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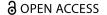
# Camilo Acero & Frances Thomson

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# 'Everything peasants do is illegal': Colombian coca growers' everyday experiences of law enforcement and its impacts on state legitimacy

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#### **ABSTRACT**

For decades, Colombian governments have imposed a narrative linking illegal crops with statelessness and presenting 'more state' and specifically 'more law enforcement' as the solution to a swathe of problems in drug-producing regions. We draw on coca growers' own accounts of law enforcement to critique this narrative. Their accounts – specifically from Putumayo in Colombia's Amazonian frontier – refer to persecution for many of the things they do in their everyday lives, not just those directly related to the coca economy. Their livelihoods are constantly under threat from state forces as a result of counternarcotics operations but also due to the imposition of (phyto)sanitary and environmental norms. This generates resentment towards the state, undermining its efforts to establish authority in these territories. Thus, building on coca farmers' accounts, we argue that state weakness in drug-producing areas is a problem of quality and not only quantity. Improving quality means transforming the way lawmakers and enforcers relate to rural citizens. If the Colombian state continues to wage war against the peasantry, it will hardly achieve effective governance of the coca frontier.

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### Introduction

'Everything campesinos [peasants] do is illegal.' This was the conclusion of a community leader from Puerto Asís, Putumayo in Colombia's Amazon region, where a significant proportion of the country's coca – used to produce cocaine – is grown. Others expressed similar sentiments. The police have confiscated their rice and panela because they lack the relevant (phyto)sanitary certificates. The same thing happens with their pigs, which they have to smuggle to local markets. They can't fell trees on their own lands, but the multinational oil companies can. The state doesn't provide public infrastructure and services, so they self-provision, but even their community-built roads are deemed illegal. In this way, the War on Drugs in Putumayo is perceived as just one element of a wider war on the peasantry.

This paper places drug control (specifically, forced eradication) within a broader law enforcement context by exploring coca growers' or *cocaleros*' everyday experiences. Based on their accounts, we argue that state weakness in Colombia's coca-growing regions is related not only to specific forms of state 'absence' but also to problems of legitimacy (broadly defined as social acceptance) surrounding those bureaucracies that *are* present. In doing so, we challenge the conventional formula for dealing with these allegedly 'lawless' areas – focussed on more police and army. This argument builds on three sub-points.

First, forced eradication is effectively an attack on farmers' livelihoods and must be understood as such. It is thus unsurprising that these operations generate resentment towards the state, and towards law enforcement officers in particular. Our second point follows: contrary to mainstream discourses that present militarised counternarcotics operations as a necessary remedy to state weakness, we argue that forced eradication actually undermines the state's efforts to assert itself in frontier territories. Third, Colombian laws and regulations have criminalised manifold practices in the coca world – not just those directly related to the coca economy. And because the peasantry's everyday experiences of law enforcement cannot be neatly separated into different policy boxes, forced eradication should be analysed within this broader context. The fact that coca growers' livelihoods are under threat from many different directions, again, has implications for state legitimacy.

The rest of this paper is organised as follows. The first section serves as an expanded introduction. It contextualises the stories and opinions of Putumayo's *cocaleros* and the arguments presented in this article. The second section situates our research within larger discussions about the state, while introducing the literature and concepts that shaped our analysis. The third section presents our methods and methodological approach. The fourth section provides some basic information about Puerto Asís, Putumayo, that will help the reader better understand the two subsequent sections, which focus on coca growers' everyday experiences of forced eradication and police confiscations related to the violation of (phyto)sanitary norms. The final section examines the implications of these encounters for state legitimacy, state—citizen relationships and governance of the coca frontier.

# The construction of a disaffected and illicit peasantry in Colombia's agrarian frontiers

For years, activists, researchers and drug crop cultivators themselves have tirelessly reiterated a simple yet important point: small farmers participate in illegal narcotics markets because there are no viable alternative livelihoods in the areas where they live, and state policy should reflect this fact (Ramírez Tobón 1996; Ramírez 2011). Their message has, for the most part, fallen on deaf ears. Forced eradication (aerial fumigation, manual spraying and uprooting) of the coca bushes on which tens of thousands of peasant farmers depend for subsistence has been the Colombian government's default anti-drug strategy for the last four decades (Acero and Machuca 2021). Critics of this policy often focus on the fact that it is costly and ineffective, especially when compared to other strategies, and when evaluated long term, as many growers eventually replant in situ or elsewhere (Reyes 2014; Mejía, Restrepo, and Rozo 2015). Less attention has been paid to the impact that forced eradication has on state–citizen relations, specifically in terms of state legitimacy in regions where it is already weak

and contested – the works of Maria Clemencia Ramírez, Alfredo Molano, Francisco Gutiérrez Sanín and Vanda Felbab-Brown are notable exceptions.

Counternarcotics operations – especially aerial spraying – have helped incite repeated peasant protests, including some of the largest rural mobilisations in recent Colombian history. The government has typically responded by sending in the armed forces, further angering the protestors. Eventually there is some form of negotiations but, as Gutiérrez Sanín (2020) illustrates, the government has routinely broken its promises, creating a 'noncompliance cycle' that undermines cocaleros' trust in the state. According to Molano Bravo (2015), the Revolutionary Armed Forces of Colombia – People's Army (FARC-EP) rebels 'benefited from the [governments'] routine incompliance with the agreements' (198). Ramírez (2011) argues, more broadly, that government 'emphasis on fumigation legitimized the role of guerrillas in rural coca-growing areas' (61). Hence, these authors insinuate that counternarcotics operations contributed to a deterioration of state legitimacy in affected places – at the very least, by boosting that of its adversaries. Felbab-Brown (2020) too points to the tensions between counternarcotics and counterinsurgency objectives, while also stating directly that forced eradication erodes 'trust [in] the state's officials [...] preventing the state from building up its authority and legitimacy in the countryside' (5).

Many had hoped that the 2016 peace agreement between the Colombian state and the FARC-EP would mark a change in the country's counternarcotics policies. The document itself contains promises of transformation, while also contemplating a continuation of past practices – it emphasises, for example, the need to shift focus away from the 'weakest links' in the drug economy, but also asserts that the state may reintroduce aerial fumigation if substitution is not possible. The National Illicit Crop Substitution programme – PNIS, which was born of the peace agreement, is also laden with contradictions. Policymakers attempted to reconcile opposing views, but by 2017 the focus on quickly uprooting as much coca as possible had overtaken interest in long-term state-building and development efforts (Acero, Parada Hernández, and Machuca Pérez 2019). Furthermore, the Santos administration continued to forcibly eradicate prior to and amidst implementation of the PNIS. This infuriated coca farmers who (with reason) felt the government was yet again breaking its promises (Tamayo Gaviria 2017).

Things only got worse under the ensuing Duque administration, whose party's election campaign encompassed a poisonous diatribe against the peace agreement, including the promise to transform drug policy, which they labelled a concession to narco-terrorists. The Duque administration seems to be working much harder at forcibly eradicating crops (manually) and getting approval to reinitiate aerial fumigations – which had been suspended in 2015 after the World Health Organization classified glyphosate as 'probably carcinogenic' - than ensuring success of the PNIS (for a discussion of PNIS failures, see Gutiérrez Sanín, Machuca Pérez, and Cristancho 2019).

The current Colombian government defends (all forms of) forced eradication on the grounds that it is necessary to bring about peace, security and stability (Semana 2020; CM& 2020). We argue, on the contrary and echoing others, that these policies actually generate conflict, insecurity and instability (see eq Felbab-Brown 2010). As indicated by Goodhand, Meehan, and Pérez-Niño (2014), 'there may be fundamental incompatibilities between counternarcotics policies, state- [and peace-] building processes and pro-poor development strategies' (see also Goodhand et al. 2021). And while forced eradication allows the Colombian government to project a facade of control, and to satisfy domestic and foreign (especially

US) demands for anti-drug 'wins', in the long term it undermines the formation of stable bonds between local populations and state institutions.

The nerve-wracking videos included in the 'Forced Eradication: A Policy that Kills' speak volumes. So far, the database contains information on 95 confrontations – since 2016 – between *campesino* coca growers, defending their livelihoods, and state forces, sent to destroy them (Observatorio de Tierras 2020).

William Ramírez Tobón's (1996) article entitled 'An Illicit Peasantry?' highlights the effects of the government's decision to put *campesinos* and their coca crops at the centre of its War on Drugs: it effectively criminalised a large group that was already marginalised. The construction of an illicit peasantry was compounded by the tying of counternarcotics and counterinsurgency in government preaching, policy and practice. For years, *campesinos* living in rebel-controlled areas, especially coca growers, have been portrayed as and treated like the insurgents' puppets or accomplices (Ramírez Tobón 1996; Ramírez 2011). The impact of this double criminalisation on state–citizen relations in frontier territories has been profound. As explained by Gutiérrez Sanín (2015), it'deepened blockages of representation, that were already dramatic' due to the state's 'anti-peasant bias' (10).

It is not just counternarcotics/counterinsurgency narratives and policies that criminalise peasants in Colombia. Estefania Ciro (2019) highlights the parallels and links between these and the new 'fight against deforestation'; all are based on 'militaristic populism', she argues, which makes an 'internal enemy' out of the peasantry. Environmental norms have also declared community-built roads 'illegal', meaning the state cannot invest in repairing or improving them (Ministerio de Ambiente, n.d.). Inhabitants of Putumayo emphasise: if the state invested in rural areas, people would not have to provide their own infrastructure in the first place. To add insult to injury, foreign oil companies regularly fell trees and build roads, with and without the appropriate environmental permits, which are beyond the reach of many locals.

As explained so succinctly by María\*: 'Everything peasants do is illegal'. Inspired by this statement, we decided to examine two of the multiple ways in which law enforcement and peasant livelihoods clash: the forced eradication of coca crops, alongside the imposition of (phyto)sanitary regulations via police confiscations. We believe this ostensibly unusual combination of subject matters offers unique insights into the contradictions of state-building efforts, which, in the rush to impose government authority in territories typically deemed lawless, end up undermining the foundations of that authority.

It is important to clarify that we do not view 'the state' as monolithic, but rather as a constellation of agencies and officials, with varied degrees of coordination and capacity. We understand that *campesinos* have different relationships with different agencies and that our focus on law enforcement shapes our conclusions. Nevertheless, we believe our general argument stands, given (a) our observations of peasants' interactions with other bureaucracies, which are different but not necessarily that much smoother; and (b) how peasants' experiences dealing with one functionary or government body feed into mistrust and antipathy towards the state as a whole. We should also clarify, reiterating arguments developed by Ramírez (2011) and Torres (2011), that this mistrust and antipathy do not necessarily lead coca growers to adopt an anti-state position; mostly they demand a change in policy and a different kind of relationship with state authorities.



# Tools for understanding state legitimacy in the coca frontier

The idea that the cause of all problems in coca-growing regions is the 'lack of state' prevails in Colombian public debate, despite mounting scholarly criticism of this narrative. Ramírez (2019), Ballvé (2020), Uribe (2013) and others suggest that it is persistent and prevalent in part because it is useful: it allows different groups, including those within the central government, to justify their - often violent - (in)actions (see also Ciro 2020; Torres 2011; González, Bolívar, and Vásquez 2002). The conservative version of the state absence narrative posits more law enforcement as the catchall solution. The progressive version emphasises the provision of other public services as well. Something like this was imagined by the politicians who negotiated peace with the FARC-EP; they spoke of 'bringing the state to the remote regions' (El Tiempo 2017). Our critique of this narrative draws on four areas of research.

First, there is the work on historical processes of state formation. This literature shows that in the formative phases of the modern state, along with the well-known accumulation of economic resources and military power, there was an accumulation of 'symbolic capital' and an exercise of cultural power, which enabled tasks such as collecting taxes, recruiting combatants and conducting censuses (Bourdieu 2014; Vom Hau 2008; Loveman 2005; Corrigan and Sayer 1985). To achieve this 'primitive accumulation of symbolic capital', officials were recruited from local power networks and adjusted their behaviour, at least to some extent, to the values and interests of local societies (Loveman 2005; see also Braddick 2004). This literature acknowledges that state formation was coercive and often violent but highlights how nascent bureaucracies required some level of social acceptance to perform their basic functions. Weber and others call this social acceptance of the state's authority, or the subjective belief in the validity of state practices and rules, 'legitimacy' (Weber 1944). Since it would be impossible to assign a police officer to every single citizen, legitimacy is an essential component of state power (Bourdieu 2014).

Second, a growing body of research reveals the importance of legitimacy to contemporary governance of areas with 'limited statehood' (Börzel, Risse, and Draude 2018). These areas where the state has competitors, its sovereignty is fragmented and its capacities are weak – are often in frontier regions, like Putumayo (Ballvé 2020; Watts 2018). Legitimacy is said to be especially crucial for effective governance in these areas precisely because it 'serves as a functional equivalent for enforcement capacities' (Risse and Stollenwerk 2018, 5). But it depends on state regulations and actions 'remaining within the boundaries of what citizens consider acceptable' (Risse and Stollenwerk 2018, 5).

Echoing the ideas in both these literatures, we discuss how law enforcement upends livelihoods in rural Putumayo, generating social rejection of the state, which in turn makes it difficult for officials to operate in the coca frontier. We are not arguing that the Colombian state, in general, lacks social acceptance; we are simply pointing to how the enforcement of specific norms impacts on state legitimacy within a particular context. It is also worth noting that a state may interfere with livelihoods and keep within the limits of what citizens deem acceptable if those affected are a minority or the interference is minor; however, actions that threaten the very basis of a local economy (like mass forced eradication in Puerto Asís) are likely to violate those limits.

This brings us to a third area of investigation, which critically examines the relationship between legitimacy and legality, found in varied subfields, such as Marxist social history and legal anthropology. As explained by Heyman and Smart (1999), 'in the reified view, legitimacy always rests with the law' but, in reality, illegal practices often have widespread social acceptance. Under such circumstances, enforcing the law may generate 'more violence and harm than it prevents' (19–20). Literature on the economic sociology of illegal markets, similarly, shows how where these provide access to a minimum level of 'economic citizenship' (Beckert and Dewey 2017), realms of 'legitimate illegality' emerge (Mayntz 2017). Ciro's (2020) book, based on research with coca growers in Caquetá (Colombia), explores precisely this issue. She shows how cocaleros deploy different discourses and strategies to transform illegal coca production into a legitimate activity. Among other things, they insist that they cultivate coca out of necessity, they differentiate themselves from the mafiosi who make huge profits from the cocaine trade, and they emphasise that the comparatively small earnings they get from the activity are put to 'good' uses - for example, for their children's education (Ciro 2020, 225–228). In sum, these literatures, on the legitimacy/legality relation, help explain how and why illegal crop cultivation becomes socially acceptable in places like lower Putumayo and how and why law enforcement, which is generally perceived as a public good, can actually generate antipathy towards the state, especially but not only when it interferes with people's subsistence.

Fourth and finally, our article could be loosely classified as contributing to studies of state formation/building that utilise 'the everyday' perspective, in particular by examining concrete and routine interactions between individuals or small groups and government functionaries (see eg Joseph and Nugent 1994; Gutiérrez Danton 2018; Ballvé 2020; Torres 2011; Ghiabi 2019; Uribe 2013). An everyday perspective is vital for understanding how social acceptance of a state's authority is made and unmade (for an overview of the different ways 'the everyday' has been understood, see Trentmann 2012). In this case, it allows for a more holistic and grounded comprehension of counternarcotics. As emphasised above, *campesinos*' experiences of drug control intertwine with other experiences of law enforcement to influence their perceptions of the state – and it is research on the everyday that allows us to see this clearly.

## Research methods and methodological approach

The arguments in this article arose from discussions with peasant farmers during various fieldwork trips (in 2015 and 2018–2020) to the department (akin to a province) of Putumayo. Our recent research was undertaken as part of a broader multi-institutional project – 'Drugs & (Dis)order' – and was guided by various objectives. However, this article specifically is not based on a set of predefined questions, but rather on themes that came up repeatedly during dialogues about coca cultivation and rural livelihoods, counternarcotics, armed conflict and the latest peace process, among other things. People in Putumayo are often reflective and open about their antipathy towards the state, and it is a topic that crops up naturally in private conversations and public meetings.

As noted earlier, we were inspired by the statement 'everything peasants do is illegal'. Having decided to build upon this, we (re-)analysed over 50 interview transcripts, searching for experiences and perceptions of law enforcement, especially those linked to counternarcotics, environmental and (phyto)sanitary policies. Although we had an idea of basic themes in advance, we did not start with a detailed codebook, but rather organised interview fragments into sub-themes identified during the coding process. In the spirit of



research transparency and data sharing, we turned this document, with anonymised interview fragments organised into (sub-)themes, into a publication supplement.

The majority of interviewees, whose voices we draw on in this paper, are mestizo peasant farmers who cultivate(d) coca in different subdistricts or veredas within the lowland municipality of Puerto Asís. Some of these farmers also work(ed) as community organisers and social leaders. We also included – for analysis – some interviews with government functionaries and with social and indigenous (Nasa) leaders from other municipalities in Putumayo. More details are provided in the data supplement document.

In the case of the 2015 fieldwork, a human rights non-governmental organisation facilitated access to interviewees, as part of a collaborative project undertaken during the second author's PhD research. During more recent fieldwork, our team identified and accessed interviewees using a snowball strategy. We contacted Community Action Committee (JAC) leaders, who then introduced us to others. We also met people during public meetings, in particular those relating to the illicit crop substitution programme - PNIS. We conducted un- and semi-structured interviews, all in Spanish, with individuals and groups, in a variety of locations, including at interviewees' farms, as well as in restaurants and meeting halls.

Our inductive and exploratory investigation has in-built limitations, of course, most notably our narrow focus on only some aspects of the relationship between peasants and state agents/agencies. Future research should explore other dimensions of that relationship with armed forces and with other sectors of the state.

# Puerto Asís, Putumayo: a context overview

The municipality of Puerto Asís (see Figure 1) is home to an estimated 67,211 people – a significant proportion of Putumayo's total (359,127) population (DNP 2020a, 2020b). Puerto Asís town was not much larger than a village until the second half of the twentieth century. The first mestizo settlers arrived under the direction of Capuchin missionaries. Like its colonial predecessor, the independent Colombian government encouraged missionaries to establish in Putumayo as a means of claiming sovereignty over disputed territories and in order to 'civilise' indigenous groups. As Simón Uribe (2011) explains, the missionaries were authorised to fill in for the state. They 'were given civil, judiciary and police powers' and funds to develop infrastructure. This includes the main 'road' in the region, originally little more than a mule path, connecting Pasto in the Andes to Mocoa in the foothills, and eventually Puerto Asís in the lowlands (202–208; see also Gobernación del Putumayo 2011, 1–7, 84–5).

The Capuchin path-turned-road was travelled by thousands of *colonos* or peasant settlers, who established on nearby lands. Between 1906 and 1933 the population of settlers in Putumayo grew from 2,200 to 21,587, while the number of indigenous inhabitants declined from 32,600 to 13,997 (Uribe 2011, 206). Migration to Puerto Asís and other lowland areas accelerated in the decades that followed, due the departments' first oil rush and the subsequent emergence of the coca economy.

Oil exploration and exploitation led to a commercial boom starting in the 1960s. But the boom was short-lived, and Putumayo's oil industry did not truly take off again until the 2000s. Commercial coca production emerged in the late 1970s, just as oil exploitation decelerated. The crop spread quickly throughout the lowlands (CNMH 2015; Ramírez 2011). For Putumayo's campesinos, coca was/is the ideal cash crop. It grows well in Amazonian soils. The leaves and



Figure 1. Location of Puerto Asís, Putumayo.

[This map was created by ALCIS, a Drugs & (Dis)order partner institution, for use in Drugs & (Dis)order project publications. See: https://drugs-and-disorder.org/about-the-project/partners/alcis/]

especially paste can be stored and transported easily, even from areas with no roads. Unlike the case with licit produce, it is not difficult to find a buyer. And coca paste prices typically allow for a small profit.

Coca incomes enabled farmers to buy small electricity generators for their homes, to build their own community bridges and schools, and – at times – to pay for teachers' salaries, as well as to acquire consumer goods, such as motorbikes, televisions and refrigerators (Goodhand et al. 2020). In short, coca afforded Putumayo's peasants access to services and opportunities for upward social mobility – things that the 'absent' state failed to provide, despite decades of protests demanding investment in public goods.

Coca cultivation was normalised in lower Putumayo. Until the late 1990s/early 2000s, it was grown everywhere and in plain sight. Practically all farmers in Puerto Asís have grown coca at some point in their lives. In village meetings, neighbours talk about this or that new variety or production technique. When the state intensified counternarcotics operations, people started to make more of an effort to hide their coca from the authorities, but – even then – it did not become taboo.

Although coca and, to a lesser extent, oil have brought some prosperity to Putumayo, they have also caused a lot of problems for inhabitants. Both these sectors link in complex and varied ways to historical and contemporary violence in the region, wrought by guerrillas, paramilitaries, narcos and state forces. The disarmament of the United Self-Defense Forces of Colombia (AUC) AUC paramilitaries (2006) and, more recently, the FARC-EP guerrillas (2017) did not end violent conflict, but instead transformed it, as new armed groups formed. Clearly, then, forced eradication and police confiscations – to which we now turn – are not the only threats coca growers face in their daily lives.



# Counternarcotics, impoverishment and the militarisation of daily life in **Putumayo**

'The problem is not really the coca, it's us. They don't want us here'. This is what Ramiro\*, a coca grower in Puerto Asís, told us. Later, he added: 'the laws of the country are those of a corrupt system. They put us under repression, they put us under forced eradication, and they leave us in misery. [...] if they gave us opportunities, no one would grow coca'.

Far from being marginal, Ramiro\*'s opinions are similar to those expressed by many cocaleros in Putumayo. The following paragraphs give a sense of the ways in which law enforcement is experienced by rural inhabitants of Puerto Asís. This section focuses on aerial spraying and manual eradication, but also touches on other counternarcotics/counterinsurgency operations.

The government started fumigating Putumayo in 1997. By 2001, with the implementation of Plan Colombia, they had extended these operations across the entire department (CNMH 2015). When inhabitants talk about that time, their expression changes. It was 'very hard', 'a struggle', 'horrible', 'disastrous', 'a social crisis'. Don Juan\*, a priest who has worked for decades in Putumayo, expressed it in this way: 'the trauma that the fumigations generated will never appear in the newspaper, it was a war trauma'.

The glyphosate cocktail dispersed by the planes (and the wind) affected rivers, forests, wetlands, and farmers' homes, pastures and legal crops, as well as coca. It is for this reason that people like Don Pablo\* see the fumigations as a 'punishment', of the whole population, 'even those who didn't have coca'. Doña Emma\* explained: 'when the government orders fumigation, it is something that is so disastrous that I am happier with [manual] eradication [...] because fumigation does not respect food, does not respect pastures, does not respect a house'.

In the immediate aftermath of the spraying, people would salvage what they could. Over the years, they learned multiple tricks, like washing the coca leaves with miel de purqu (extracted from cane sugar) and cutting the bush down at the base before the poison is absorbed by the roots. Ironically, coca was the crop best placed to survive. It is apparently more robust than things like black pepper, cacao and plantain. Livestock could be saved if moved away from contaminated pasture and water sources. But, overall, there was little famers could do to mitigate the loss of their livelihoods – both licit and illicit.

From one day to the next, farmers found themselves without a way to feed their families, to service their debts, to pay for medical expenses, to buy their children school supplies. Fermin\*, a community leader, reiterated: the fumigations 'finish off everything', not just coca. 'What[ever] we are building, they ruin it in three minutes'.

People sold whatever they had to get by: their cows, even their land. They sought work with neighbours, perhaps picking coca on farms that escaped the spraying. Eventually, many started again, planting a new plot of coca. Others left Putumayo, often travelling to other coca-growing areas, especially in the adjacent department of Nariño. As mentioned, even those not directly involved in the coca economy suffered the spraying. Take Doña Emma\* and her husband, for example. They stopped cultivating coca in the mid-2000s after being shot at – an incident they believe was linked to someone coveting their lucrative crop. They moved to another sub-district and, after paying off their land debts, vowed to stay away from the business. For the last 13 years, they have mostly relied on cattle rearing. Still, the fumigations made a deep imprint on their lives. 'When the cattle eat that poisoned grass they die [... so if] the plane had passed and they had fumigated our grass, we had to get the cattle out of there right away'. The affected pastures would turn yellow and would have to be replanted, with all the costs this implied. Other sources of income were also lost. Their neighbours couldn't afford to hire Doña Emma's\* husband for odd jobs or to buy their chickens. The year 2006, in particular, was 'really difficult, they finished off even with our food because we had plantain and yucca and all that was finished. So, I had to go to town to work'. She ended up cooking and cleaning, for six years, sending what she could to her husband so he could rebuild their farm, although she couldn't spare much because she had five of her nine children with her.

Licit crops planted as part of substitution projects financed by different entities were not spared either (see eg CIJP 2015). A man from Puerto Caicedo municipality recounted what happened to him with bitter sarcasm:

On the 9th of June [2015] they fumigated a [black] pepper cultivation I had. I even went to training courses with the SENA [National Apprenticeship Service] to change my work system and I planted a hectare of pepper. And without a care, without checking what there was, they sprayed. I was just switching over from coca [...] I borrowed eight million pesos from the bank and invested it in the [pepper] crop and there [due to fumigation] it was lost, and I still owe that money to the bank. [...] Those were my dreams but with this president who collaborates in this way we can't work.

An unknown number of farmers still have unpaid debts from that period, loans they cannot service because their investments were lost due to the government's fumigation campaigns. Carlos\* says he has a list of 22 or 23 people from his rural subdistrict alone who lost licit commercial crops – planted with bank credit as part of a substitution programme – because of the fumigations. Furthermore, many blame the fumigations for a loss of soil fertility. The land becomes 'sterile', we are told. Very little will grow on it, except pasture grass and ironically - coca. Some say that it takes at least 10 years for the soil to recover; others say it is never the same again.

Furthermore, many blame the fumigations for a loss of soil fertility. The land becomes 'sterile', we are told. Very little will grow on it, except pasture grass and – ironically – coca. Some say that it takes at least 10 years for the soil to recover; others say it is never the same again.

The landscape is filled with reminders of a time when the fumigations occurred every few months. The decapitated cananguche palms that are visible from the road are apparently evidence of the damage wrought by Plan Colombia planes in the mid-2000s. People often show us Drug War ruins – half-dead cacao or (Amazonian) cedar trees, for example. Derelict homes and schools are another reminder; in some areas the depopulation that occurred during the worst years of spraying is still palpable. Occasionally, people remember because of what is absent: a long list of wild animals that used to be common and are no longer seen/ heard, according to farmers, because of the fumigations.

For a few, the reminder is a long-term health problem, which they believe resulted from the spraying. Doña Emma\* asserted with clarity: it 'gives us cancer, that's been studied'. There's one particular anecdote she tells us, amidst this discussion on fumigation, which

apparently imprinted on her view of the state: I don't remember which year, they fumigated near Ecuador [...]. What did the Ecuadorian government do? It sued Colombia and Colombia had to pay compensation to Ecuador for that fumigation. And look what Colombia has given to us, the Colombians'.

With all the 'trauma' caused by the fumigations, it is no wonder Doña Emma\* said she prefers manual eradication. However, this too implies a loss of income, often with severe consequences. Juliana\* described the predicament her family and many others have found themselves in after eradication:

to sustain that farm nos fiaban [we bought things from the shops on credit ...] but if there were no plants, how were we going to pay everything we had invested. [...]. That day we cried. My sister-in-law sat in the grass - 'Please!' We begged them not to rip up our plants, [said] there weren't that many, they couldn't imagine the debts that we would be left with. 'Please', we asked them to leave us until last, to let us harvest [first]. [... But] we didn't matter to them at all.

Faced with repeated livelihood loss, some communities have organised to resist eradication collectively. But this requires a lot of coordination. And, as noted earlier, such resistance is often met with violence.

On occasion, the armed forces are sympathetic, according to farmers. They say things like 'I have to do it, even though it pains me'. This is corroborated in Ortiz-Ayala's study of soldiers' perceptions of forced eradication; some are critical of the policy and dislike having to carry out this 'order', which they know turns them into an 'enemy' of the public. Even some superior officers admitted to performing eradication half-heartedly, leaving part of the crop in the ground, for example (Ortiz-Ayala 2021). However, at some point, the line between sympathy and corruption starts to blur. During informal conversations, a number of people told us that soldiers are amenable to bribes – a bit of cash to keep some of the bushes.

A few people reflected that relations with the armed forces have improved since the signing of the peace agreement. Nevertheless, mistrust still runs deep. Inhabitants of the area have endured the militarisation of their daily lives since the late 1990s/early 2000s, when the army (and paramilitaries) stepped up offensives aimed at (re)taking territorial control from the rebels. As detailed by Ramírez (2019), the US-backed Plan Colombia, which combined counternarcotics, counterinsurgency and what she calls 'civil-military governance', was central to this process. It included operations aimed at winning hearts and minds, such as events in which soldiers helped people register for ID cards and health care. However, civilian accounts of militarisation emphasise fumigation and eradication, and other negative experiences, especially recurrent stop-and-searches; arbitrary seizures of possessions; and the invasion of civilian space, such as soldiers setting up camp on their farm or interrupting community meetings and intimidating participants. Experiences also include serious wrongdoings such as unlawful detentions; false incriminations; indiscriminate bombardments and gunfire; torture; and extrajudicial killings (see CIJP, 2021). A regional leader summarised:

if a police or military officer arrives, a campesino feels apprehension, fear, because he doesn't know if he's going to kill him, if he's going to take him to jail, or who knows what he might do. [...] there's no trust in the armed forces.

The evident links between the militarisation of Putumayo and the most recent oil boom in the department reinforce people's mistrust. Countless people claim that insecurity in their area increased following the arrival of the oil companies and associated military units/bases set up to protect them. Some even attribute assaults on their communities and their livelihoods to interests in the region's oil wealth. Yolanda\* put it like this: 'what is behind the whole issue of the fumigations, behind the military attacks on the territories? [...] what is really sought is the dispossession of the land, the forced displacement of the peasants, fear and terror'. Another leader said: 'In order to hand over our territory to the multinationals, lots of army arrived. They tricked us into thinking that they were after the coca, [... but now] it is very clear for us that it is not the coca they are after. At least a dozen others made similar statements. It is extremely difficult to assess whether or not there is an intentional relation, but fumigations and eradication certainly cause impoverishment and upheaval, which weaken people's ability to organise, to negotiate, to resist. Furthermore, the mere fact that so many believe the violence against them and their livelihoods to be motivated by oil interests says quite a lot about state legitimacy in this coca frontier.

# Illegal pork and unlawful rice – (phyto)sanitary norms and police confiscations

Don Pablo\* stopped cultivating coca about seven years ago. The police caught him once and he had to ask a brother to look after his son while he resolved his problems with the law. His son had pressured him to give it up ever since. He established a small shop in one of the town's residential neighbourhoods, from which he sells pork and chicken, raised on his farm, which is just a few kilometres from town – no minor detail in a municipality where many have to travel 8 or even 10 hours to access local markets. At first glance, Don Pablo's\* story looks like a straightforward counternarcotics 'success'; he transitioned to a licit livelihood under the pressure of law enforcement. The catch is that the pork he sells is technically illegal. If the police find it, they take it away, but then you just have to pay some money, so they give it back – that's the only problem with pigs'.

Doña Emma\* gave us a similar account. She has been helping coordinate implementation of the PNIS. Many residents in her sub-district uprooted their coca under the programme. But, so far, the government has not provided the promised support for new 'productive projects', which were supposed to 'substitute' for their coca incomes. The cash transfers to cover the transition period came to an end in late 2019 and not everyone had received all the payments in the first place. 'How are people surviving?' we asked. About 20 families

have dedicated themselves to raising pigs, but then they crash against the reality that they can't take those pigs to town to sell [... Why?] because the police take them. It's as if you were working with coca, because you have to bring them hidden.

Antonio\* brought up the same issue. Some 32 families in his area began raising pigs, but getting the pigs/pork from their farms into town to sell is difficult:

one has to keep an eye on where the army and the police are, go with someone on a motorbike to keep watch, make sure there's no law [enforcement] in order to move the hog. So, they can't sell their product – it's illegal, they confiscate it, and one loses everything.

The police usually confiscate pigs and other animals, or their meat, because their transporter/seller lacks required paperwork. Those who raise animals must register their farm with the Colombian Agricultural Institute (ICA), which involves presenting proof of ID; information about individual animals, such as the age and species; and vaccination and other certificates that vary according to the type of livestock. With this register in place, the producer may request a transport permit, which requires further documents (ICA n.d.). If the police catch someone transporting animals without a permit, those animals can be confiscated.

Many farmers in Puerto Asís do not have the ICA registration for pig rearing, for various reasons (eg lack of information or an inability to navigate bureaucratic obstacles), and hence cannot take out a transport permit. Others do have the registration but do not always obtain a transport permit. Don Pablo\* gave an example of the impracticalities: someone might appear on a Sunday, wanting to buy a hog, but the office that gives the transport permit is closed at weekends. Furthermore, sometimes people want to buy pork, rather than pigs, and this raises another set of problems.

The ICA registration and transport permits give farmers permission to rear animals and to move/sell them live. Another entity, the National Institute for Drug and Food Surveillance - INVIMA - regulates the slaughter of animals and the processing, storage and sale of their meat. There is no longer a certified slaughterhouse for pigs in Puerto Asís; the facility was closed because it did not meet the new sanitary standards. So, Don Pablo\* and many others slaughter their own pigs to sell on local markets (illegally). As Doña Emma\* explained, these are the sorts of obstacles that help perpetuate the coca economy:

The pork [and other meats] we eat here, they bring it from Florencia or from Neiva, Cali, they bring it from Pasto and – take note – they even bring it from Bogotá, Bogotá! [...] So, we ask why the mayor, the authorities, whether it be at the municipal or the department level, haven't organised, so we can have a slaughterhouse with sanitary standards [...] the truth is, if people produce and they don't have access to markets, it's a failure.

Ángela\*, like Don Pablo\*, voluntarily gave up coca production, but still works on the fringes of the law. She started a fish farm with a neighbour. 'We've been trying to legalise', but 'they ask us for a ton of papers, [while] they let the oil companies do whatever they want'. Earlier that day, the police tried to confiscate the (mineral) lime she had purchased-'it's all buts and money', she explained. She convinced them to let her keep the lime, using the fact she had also bought feed for the fish as evidence it was not for coca. In this case, the threat of confiscation was not for sanitary reasons, but it is all linked, since official documents can be used as evidence that certain inputs are not going to be used for the production of drugs.

Sometimes even those with all their papers in order have problems with the police. A few years ago, a local farmers' association publicly denounced what they claim was an arbitrary confiscation of 18 tons of rice - the product of a coca substitution project. According to the associations' legal representative, the transporter presented all the required papers, but the police confiscated the rice anyway (Minga 2014). Whether legally justified or not, and for obvious reasons, confiscations cause resentment among inhabitants. Fernando\*'s words are suggestive:

This community used to produce a lot of rice, but unfortunately, those legal rats from the town - that's what I call them [the police] - would steal the peasants' rice because it's illegal. [...] so, on the one hand, there is no market [for our goods], and on the other, if one produces for consumption, the police steals it, so we don't have a way out. The only option the state leaves us with is to keep cultivating coca.

Many of the people we spoke to brought up the issue of confiscations unprompted. It has also been mentioned by other researchers and journalists (see eg Silva Garzón and Gutiérrez Escobar 2020; Bolaños 2016). Thus, we can infer the relative pervasiveness of police confiscations and their prominence in *campesinos'* everyday experiences of law enforcement.

# Discussion and conclusion: law enforcement and state (il)legitimacy in Colombia's coca frontier

The previous two sections detailed how the enforcement of drug and (phyto)sanitary norms affects the lives and livelihoods of peasants in Putumayo. Here we discuss the implications for state-citizen relations in the coca frontier. We consider why many cocaleros perceive law enforcement as (what Comaroff and Comaroff [2006] call) 'lawfare', instead of a public good.

In some cases, the law itself is perceived as illegitimate or unfair. The norms that enable the armed forces to destroy peasants' coca crops are a clear example. On the one hand, the brunt of the War on Drugs is borne by peasants who cultivate coca to survive instead of those elites who profit most from the drug trade. On the other hand, from the farmers' perspectives, the routes to reducing coca cultivation are obvious. They need roads and electricity; constant and quality technical assistance; help developing local food systems/markets; and stable links with buyers willing to offer a decent price for their legal goods. Many express anger that the state claims to have insufficient resources for such things when so much is invested in law enforcement, in particular forced eradication.

It is more difficult to object to (phyto)sanitary norms in principle. Everyone agrees that food should be safe, and plagues prevented. But 'the devil is in the details', as they say. Opposition senator Jorge Enrique Robledo (2009) argues that many new regulations are more about commerce than safety; they have 'become an instrument of transnationals in the battle for control over the global economy'.

But even if the contents of a law or regulation are socially necessary and/or beneficial, this is never enough on its own. Legitimacy is also built or lost during implementation. We are not equipped to judge the norms regulating pig rearing and pork production. But suppose, for the sake of argument, each and every rule is imperative to ensure public health. The Colombian government has evidently made insufficient effort to help individual producers/transporters and small firms meet the increasingly stringent standards they are imposing. Furthermore, context makes all the difference to implementation. In Colombia, many norms are devised by people from the centre without attention to the particularities of 'marginal' regions. It makes little sense to impose strict sanitary regulations in places like rural Puerto Asís where people lack access to safe drinking water and do not have a way to refrigerate perishables, because electricity is not available (Robledo 2009). The result is that many producers face a choice between operating illegally or not at all.

Given all of the above, police and soldiers could be seen as the unfortunate employees sent to enforce unjust or poorly executed laws. But the way they play their role also impacts the relative (il)legitimacy of the state. Part of the problem is that - due to decades of counterinsurgency warfare - many see the rural citizens they are meant to serve as potential enemies and treat them accordingly. Another problem area is the exercise of discretionary power. If a police officer can turn a blind eye for a small fee, from the peasants' perspective,

he or she could do the same without demanding money in return. In these contexts, people can easily lose sight (if they ever had it in the first place) of the objectives underlying the laws and regulations that allegedly justify the actions taken. The whole process becomes about specific officers showing off their power, humiliating 'adversaries' or lining their pockets.

In sum, multiple laws and regulations impinge upon peasant livelihoods in such drastic ways that they trespass the boundaries of what inhabitants of coca-producing regions consider acceptable. Consequently, the daily operation of these state agencies produces resentment, with all sorts of negative consequences for governance in these regions. This lack of alignment between the actions of the state and the subsistence and aspirations of citizens in the coca frontier often manifests in social mobilisations - 'voice'. This 'voice' takes the form of demands for changes to the law or its implementation and a cry for a different kind of relationship with state agencies and functionaries. The most serious problem, from the standpoint of the state, is not 'voice' but 'exit', which in these territories can mean disengaging from state institutions altogether and, in some cases, joining armed groups.

On the latter point, interviewees noted at least two ways in which this can happen. Abuse and repression by state forces generates anger that may turn into a desire for revenge and motivate victims to become involved with the guerrillas. Meanwhile, livelihood loss and upheaval can contribute to a situation in which joining an armed group seems like an attractive option. With respect to the distancing of peasants from state institutions, the problem is that the resentment caused by forced eradication and police confiscations extends to other sectors and officials (García Sánchez 2014). 'What can we expect from a state that poisons us with glyphosate?' one peasant asked. The erosion of state legitimacy then becomes a real obstacle to implementing other policies in the coca frontier. In fact, one of the reasons some peasants did not get involved in the recent substitution programme – PNIS - was because 'they do not believe in the state'. Sadly, those who were sceptical about the PNIS have so far been vindicated by implementation failures and broken promises.

In conclusion, and reiterating a point made by a number of other scholars, the trope of coca frontiers as 'stateless' and 'lawless' must be revisited. In this paper we have shown how law enforcement in these areas, which is superficially 'effective', negatively impacts rural inhabitants' livelihoods. Accounts from the daily lives of campesinos in Puerto Asís indicate that more police and soldiers, imposing norms that clash with peasant subsistence, will not stabilise the coca-growing regions. What is really needed is a transformation in the way lawmakers and enforcers relate to citizens. If the Colombian state continues to wage war against the peasantry, it will hardly achieve effective governance of the coca frontier.

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#### Note

\*Asterisks are used to indicate that the names of the interviewees have been changed to guarantee their anonymity.

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#### **Research ethics statement**

All interviewees gave full consent, including permission for anonymised interview data to be used for non-commercial purposes. For 2018–2020 fieldwork and interviews, ethical approval was obtained under the Drugs & (Dis)order project, subject to SOAS University of London oversight and procedures. The 2015 fieldwork and interviews were subject to a prior ethical review process and approval by the Social Sciences and Arts Cross-School Research Ethics Committee (SS-ARTS C-REC) at the University of Sussex.

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