

Abstract

Taking a case study approach supplemented by qualitative research, the research project corroborates the dispute concerning the construction of Barro Blanco hydroelectric dam,¹ in an area within Panama's indigenous Ngäbe-Buglé comarca as well as in the Ngäbe-annexed area adjacent to it.² Despite widespread protests, death of two local community members, and unresolved lawsuits filed on behalf of the Ngäbe,³ the project was completed and became operational in 2016.

The research issue at stake reveals the contradictory nature, normative and definitional challenges embedded in the concept of green development,⁴ and above all, the need for understanding local contexts. Because the Barro Blanco project became initiated and implemented in indigenous lands against protests and complaints of exclusion filed on behalf of the Ngäbe, it must be assumed that a specific concentration of power relations at different levels made it possible.

The research therefore tries to answer one overarching research question—*in which specific ways does the existing concentration of power relations make this project inequitable for indigenous people?* With respect to green development, what sources and levels of support, as well as justifications, can be discerned at the local, state and international level? Similarly, what levels of commitment to the realization and advancement of indigenous rights norms can be identified? The theoretical framework draws on Hale's ideas of *neoliberal multiculturalism*,⁵ but refocuses the inquiry to the constitutional citizenship of the indigenous peoples in Panama (by extrapolating, for example, whether indigenous peoples have the right to determine development on their lands, or whether the state has the capacity to aggregate indigenous preferences).

¹ The project was registered as a greenhouse gas emissions reduction project under the Kyoto Protocol's Clean Development Mechanism (CDM), but was eventually withdrawn.

² The state granted an official *comarca* status to only some territories where the Ngäbe reside.

³ Based on *Dirección Nacional* (2010), Panama's indigenous groups constitute 12.26 percent of total population, the Ngäbe accounting for the largest group (63%),

⁴ Green development in this research context refers to definitions and objectives of "green economy" as used and promoted by UNEP, UNEMG, and OECD (e.g., improved human well-being, social equity and social inclusiveness, resource efficiency, low carbon, reducing ecological scarcity, limiting environmental risks).

⁵ *Multicultural*, as it accounts for Panama's transition from a nationalist homogenization project (a corporatist state), to multiculturalism codified by national laws. By granting autonomy to self-governing indigenous territorial units (*comarcas*), Panama's constitution presumably safeguards indigenous rights and does away with hierarchical, exclusionary policies toward indigenous populations. *Neoliberal*, as economic policies rooted in the Social Function Doctrine were replaced by neoliberal reforms premised on utilitarian principles and optimization of valorization capital, in turn becoming what Hirsch refers to as *internationalised competition state* (Hirsch 1995).