil (1997) notes how important the invocation of property over nature was in efforts by the state to inspire collective fantasies of progress, as the state framed itself as the only agent capable of uniting the natural and social bodies of the nation through collective ownership of the nation's "natural body." He pushes for bringing land into its rightful place in Marx's theory, moving beyond what Lefebvre called the "ossified" dialectic of capital and labor to consider how national imaginaries

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"depend on the very materiality of the nation as a life-sustaining habitat" (Coronil 1997, 8).

Although land holds a crucial place in this triad for Marx, and it is clear throughout his work that property is both historically specific and a social relation, he never develops a full theory of property.[31] The examination of property over land in Marx that is by far the most widely discussed is his theory of primitive accumulation in Volume 1 of *Capital* (Marx 1993 [1867]). I have been asked many times if the story I am telling is one of primitive accumulation or of David Harvey's (2003) more recent formulation of ongoing forms of accumulation by dispossession. Part of the story of property in Colombia is of course a story of both accumulation and dispossession, as is clear on many of the pages of this book. This aspect of the story is so clear, in fact, that I largely allow it to speak for itself through the ethnography. But the story of property for peace in Colombia is also much broader, deeper, and difficult to trace than this—as is Marx's own story of property. Marx begins to build it in Volume 3 of *Capital*, where he examines differential ground rent as a question of soil fertility and location.[32] Here is where he most explicitly examines the role of the material, "natural" world in the creation of value.

I take this less as a starting point for building on Marx's theory than as an invitation to consider more deeply the ways that property is about imaginaries and simultaneously, fundamentally, about the material world. I take inspiration in this from Coronil, as well as work in other traditions that interrogates the boundaries between the natural and the social (de la Cadena 2015; Haraway 1997). This idea runs through each of the chapters with different levels of focus and intensity and informs my modes of approach and attention throughout.

Finally, throughout the ethnography I surface the tensions between property as a concrete political, legal, and economic tool and property as a locus for a certain kind of magic. Malinowski's last monograph on the Trobriand Islands, *Coral Gardens and Their Magic*, raises precisely this possibility, finding that land tenure is as much about magic as it is about residence and power (Malinowski 1978 [1935], 369–70). And yet the study of property in anthropology has long tended toward the latter two, leaving the question of magic aside. This book brings the magic back in—less in terms of actual magicians, like those appearing in Malinowski's account, than in terms of the ways property becomes part of fantasies and myths of state formation, how people conjure specters in order to both build and contest property, and the ways that working with property helps

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define the uncanny temporal experience of living in the shadow of the post-conflict.

La Cuestión de la Tierra

> *Siempre las guerras se han pagado en Colombia con tierras. Nuestra historia es la historia de un desplazamiento incesante, sólo a ratos interrumpido.*
>
> The cost of war in Colombia has always been land. Our history is the history of an unending displacement, only momentarily interrupted.
>
> —ALFREDO MOLANO, *Desterrados* (2001, 14)

My first visit to the region of Urabá was in 2009, when I was working as a lawyer in Colombia. I went to conduct research about the cases that had been filed in US federal court against Chiquita Brands, the banana company, for financing right-wing paramilitaries. The plaintiffs were largely family members of people killed by the paramilitaries during their violent expansion into Urabá. I remember discussing the cases in a circle with a group of local women, most of whom had lost husbands or children to the violence. Near the end of the conversation, one of the women asked me why I was studying these cases. If I really wanted to study something that mattered, she suggested, I should study "*la cuestión de la tierra* (the question of land)."

This was a clear statement of a sentiment I detected throughout my time working in Urabá—that while questions about issues like the Chiquita cases weren't entirely irrelevant, where the rubber really hit the road in the region was with land. At the same time as people had lost family members in the war, they had also frequently lost their land. Some were forced to abandon farms, while other plots were taken violently or acquired through false titling processes, most during or after the paramilitary incursions of the late 1990s. Many of those displaced were living in towns with difficulties paying for rent and food, while their small farms were consolidated into pastures and remained in the hands of large-scale cattle ranchers and banana producers.

In true Urabá fashion, "*la cuestión de la tierra*" thus served as an oblique yet direct reference not just to the question of "land" generally but to how, precisely, that land had been lost. This pointed to some of the most critical issues about the conflict writ large—the origins of the paramilitary violence that had emptied the countryside of small farmers, the relationships

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between paramilitaries and the state, and the ways those relationships manifested themselves in forms of land dispossession and consolidation.

These questions resonated across the country. Throughout the late 2000s, the extent of the problem of rural land dispossession in the war became increasingly clear, along with the ways land was at the heart of not only guerrilla demands but also the paramilitary economy. While the late 1990s paramilitary incursion into Urabá was motivated by their desire to eliminate left-wing guerrillas, this counterinsurgency project was simultaneously about control over land and territory both within and beyond the region (Gutiérrez Sanín and Vargas Reina 2016; Reyes 2009). Territorial control was important to paramilitaries as an element of military strategy as well as a means of controlling regional economies, from transit and commercial agriculture to contraband and drug trafficking (Romero Vidal 2011; Grajales 2021). These forms of control were, in turn, critical to their political power (Tate 2009). Control over land by large landholders was part of these intertwined economic and political projects, as well as a victory over the FARC in a struggle over land distribution that had long played out through rural violence.

The FARC's demands had, from the group's beginnings, included reform of Colombia's historically unequal land ownership. The historical roots of this inequality stretched back to the early Spanish colonial encounter, which was defined by the establishment of new forms of property—and with them, new forms of colonial rule over both territories and bodies, from the appropriation of Indigenous lands to the enslavement of people working in mines and plantations.[33] After independence in the early nineteenth century, Colombian land entrepreneurs and commercial elites began to appropriate and consolidate land on a significant scale. Through the first half of the twentieth century, frontier regions like Urabá became increasingly dominated by large private estates, frequently built through state allocations of public lands and the expulsion of smallholders (LeGrand 1986). This affected not only Indigenous land holdings but also the lands that small-scale farmers and settlers had worked without title, turning many of these smallholders into tenant farmers. Conflicts between settlers and land entrepreneurs laid the groundwork for the *campesino* (peasant)[34] movements of the early twentieth century, some of which conducted *invasiones* (land invasions)[35] of these estates (LeGrand 1986).

The constitutional reforms of 1936 established, among other changes, the "social function" of property, a doctrine based in the notion of property as subject to state intervention for social ends.[36] The agrarian reform

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law passed the same year regulated the conversion of *baldíos* (state lands considered to be idle) into private property via active possession in the form of "economic exploitation."[37] While this reform appeared on paper to support small-scale settlers, it in fact spurred large landholders to acquire additional property, further consolidating rural land, power, and wealth (LeGrand 1986; Palacios 2011).[38]

Although there are of course exceptions, the general effect of this series of events over time was a systematic appropriation of Indigenous land by settlers, along with a facilitation of the consolidation of property by large landholders, particularly in regions such as the Caribbean coast that became dominated by ranching, plantation agriculture, and extractive industry. This was the structure of rural landholding that was in place in many of these regions at the beginning of La Violencia, Colombia's decade-long midcentury conflict between Liberals and Conservatives. This period was marked not only by the death of thousands but also by the mass expulsion of farmers from rural areas and the further concentration of landholdings.

The Frente Nacional, a bipartisan coalition formed in 1958, aimed to stem the violence of the preceding decade. But it focused largely on the rotation and distribution of political power and did not include major land reforms—characterized, as Marco Palacios (2006) contends, by the aspiration to reforms even as it further centralized political power in the elite, who stymied them. The failure to deal with land concentration was a central factor in the growth of a wide range of oppositional groups, from communist-inspired movements and *campesino* self-defense groups to bandits, some of which were the successors to early twentieth-century *campesino* occupations (Gutiérrez Sanín 2025; LeGrand 1986).[39] The early membership of the FARC emerged from some of these movements that had taken up arms, though the FARC as revolutionary guerrilla force was not officially founded until 1964 (Karl 2017).

The Cuban revolution in 1959 further inspired groups across Latin America, and Colombian political and economic elites feared the effect this might have within the country as oppositional groups expanded. Pressure also mounted from the United States, which had begun to push Latin American countries to adopt agrarian reforms to prevent the Cuban revolution from "spreading." The Colombian land reform of 1961 was one of the cornerstones of Colombia's strategy in this regard, establishing the Colombian Institute for Agrarian Reform (Incora) as well as legal measures for land acquisition by settlers. Several years later, the Carlos Lleras Restrepo administration established the National Association of

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Campesino Users (ANUC) as part of an official state initiative to promote *campesinos*. These measures were in part a thinly veiled effort to stem the attraction of what was happening in Cuba for rural Colombians by opening the possibility of the acquisition and eventual titling of land by the landless.

The ANUC soon broke with the government, however, and became a force of protest, organizing the invasion of large estates and *campesino* mobilization until division and repression dissolved its more radical elements (Zamosc 1987). The Pacto de Chicoral, a 1972 agreement by a coalition of politicians and large landholders, consolidated opposition to the ANUC and the *campesino*-driven land reform they had come to represent, creating obstacles to expropriation and prioritizing a model of rural development based on large landholdings. This served as what some have called an "agrarian counter-reform," closing the last significant effort toward redistributive land reform in Colombia.[40]

In Urabá, groups of small farmers, unionists, and landless people took matters into their own hands, organizing during the 1970s and 1980s to conduct takings of large private properties and state lands. Some of these takings were supported by guerrilla groups such as the FARC and the EPL (García 1996; Suárez 2007). Those conducting takings often parceled large properties out into small farms, some of which were later titled through state agrarian reform processes. Some landholders associated those conducting takings—even those unaffiliated with armed groups—with guerrillas.

In the neighboring department of Córdoba, guerrillas had targeted the properties of local landholding elites and narco-traffickers, some of whom formed paramilitary groups to combat them (Duncan 2006, 2014). The paramilitary violence in Urabá in the late 1990s left thousands dead and swaths of the countryside nearly empty of residents. Millions of hectares of rural land were consolidated in its wake, in a process scholars likened to another "agrarian counter-reform" (CNMH 2010; Gutiérrez Sanín and Vargas Reina 2016; Reyes 2009).

This process was beginning to unfold precisely as Colombia finalized efforts to establish a new constitutional regime, which itself was simultaneously in part an effort to reconfigure property for a new Colombia.[41] The 1991 constitution established the "ecological function" of property, which joined the "social function" as an additional limitation on private property, based on the idea that private property holders had a social responsibility to protect the natural environment. The 1991 constitution

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also marked a dramatic shift in the conceptualization and administration of property by Afro-Colombian and Indigenous communities, initiating a multiculturalist turn in territorial rights and claims. In particular, Transitory Article 55 called for Congress to pass a law recognizing collective property rights for Afro-Colombian communities living in the Pacific region, descendants of the enslaved people who had labored in the region's mines, plantations, and other extractive industries. This led to the passage of Law 70 of 1993, which established the possibility of inalienable collective land titles for Afro-Colombian communities.[42] These shifts incorporated Afro-Colombian communities as ethnic subjects with rights to collectively held territories and both explicit and implicit responsibilities for environmental stewardship in parallel to rights held by Indigenous communities. This not only reconfigured the ethnic landscape of property, in which specific types of property were available to particular types of people, but also had significant implications for the kinds of claims that Afro-Colombian and Indigenous individuals and communities could make to land restitution down the line.

The new constitutional regime also lay part of the groundwork for conceptualizing the question of land as one not of distribution but of reparation for harms suffered in the war. As the population displaced by violence grew, a ruling by the Constitutional Court, T-025 of 2004, declared the situation of displaced people unconstitutional, based on both the violation of the displaced population's constitutional rights and the failure of the state to adequately meet their needs, among other factors.[43] In a follow-up evaluation in 2009, it confirmed the persistence of an unconstitutional state of affairs and ordered a reformulation of land policy as one of the measures to deal with the problem.[44]

María Paula Saffon and Fabio Sánchez (2019) describe the arc of this history at a national level as a cyclical relationship between land reform, forced displacement, and legal and political claims to recover land. This cycle played out in Urabá, as the very small farms established (and frequently later titled) through occupations in the 1970s and 1980s were often those acquired in the wake of the paramilitary violence and later subject to restitution claims. Land restitution was thus one initiative in a historical process of contestation over and adjudication of rights to land—a process that was at the heart of armed groups' demands and, now, the state's efforts to resolve the war.

When activists, bureaucrats, and researchers like Federico began to put the question of land on the table as perhaps the most critical problem

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of the war, they operated in a mode akin to what Winifred Tate (2007) describes in relation to human rights activism in Colombia: by bringing what had been a "public secret" about the war into the public transcript. In the process, they framed land as one of the most critical elements of resolving the conflict. But what would be the solution?

For a different government in a different moment, the solution might have been land reform. The distribution of land in Colombia was one of the world's most unequal—in 2009, the Gini coefficient for land in Colombia was 0.863 (Instituto Geográfico Agustín Codazzi 2012), inching close to perfect inequality. But the eventual solution, as established in the Victims' Law, was land restitution. Restitution was not initially oriented toward land dispossession as a problem of unequal distribution, but rather as a problem of unrealized reparation, a necessary mode of "reckoning" (Nelson 2009) with the war. Through the Victims' Law, the government made an active choice to establish the solution as one of reparation to victims of the war, setting its official goal as one of peace, not equality.[45] While bureaucrats often had aspirations that land restitution could serve as a corrective measure for land inequality—and were frequently disappointed when it failed to do so—their official mandate was reparation, not redistribution.

The restitution process did, however, have a relationship to prior processes of land reform in Colombia. While it was the first time that property had been mobilized in any significant way in efforts to achieve peace, it was one initiative in a long series of efforts to mobilize property as a central tool of statecraft and state building, from the early colonial period through more recent efforts at agrarian reform. Although the mandate of the LRA was to grant land restitution to war victims, everyone from claimants to landholders to bureaucrats understood that the process of reordering property had broader potential as a mode of state building, even if—like the history of reforms before it—restitution did very little to effect real changes in the ownership and distribution of land.

This long-standing intimacy between property and shifting modes of state building was due in part to the devolution of power from the state to private owners that is inherent to property, as in Morris Cohen's (1927) classic theorization of the relationship between property and sovereignty, *dominium* and *imperium*.[46] But, crucially, it was also due to the recursive relationship between *dominium* and *imperium*, evidenced in the ways that the reordering of property itself worked to produce or mark attempts at statecraft through control over land and territory, from appropriation of

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Indigenous lands during colonization to the use of agrarian reforms to mark shifts in control of political power after independence.[47] This provided the historical foundation for the ways that the people who built the restitution process would ultimately envision the relationship between property and the aspirational post-conflict state.

That said, the central role for property in the efforts to achieve a post-conflict peace was not a given and, indeed, came as a surprise to some. Transitional justice in Latin America had traditionally been much more oriented toward closure through prosecutions; the infamous trials of the Southern Cone were crucial to the rise of the very idea and practice of "transitional justice" after its initial establishment in the Nuremberg Trials. This tendency was the source of a persistent line of critique within transitional justice literature about the difficulties these types of traditional transitional justice processes encounter in correcting economic injustice.[48] In Colombia, however, even as the prison sentences the FARC might or might not receive were central to public contestation around peace, property was the entry point for debate. The first point in the eventual peace agreement emphasized not prosecutions, but the importance of increased access to land, the formalization of property, and the creation of a full and updated national cadaster.

On the one hand, the long history of unequal distribution of land in Colombia, its importance to the FARC, and its relationship to the ongoing conflict meant that a focus on property made sense. On the other hand, this approach risked alienating—and angering—multiple powerful constituencies who saw restitution as a threat to the prevailing order in the countryside. I recall sitting in the home of an Urabá land investor just days after the release of the draft government–FARC joint agreement, when he asked if I had read the section on land and rural development. "They're going to collectivize the land—they want to return to the Bolsheviks!" he barked, furious about the insecurity this would imply for land investments. He ended the conversation by suggesting darkly that such an arrangement was unlikely to bring peace.

But even as opposition proliferated from different political directions, the actual shifts in the allocation of land taking place were in fact relatively small. Even five years into the program, the landscape of ownership remained largely unchanged in Urabá. Once the final government–FARC agreement was published, some scholars even argued that the policies on property it proposed made no substantial changes whatsoever to property rules around allocation and distribution, but rather reiterated them

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(Alviar and Engle 2016). At the same time as property was framed as central to the achievement of peace, it seemed that peace was perhaps being used to achieve the re-entrenchment of existing regimes of property.[49] The once revolutionary horizon of the FARC's political demands smoothly converged with status quo liberal legal property regimes, as if the promises implied were one and the same.

What did emerge without a question, however, was a different set of expectations around state intervention, even if the actual changes to property rules were fewer and less consequential than advertised. The prospect of reordering property in turn opened up a series of speculative initiatives by claimants, landholders, armed actors, and even government bureaucrats themselves. The bureaucratic incorporation of land politics in this sense ended up intensifying, rather than diminishing, actions on the ground, such as land invasions, paramilitary land markets, and death threats.

The reordering of property also made possible shifts in the image the government was able to project of the state. This reordering promoted a state that could recognize and attempt to overcome its own troubles and achieve a new social order, with property laying the foundation for—in Blackstone's famous words—the "good order of the world" (Blackstone 1765, II[I]). Notions of the fundamental connection between property and state power, private right and public order, of government's central role being this "right disposition" of people and things (Foucault 1991 [1978]), contributed to the viability of this image.

THE BEST CORNER OF AMERICA AND THE CITY FOR LIFE

While the restitution program did not treat the question of land as a distribution problem, it definitively treated it as a rural problem. The standard claimant was imagined to be a lifetime rural *campesino*, forcibly displaced by paramilitaries who were now in possession of their rural land, to which that *campesino* desired to return. But the logics of dispossession and displacement have never been so simple in Colombia, nor have the desires for the future been so uniform. The vast majority of those who lost their land in the war lived in informal settlements on urban peripheries, where many of them wanted to stay.

When I began this project, it was clear to me that I could not study the question of reordering property for peace as a purely rural problem. This was in part in recognition of the fact that the horizons of expectation

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of many of restitution's target beneficiaries did not involve a return to the countryside. But it was also because even as programs like restitution framed the reordering of property for peace as a rural intervention, there were multiple initiatives within cities that were explicitly reordering property in anticipation of the post-conflict, many of them in the very informal settlements where the target beneficiaries of restitution desired to stay. These initiatives tapped into previous efforts and discourses related to peace, particularly in cities like Medellín that had focused urban development strategies on combating conflict. My questions, methods, and sites for this research thus explicitly aimed to avoid the urban–rural divide, offering a theorization of the resonances and complex political and conceptual trajectories of the reordering of property for peace across rural and urban sites.

My field sites spanned the region of Urabá, the city of Medellín, and the city of Bogotá. The region of Urabá straddles the Departments of Córdoba, Antioquia, and Chocó on Colombia's Caribbean coast; its location between the Caribbean and the Pacific and its border with Panama have long made it a strategic corridor for production and transport of licit and illicit goods and a site of struggle between armed groups over territory. Its abundant natural resources and strategic location have led Urabá to fame as "*la mejor esquina de América* (the best corner of America)" (Aparicio 2009). One of the first Spanish settlements in the New World was located in present-day Urabá, where a 1504 Spanish expedition raided the town of an Indigenous *cacique* named Urabá and built a fort and settlement in its place, beginning a centuries-long struggle with local Indigenous groups over land (Parsons 1967). During the sixteenth and seventeenth centuries, *cimarrones* (maroons) who had left or escaped the mines arrived to settle in the region. It was later a site of extractive industry, including logging, rubber plantations, and collection of *tagua* nut and *raicilla* (ipecac root) (Steiner 2000; Uribe 1992). With the arrival of Chiquita Brands in the mid-twentieth century, Urabá quickly became the primary banana export center of the country, turning the town of Turbo from a seaside village into a major port. Turbo emerged as one of the contraband capitals of the country, through which entered everything from cigarettes to sneakers to arms and from which exited not only legal bananas, but also contraband, including lumber and, later, cocaine.

The department of Antioquia—with its capital in the industrial Andean city of Medellín—had supported Antioqueño families to settle neighboring regions, through a process of colonization of western Colombia

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called the *colonización antioqueña* (Antioqueño colonization) beginning in the late eighteenth century. Antioqueños established coffee cultivation in the more mountainous regions around Medellín as well as farms and businesses in tropical lowland Urabá. Urabá was of particular interest to Medellín elites because it represented a "*salida al mar* (route to the sea)" for the otherwise landlocked department, and Antioquia gained jurisdiction over part of Urabá in 1905 (Parsons 1967; Uribe 1992). As I discuss in more depth in chapter 2, Antioqueño colonization of Urabá was also a racialized undertaking, understood by some Antioqueños as a civilizing mission by white Antioqueños of Afro-Colombian and Indigenous populations and territories and an effort to "homogenize the race" (Steiner 2000).

There was a boom of colonization of the region in the mid-twentieth century as settlers arrived to work on banana plantations and farm the fertile lands that were rumored to be available for acquisition and settlement. The area, however, was on the cusp of a long and continuing history of violence. Rural zones were controlled largely by guerrillas during the 1970s and 1980s. Frustrated by kidnappings by guerrillas and land takings by small farmers with guerrilla support, as well as by what they considered to be ineffective responses by the state, some local landholders and elites became involved in the paramilitary project that had begun in the neighboring department of Córdoba in the 1980s (Duncan 2006, 2014). This involvement differed depending on the individual and over time; some were more closely involved with paramilitary groups and used their security services, while others were extorted. These groups soon moved into Urabá, expanding territorial and social control particularly in spaces with significant guerrilla presence and eventually even absorbing some demobilized EPL guerrillas—who aligned with the paramilitaries in their opposition to the FARC—into their ranks (Romero 2004).

While nationally, La Violencia referred to the mid-twentieth-century period of bipartisan political violence, in Urabá the term "*la violencia* (the violence)" was nearly always reserved for the paramilitary incursions of the late 1990s.[50] People began to flee violence en masse, sometimes to towns within the region, such as Apartadó, Chigorodó, or Turbo, and sometimes farther, to informal urban settlements in Medellín. Some abandoned their land when they fled, while others were forced to sell it at low prices. Over the course of a couple of years, there was a tremendous shift in ownership in the area, with a handful of local and regional elites taking possession of and consolidating land into the cattle ranches and pastureland that came to dominate the landscape.

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Eventually, Urabá became the paramilitaries' center of operations, where they built models for collaboration with state actors and the private sector that were later exported to other areas of the country (López 2007; Romero 2007, 2011). Protection of large landholders and their properties was one of the aims of the paramilitary security apparatus, for which they enrolled some landholders as financiers. Under the leadership of then Governor Álvaro Uribe, the departmental government of Antioquia provided a legal structure for increased cooperation between the military and civilians in efforts to confront the guerrilla, in the form of "security cooperatives" called the CONVIVIR.[51] The CONVIVIR in fact served as key legal fronts for paramilitary financing and operations in Urabá (Romero 2006), allegedly receiving funds from owners of banana plantations and cattle ranches, multinational banana companies, and other sources.[52] These structures not only served counterinsurgency goals but also facilitated paramilitary control of regions like Urabá for narco-trafficking (Duncan 2014).

Collaboration between the state, paramilitaries, and elites was perhaps most clearly exemplified in the Pacto de Ralito (Ralito Agreement). This agreement was signed in secret by paramilitary leaders, elected officials, and business leaders in 2001 just east of Urabá, drafted to be a "new social contract" for a Colombia in which "everyone has the right to property." Many large landholders, conservative politicians, and paramilitaries had promoted the view that property rights were critical to social order and peaceful coexistence. The emphasis on property in the Ralito Agreement was oriented toward a protection of the status quo distribution of land at the time, the "new social contract" designed in part to ensure the validity of the individual land contracts that preceded it. Once filtered to the public in the mid-2000s, the Ralito Agreement became an emblem of the *parapolítica* (parapolitics) scandal, in which hundreds of national, regional, and local government officials were investigated for links to paramilitaries and narco-traffickers (López 2010).[53] Similar alliances were subsequently revealed between paramilitaries and civil servants, including individual notary publics who facilitated fraudulent or forced title transfers to paramilitaries.

These revelations only deepened the politics of suspicion that had long been a part of life in Urabá. Just as landholders had frequently equated unionists or people conducting invasions with guerrillas, small farmers fleeing violence or signing over title had operated with suspicion of the allegiances of those involved in transactions over their land. Were the

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purchasers landholders? Paramilitaries? *Narcos*? Were those transferring title notaries? Or were they also something else? There were deep uncertainties about the basic lines between social groups, between armed and unarmed, state and nonstate, victim and victimizer, reality and illusion that Michael Taussig (1984) identified as core to the "epistemic murk" that defines cultures of terror.[54]

Given the ways Urabá was understood to be "emblematic" of the conflict, as the "question of land" began to take on significant political traction at a national level, Urabá became a key site for the elaboration of what addressing it might mean. A pilot land restitution project was in fact already underway by 2010 in Urabá, spearheaded by a demobilized EPL guerrilla who became the head of the regional office of the National Commission for Reparation and Reconciliation (CNRR), an institution created to protect victims' rights in the context of paramilitary demobilization. This pilot project later became a partial guide for shaping the eventual national land restitution process.[55]

These characteristics of Urabá—its location; its history of colonization by different ethnic groups, settlers, and political and economic projects; its role as an incubator of political activism, armed struggle, and state-paramilitary collaboration; its violent place in the last half-century of war—all made it a compelling, if difficult, region in which to conduct this research. It also makes the region particular. I take Urabá not as a case study from which to generalize, but as a productive place in which to ask and generate questions about property in the shadow of the post-conflict.

In Urabá, I examined the process of building claims for restitution cases across the region during the LRA's first several years of operation. This involved ethnographic work, interviews, and life histories with different actors involved in restitution, including LRA officials, claimants, businessmen, former armed actors, surveyors, activists, and environmental authorities. When a restitution claim was filed with the LRA, it first went through an "administrative stage," which involved investigation of the claim by LRA officials and subcontractors, before it was presented to a restitution judge. This included interviews with the claimant in the LRA office and also often involved a survey of the plot being claimed. I found participation in these surveys, as well as other walks with different actors around and through plots being claimed, some of the most productive fieldwork methods for this project.[56]

Given the critical importance of cartography and cadastral mapping to claims, to the enterprise of restitution, and to property more broadly,

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I also conducted a brief period of research in the offices of the Agustín Codazzi Geographical Institute (IGAC) in Bogotá. The IGAC creates all the official cartography for the country, manages the national cadaster, and also is charged with the study and classification of the country's soils. All of these roles came to be important elements of the questions of property I was exploring as well as specific restitution cases. My work in the IGAC involved primarily observation and interviews with IGAC officials, including cartographers, surveyors, cadastral engineers, lawyers, and soil scientists.

My fieldwork included two different kinds of urban sites. I conducted research in the towns of Urabá itself, such as Apartadó, Chigorodó, and Turbo, where people displaced during the violence had often initially fled and where those with the most hope of returning to their rural land had frequently stayed. The histories of the population and expansion of these towns—particularly through processes of invasion—were intimately tied to the history of rural colonization and displacement. I explored some of those interactions through life histories with residents in addition to interviews and ethnographic work at meetings, town halls, and business and government offices.

The other major urban site I discuss in the book is the city of Medellín. Medellín was known not only for its history of violence, but also for an approach to urban development called "social urbanism," which targeted infrastructural investments in poor neighborhoods with the goal of reducing both inequality and conflict. As the reordering of property for peace unfolded, Medellín's city government framed social urbanist projects as peace efforts, responding to the national government's assertions that peace in Colombia needed to be built not only in the countryside but also in cities. Medellín positioned itself as the country's poster child for this transition, as it occupied a place in the national (and international) imagination as both a site of extreme violence and a place that was building peace through urban development.

I conducted fieldwork in a settlement in one of Medellín's *comunas* (urban districts) where many displaced people had arrived in the late 1990s and early 2000s from Urabá and other parts of rural Antioquia. The historical ties between Urabá and Medellín were deep and intimate, from the historical colonization of Urabá by people from Medellín (often called *paisas* by others) and the ongoing domination of Urabá's business and government (as well as the upper ranks of its armed groups) by *paisas*. Medellín was the destination for many displaced people from Urabá and elsewhere

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not only because it was the closest large metropolitan area but also because Medellín was known to have one of the better municipal support programs for displaced people in the country. Still, the problems for displaced people in Medellín ran deep, as they confronted homelessness, poverty, unemployment, gangs, and, many times, repeated displacements within the city.

As displaced people began to arrive in Medellín in the 1980s looking for a place to live, the Liberal Party as well as guerrilla groups such as the M-19 and the Ejército de Liberación Nacional (ELN) organized land invasions in Medellín's *comunas*, where people established shacks on municipal property or land belonging to the church. The paramilitaries arrived in the 1990s, pushing out guerrilla groups and establishing their own land markets. With the demobilization of the paramilitaries in the early 2000s, control of the *comunas* became more fractured between competing armed successor groups. The violence increased, causing new displacements within the *comunas*.

When I began my fieldwork, a number of families in the *comuna* where I was working had recently returned to their homes after being displaced during a heated battle between armed groups. After years living in Medellín, these families—like many displaced residents of the *comunas*—were determined to stay and build a future in the city. They returned, however, to a new threat to this future horizon: a municipal development project called the Green Belt, which was a cornerstone of the new ten-year Territorial Ordering Plan for Medellín. The city government planned for the Green Belt to eventually circle the city with walking and bike paths, public green spaces, and a monorail.

The Green Belt epitomized the public image the Medellín city government had been cultivating: a city that was turning the page on violence through inclusive, sustainable urban planning and public works, or, as billboards across the city proclaimed, "Medellín: City for Life." The notion of being a "city for life" was explicitly oriented toward the idea that cities in Colombia needed to move past the war and prepare for a post-conflict era. In Medellín, the idea was that projects like the Green Belt, and "territorial ordering" more broadly, were the means of doing this. A central tool for this ordering was property, which was used—much as in land restitution—as a means of putting displaced people and land in order. In the *comuna*, this involved the relocation of people, particularly those who did not have title to their land and homes, for construction of the Green Belt.

I followed this territorial ordering process as it developed through the Green Belt project. This involved work with groups of displaced residents,

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who welcomed me at their meetings, events, and gatherings. I also conducted interviews with city planners, development officials, and former armed actors and attended public meetings between city officials and residents. As in Urabá, my fieldwork in Medellín was also full of walks in the *comuna* with different actors. As one resident put it to me, I had to "walk the territory and get tired in the territory to know the territory," a reference to the fact that everyone from city planners to armed actors to residents used walks through the *comuna* as a mode of knowledge production.

.....

Each chapter in the book narrates the unfolding of the reordering of property for peace from a slightly different angle and on different terms, beginning with land, followed by territory, soil, plot, and housing. Over the course of the chapters, these build different layers of the story of this unfolding and the reimagination of political possibility that came in its wake.

Chapter 1 ("Speculative Fields") considers the ways that the reordering of property, from the legalization of invasions to the state restitution of land, opened a field of speculative possibilities around land that had stakes both for individuals and for the balance between war and peace. Speculation was simultaneously a form of investment that hedged risk and a type of legal conjecture about what people might gain or lose under a potential future peace. In the context of deep uncertainties, I trace how actors reworked historical forms of land possession—in particular, practices of taking physical possession of land using plants and animals—as a mode of staking a speculative claim on the future. As peace was continually deferred, speculation around land activated evidence and experience from the past as well as anticipation of potential futures, rendering material the ambiguous temporal space between war and peace. That very speculation was what continued to feed the war in places like Urabá, deepening its intractability.

The notion of territory informed land conflicts, but also had layered ethnic, political, spiritual, para/military, bureaucratic, and ecological meanings. These ways of understanding territory evoked historical shifts in the ways that property and territory were tethered to each other, as territory was intertwined with property over land, but also was frequently articulated as a broader argument that was about something more than land or property over land. Chapter 2 ("Territories in Dispute") narrates the history of overlapping territories and titles in Urabá, tracing the historical formation of political territorial divisions, how those became

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racialized in both the local and national imagination, and how ethnicized forms of property and armed territoriality were later associated and unevenly mapped over these political and racial geographies. I examine the ways that the reordering of property for peace reconfigured these shifting entanglements of property and territory, generating violence and conflict particularly in the interstices and ragged edges of ethnicized territories and titles, even as reordering property was understood as a key mode of producing "territorial peace."

In chapter 3 ("Soil Conflicts"), I examine the ways that claims to property rendered soil a forensic site for identifying traces of past dispossession and delineating the proper subjects and objects of property in a future peace. I follow the case of a restitution claimant who attempted to recuperate land in an area that was designated as a forest reserve but no longer had trees. I use this case to examine how judges, state scientists, and environmental protection agencies used soil as an evidentiary argument about property. I ground this analysis in a discussion of the historical making of soil in Urabá and the state classification of soil on scales of productivity for agriculture and risk of natural disaster. As the restitution process enacted rearrangements of property in environmentally protected areas, different actors animated specters of forests and soils from the past—sometimes in contradictory ways—by drawing on different articulations of the scientifically determined qualities and legal materialities of soil as an object of forensic inquiry. Property claims activated soil forensics as an evidentiary argument about property that was powerful but also fundamentally indeterminate, defining multiple truths about the war and conflicting visions of future peace.

In chapter 4 ("*Levantamientos*"), I examine the technical practice of *levantamiento de predios* (plot surveying) and consider the ways in which it excavated traces of past conflicts in building inventories of property for a post-conflict future. I draw on fieldwork with surveyors and claimants mapping plots for restitution and with cartographers building the national cadaster to consider how the iterative spatiotemporal mapping of plots for restitution claims both encoded and concealed conflicts in the inventory of property for peace. This constituted the cadaster as both an evidentiary argument about the past and the aspirational geometric image of post-conflict order, even as its discontinuous temporalities and modes of concealment threw into question not only this aspirational geometry, but also the notion of linear political time that was at the heart of the project of post-conflict transition.

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Chapter 5 ("City for Life") expands upon the theorization of speculative land markets, territories, soil forensics, and *levantamientos* from prior chapters, drawing ethnographic and conceptual resonances through these different enactments of the reordering of property for peace. It begins with an analysis of *Horizontes* (Horizons), a painting by Antioqueño artist Francisco Antonio Cano that simultaneously evokes the historical Antioqueño colonization of Urabá and a future return to Urabá through restitution of land taken during the war. I suggest that *Horizontes* may also be read as a horizon of urban belonging. In the chapter, I explore how displaced people living in the city did not necessarily share the LRA's horizon of rural return but rather strove to remain in housing in their urban *comuna* as the city attempted to relocate them for the Green Belt project. As Medellín used territorial ordering projects to shift the city's image from one of violence to one of peace, horizons of urban belonging were both instantiated and challenged through struggles over housing involving residents, city bureaucrats, and local gangs. In these struggles, different actors drew on material traces as evidentiary arguments about property that were simultaneously speculative claims on the future of the *comuna* and articulations of the broader stakes and possibilities for peace.

The epilogue draws together several of these analytical threads to consider the ways that reordering of property for peace reconfigured the landscape of political possibility in Colombia, and was simultaneously the undoing of the official state project to achieve peace. Fantasies around the notion that with property would come something called peace, deeply rooted in theories of the social contract and of statecraft, provided a powerful template not only for what a post-conflict state might look like, but also for the aspirations of different sectors of society, from claimants' dreams of a return of their land to large landholders' desires to build a new iteration of "paramilitary peace" that would protect their holdings. A similar structural relationship between property and peace animated these reciprocal fantasies, with deep indeterminacies around the very ideas of "property" and "peace" facilitating the breadth of their uptake. Even as land restitution reached its initial ten years of implementation without significantly shifting property ownership, the reordering of property for peace had activated the political imagination, prompting the reconfiguration of social and material worlds and of potential future horizons.

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Notes

INTRODUCTION

1 The attendee who made the comment was an athlete as well as a self-described victim of the conflict and a leader of the campaign "*Las víctimas pedaleamos por la paz* (Victims pedal for peace)." In a media interview, he noted that "the bicycle was in the plan, we were going to present the initiative to pedal for peace and that was it. He [Santos] got excited. I encourage him to pedal for peace, he tries to get going and gets caught up in a flag that was at the starting point and falls." The leader took the fall as a "sign from God, it shows everything that has happened to victims. The conflict threw us off the bicycle of life, and we need to get up and keep pedaling." See Colprensa (2014) and Redacción Semana (2014).

2 Names and identifying details of individuals, as well as some locations, have been changed throughout the book to protect anonymity.

3 This law is also called Law 1448 of 2011. For an ethnographic account of the Victims' Law, see Dávila Sáenz (2018).

4 The titling aspect of the restitution process explicitly drew upon Hernando de Soto's (2000) theory that the problem of poverty in the developing world could be solved by titling informally held assets, which would turn "dead assets into live capital."

5 Experts calculated that over 40 percent of registered land in the country didn't have title and only 35 percent of the rural land expropriated or abandoned during the conflict was titled. See Centro Nacional de Memoria Histórica (2016). There is an extensive literature on different aspects of the connection between conflict and rural land in Colombia. Some analyses and reviews of this literature include Arias Vanegas and Caicedo Fernández (2017); Centro Nacional de Memoria Histórica (2016); CNRR (2009); Gutiérrez Sanín (2025); Latorre Restrepo et al. (2021); Reyes Posada (2009).

6 As of the end of 2017, the number of internally displaced people in Colombia surpassed all other countries globally with the exception of Syria,

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with over 6.5 million displaced people. This represented approximately 13 percent of Colombia's total population (Internal Displacement Monitoring Centre 2018).

7 The term "*ordenamiento* (ordering)" was used to describe state programs to reorder property for peace from the beginning of the Santos administration. See, for example, Reyes Posada (2012) on advising the Santos administration's rural policy, arguing that the "social ordering of rights to property is a social justice imperative and a requirement for overcoming the violence."

8 See, for example, this LRA report for the department of Antioquia in 2014, describing the intervention of the land restitution program in Urabá as motivated by "the significant impact of the armed conflict, as evidenced in the high rates of dispossession, large concentrations of land by economic groups and the presence of illegal armed actors, which defines the region as an emblematic place due to the massive violation of international humanitarian law and human rights" (LRA 2014).

9 Anthony Dest (2025) examines the ways that social movements have generated "dissident" forms of peace and peacebuilding alongside and against state articulations of peace.

10 The work of Carol Greenhouse (1989, 1996) laid a crucial foundation for the ethnographic analysis of the relationship between time and law and the role of linear time in different legal domains.

11 The anthropological literature on "post-conflict" in Latin America thoughtfully narrates these ambiguities. See, for example, Kernaghan (2009); LaPlante and Theidon (2006); McAllister and Nelson (2013); Nelson (2009); Rojas-Pérez (2013); and Theidon (2014).

12 In her analysis of the temporality of wartime Sierra Leone, Mariane Ferme (2018, 12–14) uses the notion of "space-time" to theorize images that marked narratives and specific anxieties around the experience of the war in the past and were spatialized on bodies and landscapes.

13 García Márquez's *One Hundred Years of Solitude* famously depicts a fictionalized version of a 1928 massacre of banana workers on Colombia's Caribbean coast. In his account, three thousand workers gather to strike and are massacred by a banana company, which then dumps the workers' dead bodies into the sea (García Márquez 1970, 282–87). This fictionalized account, combined with the official mysteries surrounding how many striking workers were in fact killed in 1928, led to a debate over the numbers of the dead that continues to this day.

14 A foundational example of this is Juan Rulfo's (2015 [1955]) "Pedro Páramo," where the protagonist, a large landholder, travels to his mother's hometown, finding a ghost town where it is impossible to know who is dead and who is alive. He eventually decides to abandon his fields and the town dies of hunger.

15 Donna Haraway's invitation to read and write "SF" also informs my approach here. In *Primate Visions* (1989), Haraway discusses writing and

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reading practices that include multiple kinds of SF (speculative futures, science fantasy, science fiction), citing Teresa de Lauretis's notion that SF allows an imagination of different orders and relationships between people and things.

16 The common terms used for these groups in Urabá were *paramilitares, paras*, and *paracos*, though the official state term for these groups was "*bandas criminales* (criminal bands)," or "Bacrim" for short. I use the terms used by my interlocutors throughout the book, generally referring to these groups as "paramilitaries" in Urabá and "gangs" to refer to the variety of other terms—*bandas, combos, muchachos*—more commonly used by my interlocutors in Medellín.

17 For a discussion of these and earlier efforts to achieve peace and demobilization, see, for example, Bergquist et al. (2001); Karl (2017); Rettberg (2002); Tate (2015); and Theidon (2007).

18 See, for example, Rey Marcos and Duval (2015).

19 In his analysis of the dynamic between law and war in Colombia, Michael Taussig (2003, 11) poses a question that points to the conceptual and methodological challenge scholars of this dynamic have taken up in different ways: "How can we grasp this mix of centralization and anarchy?"

20 See Caracol Radio (2012).

21 See Zambrano (2012).

22 As in Jain's (2007) analysis of the "cancer survivor"—a term that holds both life and death within it—war and peace defined this temporal space simultaneously.

23 I examine the connection between this idea and the history of anthropological critique of neoliberalism in "Introduction: Property and the Matter of Belonging," *Political and Legal Anthropology Review* (2025), written with Lee Cabatingan, Duff Morton, and LaShandra Sullivan.

24 Cori Hayden's (2003) examination of bioprospecting in Mexico is an example of the ethnographic exploration of property through technoscientific practice that has informed my own methods.

25 Annemarie Mol (2003) discusses the ways in which atherosclerosis is enacted through different sites and practices, rendering atherosclerosis itself multiple. This resonates with the modes of enactment of property I discuss here as the reordering of property for peace unfolded in and through allied terms, which in turn shaped the multiple ways in which property was understood and conceptualized. The notion of conceptual interrelation is also central to legal analysis, which I draw on as well in my examination of the ways these actors enacted property through other terms. Hohfeld (1913) broke apart the legal principle of "right" to identify the "jural relations" between different fundamental legal concepts within right that were differentiated but in inseparable relationship to each other. His theory undergirds critical legal studies' conceptualization of legal indeterminacy (Kennedy 1976). While my analysis of property's

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conceptual entanglements does not directly follow Hohfeld, the method and importance of analyzing interrelation within legal concepts and the implications for legal indeterminacy inform my theorization of property.

26 The classical Blackstonian articulation of property itself was an attempt to shift away from feudal notions of property as inextricable from social relations. John Locke's (1690) labor theory of property also provided a theoretical foundation for this move toward alienability.

27 The extent to which this has been a joint enterprise is perhaps best exemplified by *The Cheyenne Way* (1941), co-authored by legal realist Karl Llewellyn and anthropologist E. Adamson Hoebel, who studied disputes among the Cheyenne over, among other things, property and inheritance. I discuss this legacy in more depth elsewhere (Morris 2022). There is a rich continuing anthropological literature on the central importance of property for the making of the state and the social. See, for example, Firth 1965 [1939]; Goody 1962; Hann 2007; Humphrey 1983; Leach 1961; Li 2014; Peters 2009; Verdery 2003; Verdery and Humphrey 2004; and von Benda-Beckmann et al. 2006. Foundational texts within legal scholarship on this point include Rose (1994) and Alexander (1997), as well as scholars writing more recently in the "progressive property" school (Alexander 2009; Peñalver 2009; Singer 2009). This approach has been challenged by scholars in the law and economics tradition who have attempted to resurrect an approach to property as an exclusive *in rem* right to a thing (Merrill and Smith 2001; Smith 2012). I examine these contemporary debates within property theory around the idea of property as social relations versus the "law of things" in more depth in Morris (2023).

28 Anthropological attention to *immateriality* and property was central to work around the turn of the millennium that wrestled with neoliberalism and the question of whether more immaterial things—such as cultural practices or knowledge—could be converted into objects of property (Brown 2003; Busse 2009; Maurer and Merry 1998; Hann 2007).

29 Lee Cabatingan, Duff Morton, LaShandra Sullivan, and I (Sullivan et al. 2025) suggest that both "matter" and "belonging" are critical conceptual entry points into property and its political stakes.

30 Yael Navaro (2020) offers the trace as a methodological imperative in the aftermath of mass violence, drawing on Valentina Napolitano's (2015, 47) call for renewing anthropological concern for the trace as "at once an analytical tool and an ethnographic site for inquiry."

31 Property, however, was one of the initial subjects that drew Marx to the study of the economy. He observes that during his coverage of the Rhine Provincial Assembly's debates on the law of the thefts of wood and landed property as editor of the *Rheinische Zeitung*, he "found myself in the embarrassing position of having to discuss what is known as material interests" and these debates were part of what "caused me in the first instance to turn my attention to economic questions" (Marx 1859).

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32 Marx was actively involved in debates around soil productivity and exhaustion at the time he was writing *Capital*, Volume 3, using Justus von Liebig's agricultural chemistry as part of his justification for rejecting Malthusian population theories. The scientific research around soil fertility, however, was constantly changing; as a result, Marx's handle on the notion of soil fertility that was at the crux of his theory of ground rent was ambiguous. In *Capital*, Volume 3, for example, he derides the notion that some crops might increase soil fertility while others take it away, calling this a product of "English rustic fairy-tales" as compared to the scientifically established efficacy of fertilizers. For more on Marx and soil debates, see Foster (2000).

33 The Capitulaciones de Santa Fé, agreements signed by Christopher Columbus and the Catholic Kings, were early attempts to authorize the appropriation of Indigenous land by Europeans. Following the Capitulaciones, a variety of other measures followed that allocated Indigenous land to settlers, including the "*cédulas reales*," which were royal orders that facilitated further expansion and consolidation of private property as well as its inheritance. During the colonial period, *mercedes*, a type of land lease, were granted to settlers. Some of these *mercedes* were later titled, beginning with Law 13 of 1821. This was also the point at which lands that were determined to be *baldíos* became state property that could be purchased by private owners, which further deepened land consolidation in the countryside.

34 The fluidity of the term "*campesino*" (roughly translated as "peasant") has caused it to be the subject of debate within Latin American anthropology (see, for example, Edelman 1997, 2013). I use the term throughout the book as it was used colloquially within Urabá around land disputes, with the understanding that it is used in distinct and sometimes contradictory ways both within and beyond Colombia. The local usage of *campesino* in Urabá, as understood both by people who self-identify as *campesinos* and by local bureaucrats, had an ethno-racial component (*campesinos* were understood as *mestizo*, as opposed to Afro-Colombian or Indigenous people), a political-economic component (*campesinos* were understood as small farmers, as opposed to large landholders or ranchers), and a corresponding legal component (*campesinos* were understood to hold land individually, as opposed to practices of collective property attributed to Afro-Colombian and Indigenous communities). While these divisions were often in practice quite blurry, in local usage these were the characteristics often used to distinguish *campesinos* from other actors involved in land disputes, particularly from other types of landholders, such as ranchers, Afro-Colombian communities, or Indigenous communities. I discuss these distinctions in further detail in chapter 2.

35 While the term "invasion" is not a precise legal translation of *invasión*, I use it to give a sense of the physical taking of possession implied in *invasión* as well as its proliferation in gray zones of legality.

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36 This doctrine was established in most Latin American constitutions by the middle of the twentieth century (Ankersen and Ruppert 2006). Helena Alviar García and Catalina Villegas del Castillo (2012) detail the constitutional history of the concept and the economic, political, and historical debates around it in Colombia.

37 The conversion of lands classified as *baldíos* into privately held plots has a longer history in Colombia, described in detail in Céspedes-Báez et al. (2015) and Arias Vanegas (2025).

38 See Palacios (2011) for a more detailed history of both the reforms of 1936 and a synthesis of earlier property regimes around land in Colombia.

39 See Sánchez Gómez and Meertens (2001) for a discussion of the *bandolero* (bandit) and the ways that political banditry at this time both represented the discontents of rural Colombians and prevented them from becoming revolutionary.

40 While there was an additional land reform law passed in 1994, Law 160, it largely focused on reducing the role of the state in land markets.

41 The 1991 constitution also opened a steady stream of litigation in the Constitutional Court in the ensuing decades on progressive causes, from adoption by same-sex couples to Indigenous land rights.

42 For additional discussion and debate regarding Transitory Article 55 and Law 70 of 1993, see, for example, Arocha (2004); Asher (2009); Cárdenas (2024); Escobar (2008); Paschel (2016); Restrepo (2013); and Wade (2009).

43 Following the decision, the court continually issued follow-up evaluations of state compliance with the ruling (Rodríguez Garavito and Rodríguez-Franco 2015).

44 This converged with the increasing attention to the question of land dispossession by the CNRR in the context of the implementation of the Justice and Peace law. In 2009, the CNRR devoted an entire report to the conceptualization of "dispossession of land and territory" (CNRR 2009).

45 The contributions to Bergsmo et al. (2010) outline these choices around distribution in both Colombia and other countries dealing with land in political transitions. A collection edited by Derick Fay and Deborah James (2009) offers comparative ethnographic insight into land restitution programs specifically.

46 Although I do not address the concept of sovereignty as such in this book, work on sovereignty (particularly in its relationship to property and territory) provides a critical grounding for my understanding of the ways that property is mobilized and resisted in the political projects I track and the ways that property and sovereignty converged in my sites. See, for example, Cattelino 2008; Comaroff and Comaroff 2006; Hansen and Stepputat 2006; Richland 2011, 2016; Singer 1991.

47 Angélica-María Franco-Cañas and Ignacio De los Ríos-Carmenado (2011) provide a long history of land reform in Colombia, extending from 1200 to the present.

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48 For discussion of different aspects of this critique, see Haldemann and Kouassi 2014; Meister 2011; Michalowski 2013; Miller 2008.

49 The intuition that peace was being used for property, and not just the other way around, was confirmed for me in conversations with people close to the government-FARC negotiations, who noted that the government team had established provisions related to property in the peace agreement—such as the completion of the national cadaster—that might not have been able to get through Congress on their own.

50 The mid-twentieth-century period was sometimes referred to by locals in Urabá as *la violencia política* (the political violence). Following the usage of my Urabá interlocutors, I use the term "the violence" throughout my discussion of Urabá to refer to the late 1990s period of violence in the region.

51 CONVIVIR is roughly translated as "living together" or "getting along." The CONVIVIR structure was expanded to a nationwide network during the Uribe presidency (López 2007), though it was eventually formally dismantled.

52 The extent to which banana plantation owners and other businessmen in Urabá contributed to paramilitary coffers became a matter of public debate in the late 2000s, upon the prosecution of Chiquita Brands by the US Department of Justice for providing payments to the United Self-Defense Forces of Colombia (AUC) paramilitaries, who had been designated by the US Department of State as a foreign terrorist organization. The case alleged that Chiquita gave monthly payments to the AUC in Urabá and Santa Marta, Colombia, from at least 1997 until 2004; these payments were made through its Colombian subsidiary Banadex to the local CONVIVIR. See *US v. Chiquita Brands*, Complaint, Crim. No. 07–055. After Chiquita's eventual plea bargain, Salvatore Mancuso, an ex-paramilitary who had been extradited to the United States on drug charges, affirmed that Chiquita was not alone in Urabá in providing ongoing payments to paramilitaries. Mancuso stated to the press that "Chiquita has been honest by acknowledging the reality of the conflict and the payments that it made; the others also made payments, not only international companies, but also the domestic companies in the region" (Kroft 2009). Mancuso later detailed these allegations in his testimony before the Jurisdicción Especial para la Paz (Special Jurisdiction for Peace) (JEP), the transitional justice court established by the 2016 peace agreement.

53 Over fifty Congressmen, along with many other local officials, public servants, and members of the armed forces, were eventually convicted for these links. For an account of state–paramilitary relations and their relationship to clientelistic politics in Colombia, see Gutiérrez Sanín (2019). The deep involvement of the armed forces in the scandal put in question some of the military aid from the United States to Colombia; ongoing since 2000, the vast majority of the billions spent through the US aid package Plan Colombia had been spent to train and equip the Colombian

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military (Tate 2015). Perhaps the most public example of this was the "false positives" scandal, in which it was revealed that the military had systematically murdered civilians and dressed them in guerrilla uniforms, presenting them as guerrillas killed in combat in order to receive bonuses and promotions and inflate guerrilla body counts in the war.

54 The ambiguity about overlapping social roles was pervasive throughout my fieldwork. Throughout the book, I refer to individuals as they presented themselves to me. As is clear from my account, however, some individuals identifying as farmers, ranchers, landholders, claimants, or businessmen may also have had relationships with guerrilla or paramilitary groups, and vice versa. People were frequently unsure about these potential multiple identities.

55 The CNRRS coordinated the activities of the Regional Commissions for the Restitution of Goods (CRRG). The first CRRG established in the country was in the department of Antioquia, and it received many of the land restitution cases related to the Urabá pilot project in the late 2000s. There were also two other pilot land restitution projects, one in Mampuján in the department of Bolívar and the other in Chengue in the department of Sucre. For more about the Urabá pilot project, see CNRR (2010).

56 I appreciate de Certeau's push to walk as also a mode of avoiding the Cartesian elevated observation, the "lust to be a viewpoint and nothing more" (de Certeau 2011, 92). Environmental historian William Cronon (1983, 1991) also teaches and writes of walking as a method of reading a landscape in ways that informed and resonated with me during these elements of my fieldwork.

1. SPECULATIVE FIELDS

1 A more literal translation—with implications for an understanding of ownership—would be "with the spirit of lord and master."

2 This procedure, defined in Title XLI of Colombia's Civil Code, is called *prescripción adquisitiva de dominio*. It allows for the granting of title to land after five years of possession under "ordinary" conditions, such as divisions or exchanges of land, and ten years under "extraordinary" conditions, such as the occupation of land titled to someone else. (The common law rough equivalent to this would be adverse possession.) These periods were shortened by Law 791 of 2002; previously they had been ten and twenty years, respectively.

3 Some of the excellent anthropological work on speculation includes Campbell 2015; Fortun 2008; Ho 2009; Peterson 2014; Weszkalnys 2015; and Zaloom 2009.

4 Urabá has also been described as a place where people live in a "permanent present" (Monroy Álvarez 2013).

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