Graduate School of Development Studies

NEOLIBERALISM AND TERRITORIALIZATION AT LAS BAULAS MARINE NATIONAL PARK, COSTA RICA

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List of acronyms

ALGT	Association of Local Guides of Tamarindo
APROTORBA	Association for the Protection of Marine Resources and Wildlife of Matapalo
BCCR	Costa Rican Central Bank
BMNP	Las Baulas Marine National Park
CCT	Tropical Science Center
CGR	Comptroller General Office
FDI	Foreign direct investment
FGC	Gran Chorotega Foundation
IADB-RN	National Program for Regularization and Regulation of Cadastral Registries
ICT	Costa Rican Institute of Tourism
IFO	International financial organization
IGN	National Geographical Institute
IUCN	International Union for Conservation for Nature
MINAET	Ministry of Environment, Energy and Telecommunications
NASA	National Aeronautic and Space Administration (United States)
NGO	Non-governmental organization
PA	Protected area
SENARA	National Service of Groundwater, Drainage and Irrigation
SETENA	National Environmental Technical Secretariat
SINAC	National System of Conservation Areas
SPN	National Park Service
TLT	The Leatherback Trust
TWR	Tamarindo Wildlife Refuge
WWF	World Wildlife Fund

Abstract

This paper studies a unique Costa Rican coastal protected area called Las Baulas Marine National Park (BMNP). Here the conflictive interaction between strategies of neoliberalization of sea turtles and land through ecotourism and real estate speculation, territorialization of protected area and species management by conservationists and local communal uses of nature have resulted in three different outcomes in three different sectors: 1) attempts of urban growth by affluent private residential property owners and tourism resorts have been frustrated by conservation efforts; 2) property owners and resorts have appropriated the park using it as an ecotourism attraction with the support of conservationists; 3) finally, at sea, environmentally distorting ecotourism and fishing uses have frustrated species conservation there. In reflecting on these differences, this paper will attempt to address the claim of an overwhelming and coherent neoliberalization of nature, by showing it as an inherently contradictory process. This paper highlights the need of understanding neoliberalism path-dependent and uneven process of social change. Instead of building new coherent socio-institutional landscapes that regulate access to and use of nature by obliterating the ones that preceded it; neoliberalism is only capable of obscuring those, imposing new ways of accessing and using nature which reflect what existed before.

Relevance to Development Studies

Contemporary processes of neoliberal reregulation entail the establishment of new forms of territorialization of natural resources and the demarcation and remaking of existing rural landscapes. These transformations often happen in ways in which control, use of and access to natural resources becomes hindered in favor of the emergence of market mechanisms which deepen existing social inequalities. The study of how 'actually existing neoliberalisms' play out is important, not only to recognize the trajectories and path-dependent changes of particular societies, but also to reflect on the terms in which this process is challenged and resisted, in order to find new, more equitable alternatives of social development.

Keywords

Protected area, neoliberalism, ecotourism, Costa Rica, environmental conservation, environment, state, leatherback turtle, sustainable development, NGO.

1. Introduction

1.1. Research problem and purpose

What role do protected areas and biodiversity conservation projects play with regard to the reproduction, mutation, and continual reconstitution of neoliberalism? Are these merely localized arenas in which this process plays out?

Currently, it seems difficult to think otherwise, as market-related instruments that allow conservation to 'pay its way' back to economic growth have become intensely promoted worldwide. Ecotourism, for example, is thought by many as a facilitator of neoliberalism. It works by opening new avenues for commodification and marketization of non-consumed nature, through its transformation into circulating economic values, such as the price tourists pay for experiencing wildlife in many different ways. (Duffy and Moore, 2010; Brockington et al., 2008: 136). Moreover, ecotourism seems to have been a very successful driving mechanism, as shown by the notable economic growth of the tourist industry – particularly on the developing world – since the 1980s (Duffy and Moore, 2010: 743-746). In view of this great success, some have ventured on arguing that conservation has gradually become a means for the transformation of previously undervalued lands and nature onto profitable enclaves of must-see breath-taking landscapes and charismatic creatures for the amusement of eco-tourists (Brockington et al., 2008: 144-146).

Without questioning the overall orientation of social change in neoliberalism, Brenner and Theodore (2002) have emphasized on the importance of giving some attention on the way this process plays out 'on the ground'. They say that literature often pictures neoliberalism as an overwhelming and coherent hegemonic process, neglecting to pay attention on the strategic role that national, regional and local contexts play either, as active progenitors of or resting forces to it (Brenner and Theodore, 2007: 154-155). The authors call for more research on *actually existing neoliberalism*, which may give more attention to the messy interaction between: the *contextually specific strategies* through which this process is articulated, the *intense level of opposition* it faces by local and national social forces and the *open-ended and path-dependent outcomes* to which both lead as a result (Ibid: 154). The objective here is that by studying this messiness and complexity, one may be in a position to challenge neatly defined theoretical models about how neoliberalism works (Duffy and Moore, 2010: 745)

This paper focuses on doing just that. It studies a unique Costa Rican coastal protected area called Las Baulas Marine National Park (BMNP). Here the conflictive interaction between context-specific strategies of neoliberalization of sea turtles and land through ecotourism and real estate speculation, territorialization of protected area and species management by conservationists and local communal uses of nature have resulted in three different outcomes. In and around one sector of the park, attempts of urban growth by affluent private residential property owners and tourism resorts have been frustrated by conservation efforts and ecotourism-related uses by local communities and businesses. Around another sector, property owners and resorts have appropriated the park using it as an ecotourism attraction with the support of conservationists. Finally, at sea, environmentally distorting ecotourism and fishing uses have frustrated species conservation there.

This complex situation leads to the question this paper will attempt to answer: *how the neoliberalization of nature and space has transformed and, in return, has been transformed by contextually-existing territorialization and contesting social forces at the BMNP?* In answering this question, this

paper will conclude, first, that attempts to combine conservation and ecotourism constitute important, yet not inherent, drivers for the expansion and deepening of neoliberalization in Costa Rica. Secondly, examining the efforts of conservationists to integrate locals into ecotourism and their efforts to control other land and wildlife uses at one sector of the BMNP, allowed this paper to understand how the neoliberalization of leatherback turtles that nest there, has been achieved. But, it also showed how these same drivers may become new barriers to other practices of capital accumulation in and around this park. Thirdly, by reflecting on this contradiction, this paper also describes the way in which neoliberalization can be challenged, resisted and changed as well.

Overall, this paper will attempt to address the claim of an overwhelming and coherent neoliberalization of nature, by showing it as an inherently contradictory process. This paper highlights the need of understanding neoliberalization as a path-dependent and uneven process of social change. Instead of building new coherent socio-institutional landscapes that regulate access to and use of nature by obliterating the ones that preceded it; neoliberalism is only capable of obscuring those, imposing new ways of accessing and using nature which reflect what existed before. As Brenner and Theodore (2007: 154; see Brenner et al., 2010a) say, this path-dependent character further exacerbates tendencies to regulatory failure within neoliberalization.

1.2. Methodology

This paper used a methodology based on methods for primary and secondary data collection. Most of the data was collected during fieldwork and consisted of 15 oral semi-structured interviews, personal communications via e-mail with 7 informants and document study.

Primary data collection through semi-structured interviews to key informants was used in order to explore various issues of the case study. One of these was the construction of the history of the conservation project and of the current struggles related to it. This is a relevant step, considering that even if this protected area has existed since 1987 (and conservation efforts of it since 1985) there are few existing written historical records or published information on it. The interviews were also used to explore on the elements of conceptualization of the protected area, the personal and professional experiences with it, their perspectives and opinions and their roles in case-related micro-political dynamics. Key informants were chosen in order to attain the best representation possible of the state agencies and social groups involved in the political history of this park. These allowed obtaining a fairly in-depth knowledge of the history behind the current situation. Doing deep interviews also helped to cope with budget and time constraints, allowing the paper to rely on information from a fairly small number of respondents (Laws et al., 2003: 286). On occasions, certain interviewees were visited more than once to further deepen knowledge of the case. Considering the number of interviews made and the total time taken for each (about 1-3 hours),[1] only the data-richest interviews were transcribed for further analysis. In every interview, informed consent and permission was asked in advance.

The first informants that were interviewed did not want to be taped and were suspicious of me. They asked for my credentials and doubted my introduction to them as a master degree student doing his thesis. As I learned later, it appears that, on occasions, people that have presented themselves as researchers have done so to come into contact with them in order to find information to further advantage the agenda of the opposing side(s) in the struggle. Their suspicions of me were furthered by the fact that I was a student from a foreign university from which they had heard little. In the few cases this happened, people were more relaxed and behave more openly when the interview was not

recorded, and some measure of trust was gained in the process. The use of gatekeepers, such as other informants and known acquaintances, was also helpful. Gatekeepers are important to gain entrance to a research setting and may become essential to gain the trust of the informants (Heyl, 2001: 372). After interviewees were contacted through someone else, they behaved in a more relaxed and were visibly less suspicious, even allowing to be taped during the interviews. During the data collection period, I also used participant observation of local activities at the park and the community to corroborate on the interview data collected. Due to budget constraints, my overall period at the site was about two weeks. Nevertheless, many of the most influential interviewees live and work in San José, the capital, and not in the park area or its surroundings.

Secondary data was obtained from various sources, mainly through the study of document sources and the usage of primary statistical data obtained from State censuses. Secondary data also included internal documents elaborated by various NGOs and state agencies involved in the struggle, such as reports from workshops and meetings, work programs, project documents, evaluative analyses, personal memoires, maps and geographical information data for map-making. Other documents included newspapers, legal documents (e.g.: executive decrees, national laws, municipal accords, legally binding resolutions by public agencies, legal accusations and constitutional resolutions). Apart of the aforementioned, the contextual chapters were greatly built on multiple research findings in the form of articles and books published in Costa Rica and abroad regarding issues of tourism, conservation and resource management.

1.2. Structure of the paper

To achieve its objective, this paper is structured in five sections. A theoretical framework in section one will discuss how the neoliberalization of nature affects global narratives and trends in the territorialization of biodiversity and protected area management. The implications for Costa Rica and the case study of Las Baulas are studied in sections three and four. Both sections reflect on the context-specific strategies of neoliberalization as they play out regarding the creation of Costa Rica's system of protected areas (section three) as a background for the case study of Las Baulas Marine National Park (section four). Section five describes the contestation of neoliberalization in order to show how the path-dependent outcomes have taken form. A final section will present the conclusions of this research.

2. Theoretical approach

This section discusses how the global narratives in the territorialization of biodiversity conservation and protected area management have been reconfigured by the neoliberalization of nature. It begins explaining how management instruments of conservation can be understood as territorialization. Later on it will present two important broad narratives guiding conservation initiatives. The section argues how conservation issues are increasingly determined by the neoliberal economic and political context in order to remain politically acceptable, leading to what many call neoliberal conservation. Explicit attention is given here to the role of ecotourism which has greatly become both a central driver of the neoliberalization of nature and also the most important way in which conservation is justified today.

2.1. Trends and narratives in territorializing conservation

Territorialization is a pivotal concept for this paper, which reflects on the *"contested processes by which a state institution establishes control over natural resources and the people who use them"* (Corson, 2011: 705). Protected areas (PAs), defined as *"a clearly defined geographical space recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values"* (Dudley, 2008: 8-9), are one of many forms in which territories can be divided and organized by the state with the objective of giving rise to political and economic zones which delineate who may access to natural resources and the 'acceptable' uses of these. In other words, protected areas, like the one studied here, are acts of territorialization.

To speak about territorialization is therefore to speak about how power is exercised by states inside their territories and how power relations are produced and reproduced between subjects and authorities in an attempt to *"to affect, influence, or control people, phenomena and relationships by delimiting and asserting control over a geographical area"* (Sack, 1986: 19; see also Peluso and Lund, 2011: 673). This works through strategies directed to proscribe and prescribe social activities within specifically delimited areas (Vandergeest and Peluso, 1996: 388). In other words, territorialization is not only about excluding or including access of people to resources, but it is also a disciplining practice related to controlling what people do in territories and the nature of their access to resources within this (Peluso and Lund, 2011: 673).

Territorialization entails three different key components (Corson, 2011: 705). First, the creation of an abstract space, susceptible of being planned, which can be divided by states through the *creation and mapping of boundaries*, allowing it to be controlled and rendering existing 'lived spaces' invisible (Vandergeest and Peluso, 1996: 388-389). Second, territories generally require enforcing through the use of violence and coercion by the state or by social pressure exercised by non-state actors (*Ibid*: 389). This entails the need of territorial claims to be not only state-led but non-state as well, through the *allocating rights over territories to such 'private actors'* in order to influence and muster co-control by these (Peluso and Lund, 2011: 673). Finally, as said, territorialization – especially in the case of PAs – is also about rule-making that defines which are the *acceptable uses of resources* (Corson, 2011: 705).

Territorialization through PAs and BCs is very old, spanning over a history of more than two thousand years. Their use has been different according to the political specificities and tendencies of society at every historical stage, yet common to all is the fact that these have always been instruments by which elites exercised their power upon nature and society (Brockington et al., 2008: 18-20; Adams, 2004). Modern PAs and BCs are no different in this respect, except from the fact that they seem to be determined on how social relations are have become organized and evolved after the rise of capitalism, nation-states and modernity (Büscher and Whande, 2007).

Modern conservation thinking cannot be abstracted from changes in the global political economy, and as such, in the past twenty years, discussions have begun to revolve around the distinction between two broad narratives in conservation thinking: fortress conservation and community conservation (Adams and Hutton, 2007). Fortress conservation (FC) is the most long-standing and influential narrative in conservation and provides the ideational basis behind the use of protected areas. This narrative is often mediated by a crisis narrative, put forward by scientists, environmentalists, state managers, or even capitalist philanthropists by which certain natural resources and landscapes have become threatened by degradation as a direct or indirect result of human activities (Robbins, 2004: 149-152; Adams, 2001: 270-272).

In view of these threats, fortress conservation models are often fueled by a preservationist ideology, based on ideas of a non-human, pristine and Edenic nature, which react to the modernist and highly degraded landscapes of capitalist industrial production (Robbins, 2004: 151-152; Neumann, 2003). These ideas of nature usually become central legitimating devices for the territorialization of protected areas as enclaves of wilderness. This entails a purely state-led top-down approach of resource management which often is based on the establishment of harsh restrictions and penalties to access and use of natural resources, or what many have called a *fences and fines approach* (Brockington, 2002). FC frames depend on forceful eviction, in that they require the expulsion of locals from lands being conserved as a measure to avoid them to continue using the land, as well as their criminalization as 'poachers' in order to deter them from engaging in such practices (Brockington and Igoe, 2006). Throughout, scientific knowledge is highly important, as they are generally the people who provide the knowledge which is used to define the environmental problem, which point out the 'culprits' and the mechanism to sort it out (Campbell, 2002a: 29-30; Robbins, 2004: 151-152).

Counter-narratives to the FC approach are very diverse, but they are often epitomized in literature in the form of community-based conservation (CBC) (Campbell, 2002a: 30. Often, these counter-narratives are framed as the result of criticisms made on the social consequences of the traditional FC approach, such as forceful evictions and the destruction of traditional livelihoods (Ibid: 30-31). Although scientists and agents, such as the state retain an important guiding role, these narratives entail some recognition on the need of involving some level of involvement and participation of local communities within conservation (Adams, 2001: 342-345). However, criticisms still exist upon the democratic nature of this involvement (Blaikie, 2006; Dressler et al., 2010). Furthermore, the approach is more flexible in recognizing other local sustainable uses of nature apart of conservation and is very open regarding 'non-consumptive activities' such as ecotourism (Campbell, 2002: 30-31). On certain cases, conservationists may accept direct harvesting of resources and food only if it is closely supervised by them (West, 2006, West et al., 2006).

Table 1
Elements of traditional fortress conservation narratives and community-conservation counter-narratives in wildlife conservation

Fortress conservation narrative	Community-conservation counter-narrative
• Exclusive • Parks and protected areas • Restrictive / prohibitive • Institutional (state) control • 'Modern' • Top down	• Inclusive • Land use patterns • Sustainable use • Community control • 'Postmodern' • Bottom up

Source: Campbell, 2002: 31.

Although these narratives are important in order to understand how global conservation works, in reality, the territorialization of these has never been absolutely 'pure'. On the contrary, the use of one or the other in specific conservation efforts has been rather flexible, often leading to hybrids of both narratives. This is mainly determined by the contestation of local actors to conservation, and its suitability with regards to the wider political economic climate (Büscher and Whande, 2007: 25). FC approaches, for example, were often developed in a context determined by colonialism, particularly in Africa. The intention here was to produce and preserve a romantic ideal of a pristine nature which would allow colonial elites to keep exclusive hunting grounds (Neumann, 2003,

1998). For that, the forceful removal of people was required and made possible by a suppressive colonial state (Büscher and Whande, 2007: 26). However, in a current international development climate determined partly by decolonization, public support to a traditional FC narrative has somewhat eroded. This has opened space for counter-narrative approaches which involve changes in management discourse in favor of bottom-up, inclusive and sustainable resource use narratives (Ibid: 27). However, this has not necessarily involved the complete elimination of FC approaches, as claims of the failure of CBC approaches to bring conservation or development (Blaikie, 2006) have fortified calls to go 'back to the barriers' (Terborgh, 1999; Büscher and Dietz, 2005: 3-4). In reality, global and local political and economic contexts greatly determine the way in which conservation is territorialized, causing the appearance of conservation hybrids. An important feature determining this context is neoliberal hegemonic restructuring of society (Büscher and Whande, 2007: 28).

2.2. Neoliberal conservation

Neoliberalism is understood here as a bundle of social processes of hegemonic construction oriented towards the *"(re)fashioning of socio-cultural and political dynamics in market terms across different scales"* (Büscher and Dressler, 2010: 2). Peck and Tickell (2002) break neoliberalism down to two specific regulatory processes: a *roll-back neoliberalism* in which structural adjustment, privatization and liberalization is designed to dismantle and hack away regulation and institutions which previously put states in control of markets; and a *roll-out neoliberalism* in which there is active state-building in order to foster enabling environments for businesses and market agents to perform. In effect both processes together lead to a same result: the creation of discourses and governance and regulatory structures that allow for the transformation of *"previously untradeable things into tradable commodities"* (Igoe and Brockington, 2007: 437).

Commodification is the process by which people prioritize the exchange value of things in comparison to their use value (Marx, 1976: 131-146). This involves the assignation of legal titles over processes, things and social relations, the valuation of these items in the form of prices (exchange value) and their alienation so these can be traded in markets (Harvey, 2005: 165; Castree, 2003: 279-283). This process necessarily entails the stimulation of demand for commodities through marketing ploys in order to make people interested in paying for these exchange values, and the promotion of competition which may allow for the continuous expansion of new opportunities to market these values in new and different forms.

With neoliberalism, environmental conservation has been greatly used in order to expand these processes of commodification. As neoliberal policies reduce available financial resources for states through deregulation policies (e.g.: privatization, liberalization, austerity measures, etc.), these become more and more dependent on external funding. State-led conservation agendas are typically more vulnerable as these are regarded to be less important than others such as economic growth and social redistribution. This situation makes it necessary to integrate mechanisms to allow conservation to 'pay its way'. As a result, the state has developed market-based mechanisms to make conservation profitable by fostering new economic practices that commodify nature in state-owned protected areas, and in effect becoming drivers of neoliberalization (Brockington et al., 2008: 131-134; Garland, 2008; Duffy, 2002, 2008); or by directly engaging or supporting joint public-private endeavors in which private companies run these areas as businesses in order to make their management more efficient and profitable (Igoe, 2007; Igoe and Croucher, 2007; Büscher and Dressler, 2007, 2010: 4-5).

Ecotourism is the most common form of these marker-based instruments (Brockington et al., 2008: 131-132). This activity is based on extracting economic value from animals, landscapes and people, in the form of prices tourists are willing to pay in order to see, photograph and touch them (Duffy and Moore, 2010: 746; Garland, 2008: 62-64). Even though promoters of ecotourism recognize the importance of other ways of valuing nature, they are more concerned with expressing its economic value. In this way, wildlife and landscapes are produced and designed as tourist attractions which can be marketed and brought to the global market in the form of images ready to be consumed (Garland, 2008: 63; Duffy and Moore, 2010: 746). In so doing, this process attempts to provide a fix to both the political problem that environmental degradation constituted for capitalism, by creating non-consumptive practices which allow conservationists to capture funds to expand their goals (Castree, 2008: 146-147); and to the problem of sustained economic growth through the active construction of new ways of profit out of different sensorial experiences with these animals and landscapes (e.g.: swimming with dolphins, turtle-watching, canopy tours, etc.) (Ibid: 146). Whether or not these fixes work, is a completely different thing (next subsection).

Although the neoliberalization of nature through territorialized conservation in Africa has been a contested process as in many other places in the world, in this continent, the impacts of this process seems to be far more advanced (Büscher, 2011: 86-88), constituting a showcase for Costa Rica. Here foundations like the Africa Parks Foundation or the Peace Parks Foundation work like for-profit transnational companies in charge of taking over state-owned protected areas in East and South Africa in order to restore them and run them like businesses (Igoe and Croucher, 2007; Igoe and Brockington, 2007: 438; Buscher and Dressler, 2007). Here, a hybrid conservation which combines with few characteristics of both fortress and community narratives seems to work converting famous protected areas (e.g.: Krueger National Park, Great Limpopo National Park, etc.) into large zoo-like enclaves of wilderness which charge great amounts of money to let people appreciate the famous and highly attractive African mega-fauna (e.g.: elephants, gorillas, lions, giraffes, zebras, etc.) (see Igoe, 2007; Büscher and Dressler, 2007).

Garland (2008: 61-64) argues that the current capitalization devices of the economic value of these animals also happens through ideational means and not just through the material act of placing borders and charging for entrance fees in these areas. Many NGOs and for-profit companies also use images of these animals in order to collect millions of dollars in corporate and personal donations worldwide (Brockington and Schoelfield, 2010; Garland, 2008: 64-65). The use of spectacle here is very important. Images of breath-taking landscapes of the African savannah and the exotic animals are used to produce the notion of Africa as an untouched wilderness (Neumann, 2003). These notions and images are later on used as selling devices in an attempt to differentiate this 'touristic or conservation product' from others in order to capture the remittances and donations of Western tourists.

Furthermore, the social construction of the African landscape is intrinsically related to material processes of production of it as well. Neumann (1998, 2002, 2003), Brockington et al. (2008: 72-79), Brockington and Igoe (2006) and Duffy (2002) have described how the use of protected areas in Africa as tourist destinations not only has failed to deliver economic benefits to local populations which lived near these, but also has constituted mechanisms for the systematic expropriation of people from their lands. Igoe and Croucher (2007) explain how a community-managed protected area in Tanzania was coopted by the state and several transnational environmental organizations with the objective of being given in concession to foreign tourist companies to be run like a business.

2.3. The limits of neoliberalization

However, neoliberalism must not be understood as a complete and monolithic process. On the contrary, it is faced by constant and continuous social resistance, which obliges it to constantly seek consensus among society to guarantee the active and continuous reproduction of market practices as the dominant governance mechanism (van Appeldoorn et al., 2003). As Drainville (1994: 38) recognizes "*neoliberalism is both a broad strategy of restructuring and a succession of negotiated settlements of concessions to the rigidities and dynamics of structures, as well as the political possibilities of the moment"*. While one can accept that neoliberalism has attained hegemony, to a point in which it is reflected in the common-sense way in which people interpret the world (Harvey, 2005: 3), it needs to be recognized that neoliberalism has not managed to homogeneously give form to global society.

For starters, although a somewhat coherent neoliberal ideology exists, neoliberalism is not articulated through single 'pure' form in every place of the world. On the contrary, it always manifests itself by reflecting on historical and geographical differences of an already uneven capitalist system. Moreover, these strategies often make use of states which are themselves defined by entrenched political struggles that complicate these processes (Brenner and Theodore, 2007: 154). As a result *"the formation of a neoliberal hegemonic bloc is more complex"* (van Appeldoorn et al., 2003: 37), often requiring a great deal of legitimacy from civil society in order to construct an agenda which may be able to build a neoliberalism which reflects on the 'general interest'. The dialectic of commodification and socialization in neoliberalism is characterized by much more intensity as the unfettered advance of market forces constantly threaten socialized forms of coordination which previously contained and limited commodification (Ibid: 35). This in turn, subjects neoliberalization to intense and aggressive contestation by different opposing social forces (Brenner and Theodore, 2007: 154). As a result, neoliberalization tends to produce *path-dependent outcomes* which reflect the struggles between neoliberal strategies and existing socio-institutional landscapes.

The importance of recognizing this 'negotiated character' of neoliberalization has to do with the overall coherence of the process, which seems always incapable of attaining the social, environmental, economic and political fixes it is always looking for. On the contrary, neoliberalism seems to *"exacerbate regulatory failure* (…) *by engendering various forms of market failure, state failure and governance failure"* (Ibid: 154). Moreover, it also seems to produce new struggles as a result of its social consequences. Brenner et al. (2010b: 339-342), for example, have argued how the current economic crisis has constituted an open-ended situation in which neoliberalism may restructure itself for a new round of reforms, but also a situation in which opportunities exist for counter-neoliberalization in different ways.

3. Ecotourism, protected areas and the neoliberalization of nature in Costa Rica

A fundamental argument of this study is that the establishment of Las Baulas Marine National Park constitutes a way in which the neoliberalization of nature has become territorialized in the beaches of the Tamarindo Bay. This chapter explores the context of this argument by explaining how neoliberalization relates to the promotion of competitiveness through tourism in Costa Rica; and second, in what way the state-sponsored system of protected areas becomes a facilitator to this process of neoliberal territorialization.

3.1. Neoliberalization of nature and tourism in Costa Rica

Costa Rica is a small Central American country with a population of about 4.5 million inhabitants. Economically, this translates into a very limited domestic market which thus explains why most of its economic growth has been historically facilitated by an open economy oriented to the export of goods and services (Hidalgo, 2003: 8; Campbell, 2002a: 33). As a matter of fact, the need of linking the small national economy with the global market has been a dominant issue in the agenda of the economic and political elites of the country since its Independence (Robinson, 2003: 135-136, Hidalgo, 2003: 8-9). In this context, the promotion of global market integration through foreign trade constitutes a central point of reference to understand the process of neoliberalization in Costa Rica (Segovia, 2005).

Map 1
Geographical situation of Costa Rica

Source: Maps of the World (www.mapsoftheworld.com).

The late 1970s constituted a period of serious economic and political crisis for the country, as the existing accumulation regime – based on a hybrid between an agro-exporting economy and a developmentalist model of import substitution – reached its exhaustion (Robinson, 2003: 135). The context was dominated by considerable macroeconomic imbalances, a rising external debt, exchange rate instability and a marked contraction in economic growth (Hidalgo, 2003: 64-65; see Sojo, 1991; Rovira, 1987). Neoliberalism appears in this context as a social project, promoted by a fraction of the economic elite with the support (and also, political pressure) of the international financial organizations (IFO) and the United States.

One of the most important components of the neoliberal agenda in Costa Rica consisted in the establishment of the reforms necessary to bring about a complete change in the productive structure in the country to a more outward-looking strategy of development (Robinson, 2003: 157-159). The objective was fostering a diversification of the existing export base, in order to consolidate new sources of income and thus, re-

articulate the national economy to the global markets. The implementation of this agenda included measures of deregulation and reregulation, such as the establishment of exporting promotion zones through fiscal incentives and credits and different measures for economic, financial, trade and state liberalization (Robinson, 2003: 194; Hidalgo, 2003: 150-172; Rovira, 2003: 324-325).

The neoliberal project in Costa Rica has not managed to advance uniformly in a shock-and-awe fashion of overall social transformation. Here the project has moved gradually, yet firmly, through continuous struggle and social resistance, even from fractions of the national economic and political elite (Robinson, 2003: 136; Hidalgo, 2003: 77-91; Rovira, 2003: 318). Consensus-making has been a difficult process here and has only been achieved around certain components of the neoliberal agenda, such as the economic, financial and trade liberalization, due to the political importance of articulating the Costa Rican economy with the world market. However, others like the privatization of state-owned enterprises or the dismantlement of the welfare state have been deprioritized and remain permanently obstructed, as these agencies continue to be veritable centers of political, economic and social power which make their privatization a very difficult endeavor (Hidalgo, 2003: 150).[2]

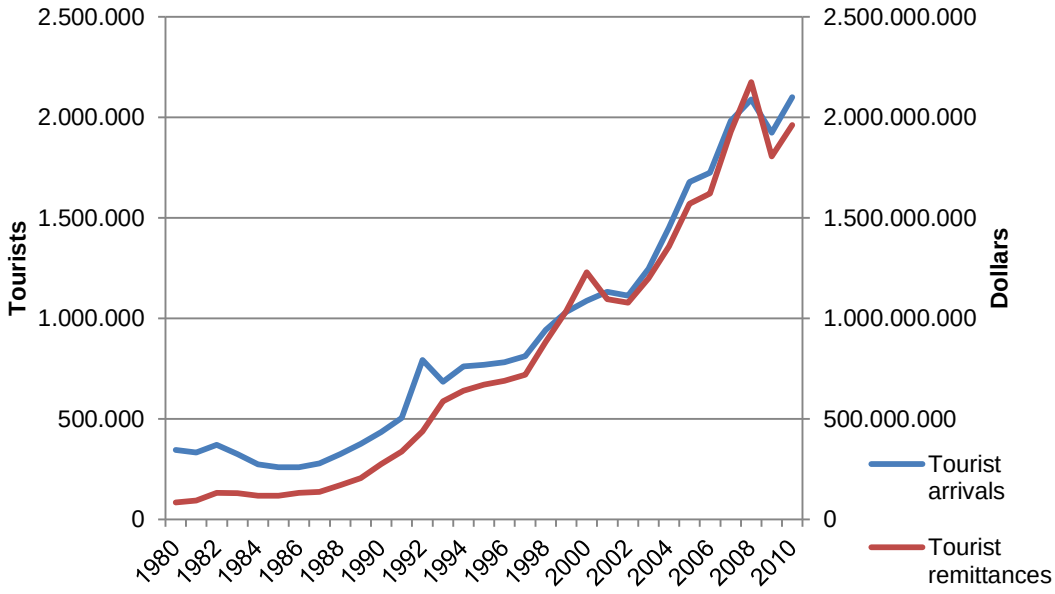
The idea of competitiveness plays a crucial role within current dominant narratives regarding the process of economic and trade liberalization in Costa Rica. The thesis of competitiveness understands that the development of a particular country depends on its capacity to attract higher levels of foreign investment or to position more profitably its exports in comparison with other countries (Porter, 1990). In other words, for a country to be competitive, it depends on its capacity to sell itself better to global capital. In this context, the state acquires a central role as the organization responsible to promote the appropriate conditions that a country requires to become attractive to investors (Robinson, 2003: 217-222). Reregulation becomes of key importance here as the state attempts to promote an agreeable investment and economic climate for production by promoting fiscal incentives, limiting trade barriers, fostering new economic activities or making its labor force more attractive and marketable by making it cheaper or educating it (Porter, 1990). This logic of competitiveness is greatly expressed in the manner in which the Costa Rican state works today.

As part of this trade liberalization agenda, the neoliberal project profiled tourism as a centerpiece of the measures that were pushed forward to diversify the exporting base and attract investment. Tourism was believed to have a great potential to raise foreign exchange earnings, gross domestic production and employment, especially in the rural areas of the country, were unemployment augmented notably (Hidalgo, 2003: 251-253; Campbell, 2002a: 39). This decision was also justified on the fact that: 1) the activity had the complete political support of the agro-industrial elite which wanted to diversify their accumulation strategy in the rural areas; 2) it was greatly fostered by international financial organizations (IFO), especially for Latin America; and 3) it had already proven to have some potential ability to create economic revenue in certain parts of the country (Robinson, 2003: 194; Ramírez, 2009; ICT, 1970: 73).

The Costa Rican state began actively promoting tourism in complete collaboration with the local private sector and the IFOs through the establishment of a series of state measures which included immigration policies, infrastructure development, deregulation measures – such as the elimination of taxes to hotels, airlines and tourists, broad incentives for investors, international public relations campaigns and the negotiation of international credits to foster the activity (Robinson, 2003: 194; Honey, 1999: 132-135; Campbell, 2002a). Over the course of the past thirty years, tourism has grown economically from being an unnoticeable activity to becoming one of Costa Rica's highest remittance-earners.

In 2010, tourism produced over 2 billion dollars in remittances which equaled to 21% of the national exports and 5% of the gross domestic product of the country (ICT, 2011: 44-45) (figure 1). Moreover, in 2007 foreign direct investment related to tourism was about 328 million dollars, constituting one of the biggest investment sectors of the country (BCCR, 2008: 8-9).

Figure 1
Tourist arrivals and tourism-related remittances in Costa Rica (1980-2010)



Source: Costa Rican Tourism Institute (ICT), 2011.

With time, Costa Rica's growth in tourism has also resulted in the opening of other new avenues of capital accumulation. Growth in tourism is often accompanied by the development of a dynamic and highly profitable real estate market in touristic destinations (Barrantes, 2010: 54; Robinson, 2003: 198-199). In Costa Rica, areas around the most important tourism resorts of the country in the Pacific shoreline of Guanacaste – where the BMNP is located – have become sites of notable real estate investment. Real estate-related FDI received by Costa Rica accounts for half of total investment and more than 60% of it has been materialized in the form of luxurious beach communities and condominium buildings along the North and Central Pacific coast of the country (BCCR, 2008: 8-9; Román, 2007: 6-7).

Tourism is not the same thing as tourism-related real estate investment, yet the former depends on the latter. There is some likeness between the two as this sort of investment tends to develop in areas which have become mature tourist destinations; this infrastructure is often built within larger touristic projects; both types of investment tend to benefit from public investment in services and promotion of touristic destinations and its effects on the making of new spatial identities of tourism spaces (Barrantes, 2010: 55-56; Honey and Krantz, 2008: 77; Hein, 2002: 70). However, both activities do not function under the same logic. The objective of real estate investment in tourism spaces is not the promotion of tourism, but the acquisition of land at comfortable prices in emergent markets (in which there are existing low land costs and a favorable legal structure) with the objective of building on this land and selling it to attain the highest level of profitability (PRISMA, 2008: 3; Cañada, 2010).

The Costa Rican state has actively promoted these efforts with the objective of obtaining remittances that may help balance deficits in the current account and promote

growth in construction and local demand (Barrantes, 2010: 54). This promotion has been done directly or indirectly through the already existing policies to promote tourist development, like the rehabilitation of regional airports, the construction of roads and other public services. But also through new rounds of neoliberal reregulation such as financial and migratory liberalization which facilitate the movement of real estate investment and favorable credit policies for the buying of land or the construction of houses and buildings (Román, 2007: 29-32).

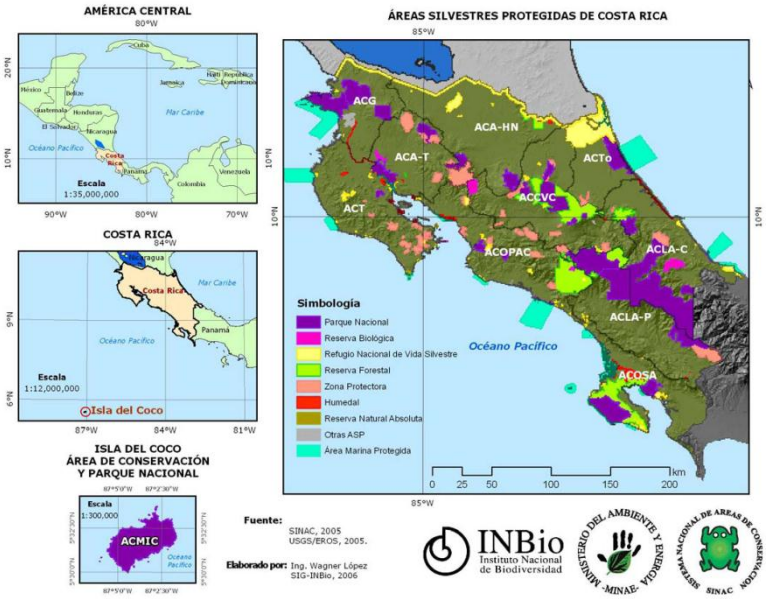
3.2. Ecotourism and protected areas in Costa Rica

Much of Costa Rica's growth in tourism has to do with its success of advertising and marketing itself as the foremost ecotourism destination in Latin America, and probably the world. The Costa Rican state has become essential in this point. Since the late 1970s, Costa Rica had recognized that it was very difficult to compete with Mexico and the Caribbean by becoming a mass tourism beach destination, like them. Similarly, the lack of noticeable and attractive colonial or indigenous legacy also impedes it to foster the idea of advertising the country as a culture destination (ICT, 1970: 81). As a result, it was quickly recognized that the possibility of positioning the country in the international touristic market depended on the commodification of the country's beautiful natural landscapes. Since the 1980s, Costa Rica has elaborated continuous and very expensive campaigns with tour agencies and tourist markets abroad[3] in order to construct the idea of a 'national product' based on offering a diverse array of leisure choices contextualized in the promise of beautiful and exotic tropical natural landscapes which still remain in their pristine and untouched form. This is greatly represented in the country's tourism promotion motto: "Costa Rica, with no artificial ingredients" (Inman, 2002: 20-21). In this way, the ecotourism strategy attempted to capitalize on the growing environmental awareness of Western tourist markets by providing an alternative to the conventional international tourism based on sun, sea, sand and sex, which by the early 1990s constituted a highly criticized economic activity due to the levels of pollution it produced and the cultural insensitive and economically disrupting effect on locals (Robinson, 2003: 199; Honey, 1999: 131-132; Mowforth and Munt, 2002: 125-155). In Costa Rica, the idea of selling nature as the key aspect of its positioning as a touristic destination has been coherent with strategies of territorialization through the establishment of a system of protected areas by the state since the 1970s (Evans, 1999: 223).

The PA system here appears as a separate project from neoliberalism, fostered by a narrative reminiscent to fortress conservation. The program was legitimated through a crisis narrative based on the perception of serious deforestation problems brought about by decades of economic development based notably on agricultural production for export purposes (Evans, 1999: 49).[4] The first conservation policies[5] that started to be implemented after the approval of the 1969 Forestry Law (#4465) determined a strict top-down approach in which the state controlled forest management through various mechanisms, but predominantly through the demarcation of biologically-justified protected areas (Campbell, 2002a: 36). These areas are administered through categories which are reflective of early conservationist thinking. For example *"national parks and biological reserves* (which account for 60% of the land under the PA system), *are strictly PAs, which exclude by definition human settlements and resource use"* (Bruggeman, 1997: 73). Although most financial and technical support for PAs comes from the state, it is undeniable the role that international cooperation has had in their creation and consolidation, which often translates in a very influential 'received wisdom' determining even day-to-day operations (Campbell, 2002b: 37; Isla, 2005: 51-53).

This law further established the National Parks Department (SPN), a state agency in charge of developing and administering all protected areas established by the state (Boza, 1993). In 1998, the SPN was converted into the National System of Conservation Areas (SINAC) a decentralized agency within the Ministry of Environment, Energy and Telecommunication (MINAET). Area managed today by this agency includes over 160 protected areas covering more than 1,3 million hectares of land, roughly 25% of the country's area (map 2).

Map 2
System of protected areas of Costa Rica



Source: Instituto Nacional de Biodiversidad (INBio); Ministerio de Ambiente, Energía y Telecomunicaciones (MINAET) and Sistema Nacional de Áreas de Conservación (SINAC), 2007

Curiously enough, the economic value of protected areas was not realized at first by the national business community, but by the national conservationists and the state, both of which had always recognized the ecotourism potential of Costa Rican wildlife as a powerful mechanism to legitimate the otherwise unpopular and contested program of setting aside land and evicting peasants with no productive end in sight (Evans, 1999: 220-221; Boza, 1993).[6] As Rodrigo Gámez – former environmental advisor to President Oscar Arias (1986-1990) has said, the goal of conservationists promoting ecotourism was *"to make the conservation idea attractive to those Costa Ricans who fear(ed) that conservation would inhibit their economic prospects"* (cited in Evans, 1999: 227) (table 2). In other words, a counter-narrative to a traditional fortress conservation approach has always been present here as a result of the existing negative political conditions faced by the PA system (Campbell, 2002a: 39-41).

However, it was until the mid-1980s that the business community began to get onboard, as possibilities flourished and Costa Rica gain international acclaim as a peaceful and natural touristic destination amidst a context of regional conflagration in Central America. It was not until the ecotourism potential of PAs became widely recognized that protected areas began to win its cherished public support. Currently, the vision that dominates political debate regarding this program relates to the manner in which to make it more profitable by potentiating their role as tourist attractions (see CINPE, 2006; Adamson, 2006). Currently, some of these protected areas already constitute tourist attractions. Various surveys made to foreign in 2008 by the Costa Rican Tourism Institute (ICT)[7] – the state agency in charge of promoting this activity – show that more than 70% of respondents came to the country with the explicit objective of engaging in some leisure

activity related with the environment (e.g.: horse-back riding, canopying, wildlife watching, etc.); and over 60% visited a national park as part of their visit to the country (ICT, 2008). This is also reflected by the fact that in 2009, national parks hosted 1,4 million tourists, more than half of them of foreign countries (PEN, 2010).

In reality, however, green ecotourism in the country is described by some as a marketing ploy, based on the promotion of a sort of 'lite ecotourism', which attempts to slightly reconcile mass tourists pursuing pleasure while being friendly with the environment (Honey, 1999: 132-135; Campbell, 2002a: 41-43; 229-233). Often, the ecotourism experience in Costa Rica is narrowed down to the enjoyment of hiking or canopying activities in the national parks while giving them the usual comforts of a more mass tourism destination, with their related negative social and environmental effects. Furthermore, some government policies have been known to be specifically directed to promote any type of FDI, including mass tourism undertakings, particularly in the coastline of North Pacific, through exclusive private concessions of usage of the publicly-owned beach areas, tax incentives and massive joint public-private investments (Honey, 1999: 135-136). Moreover, as Campbell (2002a: 42) states, the actions of green waves of eco-tourists travelling around the country's protected areas have had compounded into environmentally degrading effects on these. For example, some national parks, like Manuel Antonio (700 hectares) receive over 200 thousand tourists yearly. The BMNP (7 hectares of land area), receives more than 15 thousand tourists each year. This situation causes serious problems of degradation as issues like garbage management problems tend to arise (more about this in the next chapters).

Overall, this section has attempted to give a fairly general picture of how neoliberalization relates to the territorialization of protected areas in Costa Rica. Here a highly-contested neoliberalism has managed to re-regulate the system of protected areas as a means for the transformation of previously non-commodified animals and landscapes territorialized by conservation into touristic attractions. This process has been welcomed by local conservationists as a way of allowing conservation policies to gain political legitimacy. Furthermore, this process of commodification also serves as the material counterpart of an overall ideational construction of the country as a national brand which puts forward an idea of this country as a peaceful site for tourists to experience pristine nature in order to compete against others for their share in the tourist global market. The next chapter will show the nuances of this process as it plays out at the BMNP.

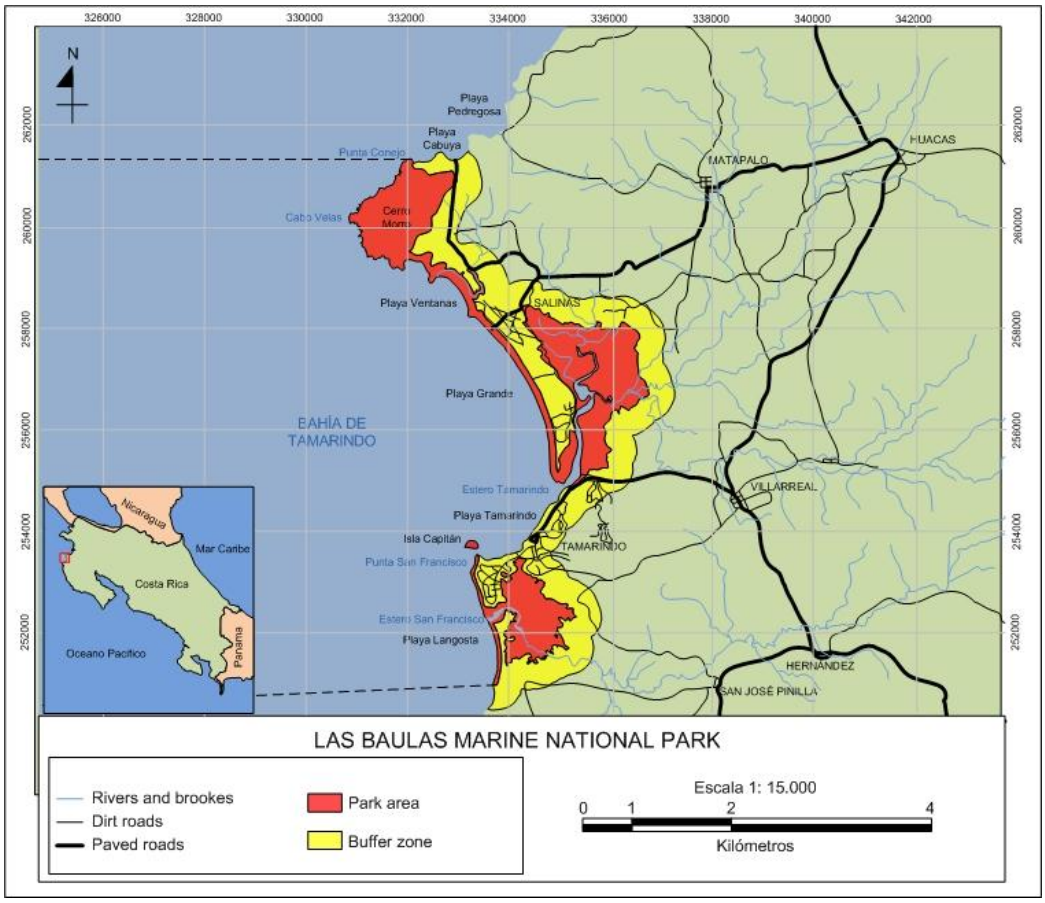
4. Neoliberalization of nature at the Tamarindo Bay area, the history of Las Baulas

4.1. The uneven geography of the BMNP

The Tamarindo Bay is a crescent-shape coastal inlet located in the province of Guanacaste, about 260 kilometers west from San José, the capital of Costa Rica and 100 kilometers south of the border with Nicaragua. The shallow and warm waters of the bay, along with the cool white sand beaches of Playa Grande and Playa Langosta serve as the most important nesting site of various species of sea turtles, particularly, the critically endangered leatherback (*demorchelys coriacea*). Dozens of these animals come between October and February, after migrating for three years to their feeding grounds near around the Galapagos Islands (Shillinger et al., 2009).

Since before the 1950s, these beaches were used by local turtle egg-harvesters and fishermen from the nearby towns of Matapalo, Villarreal and Hernández. The former developed a seasonal livelihood around the consumption and later on, selling of turtle eggs, in times in which local agriculture and cattle ranching did not constitute viable economic alternatives. Over the course of the 1980s, tourism became another very important activity in the area as thousands of foreign eco-tourists and surf aficionados became attracted to the town of Tamarindo. Tourism grew quickly in the area, displacing agriculture as the main economic activity of the people of Villarreal (Hitz, 1991: 35). Partly, the growth of tourism here became heightened by the popularity of turtle-watching tours on Playa Grande.

Map 3
Tamarindo Bay and Las Baulas Marine National Park, 2011



Source: Own construction based on data provided by the National Geographical Institute (IGN), 2011.

Concerns about the effects of egg-harvesting and of the rapid and disordered growth of tourism and real estate development in the area on the already diminishing population of leatherbacks that visited the area, incited conservationists to pressure the government for some type of protection. In 1987, the state established the Tamarindo Wildlife Refuge,[8] protecting the main turtle nesting site at Playa Grande, the Tamarindo Estuary and its wetland. This protected area was elevated to the category of national park (strict PA)[9] in 1991, adding a hilly cape north of the bay. The area was further expanded in 1995 to include Playa Langosta to the south, another large wetland in the San Francisco Estuary and a large sea area of 171 km^2, directly in front of the coastline, giving the park its current apparel, based on two territorial sectors isolated from each other by the town of Tamarindo (map 3). This protected area was an act of territorialization that allowed conservationists, biologists and the state to effectively map a boundary around the beaches in order to proscribe egg-harvesting and also to regulate local ecotourism. Tour operators

and local hotels became highly benefited as a result, as access for turtle-watching during the nesting season was allowed only if tourists were accompanied by proper tour guides.

Although this is one of the smallest territorial areas of Costa Rica's PA system, the BMNP (7,7 km^2) has had serious problems enforcing political control upon its territory. This is due to the fact that the state has not been able to buy out more than 60% of the land that constitutes the park, and which remain in private hands. This inability, and occasionally, the unwillingness of enforcing control over this land, has impeded the state to avoid owners from building houses and hotels in and around Playa Grande and Playa Langosta. Moreover, the lack of funding for patrolling the area and court-mandated restrictions in the mid-2000s, against the establishment of fences and charging booths around private lands within the park area have given the park a sense of 'seasonal existence', as park authorities seem to be only capable of enforce restrictions to enter the park areas only when turtles are nesting at the beach at night. This has hindered local conservation efforts in Playa Langosta, as conservationists and state agencies initially planned to make that area a non-touristic preservation site (M.T. Koberg, personal communication, 11 October 2011).

Historical trajectories of the relation between conservationists, businesspeople, owners, state and local communities over the land within the park have developed differently over the past twenty years. In Playa Grande, conflicts between conservationists and affluent private land owners and investors have grown during the past decade as inflows of real estate investment increased pressuring for urban growth in the area. While conservationists have been unable of integrating private land for PA management, development plans by owners have been halted, through the enforcement of a buffer zone established in 2004, leading to a situation in which conservation has frustrated urban growth and real estate market expansion, as well. Here also, local communities have succeeded in reclaiming their lost livelihoods based on the monopolization of the access to the few sea turtles that still come to the area, affecting eco-tour operators.

In Playa Langosta, private ownership of the land around the beach is distributed on two large real estate and tourism investments: Hacienda Pinilla and a transnational hotel owned by Barceló. Both operate under agreements with state agencies in order to protect the nesting site and nearby wetlands, while using them to attract tourists. Differently from the situation in Playa Grande, here private owners have appropriated the concept of the park in order to further their accumulation strategies, with full support of some conservationists and environmental state agencies. Finally, the sea is almost up for grabs, as conservationists and state agencies have been systematically unable to put in place patrolling operations. As Tamarindo branches out to sport fishing tourism and fishermen from other parts of the province use this area, it seems that here conservation efforts have been frustrated.

The uneven tendencies in these three sectors of the BMNP are a reflection of how *'actually existing neoliberalisms'* often work. For starters, there has been an active reconstruction of the exiting relations between society and nature in order to subsume them under market logics; as well as to replace other pseudo-market relations which also existed in the area (to be studied now). However, the process is overall filled with contradictions and counter-tendencies making it messy and much more complex (section 5).

4.2. Visitors, egg-harvesters and local tourism

Little is known about the precise social dynamics of the communities surrounding the BMNP before the 1960s. Existing information of the area is mostly on a rough state and

fragmented across various state institutions.[10] However there is reason to believe that, as the rest of the Northern Pacific coastline of Costa Rica, these were all somewhat secluded peripheral areas. Literature suggests a landscape based on small capitalist plantations and cattle ranches as well as peasant subsistence farms (Rodríguez, 1989; Edelman, 1992: 255). Tamarindo and Matapalo were very small farming communities, of about 300 people, each. According to the 1973 Census, people in the area worked mostly in nearby cattle ranches or agriculture (70%) and fishing and hunting (15%). Few people were involved in the small tourism sector. Locals used to work only part-time at these activities, which suggests that they also engaged in other ones. Agriculture and cattle ranching in the area tends to be seasonal, a reason why activities such as egg-harvesting acquired great social importance in order to supplement the lack of income and food when out of harvesting season (Pritchard et al., 1990: 17; Jaen, M. 2011, personal interview).

Before the 1980s, there were no settlements at Playa Grande and Playa Langosta. Aerial photographs taken by NASA[11] at the time suggest that the area of the BMNP in Playa Grande was mostly dominated by medium and small cattle ranches. There were also some rice and sorghum fields and various patches of unused land and forests (Chacón, K. 2011, personal interview). Playa Langosta was an isolated beach, due to the fact that it was only reachable at low tide, walking from the beach in Tamarindo. In 1996, Chávez et al. (1996: 185) described this place as an *"undeveloped white sand beach* (…) *bordered by beach vegetation, a thick line of brush and then secondary forest"*.

The main economic activity in Playa Grande at that time was turtle egg-harvesting. Eggs were extracted by people of the local communities to be used for their own consumption and commercialization. It is unclear which use predominated. A survey made by Pritchard et al.(1990: 17-18), suggests that more than half of the eggs collected were consumed by the harvesters' families.[12] The authors affirm that turtle eggs provided a welcomed change in usual diet and constituted an established tradition in the area, traced at least to the 1950s, according to newspaper articles. However, former egg-harvesters, said that a majority of eggs were sold than consumed (Jaén, M., 2011, personal interview). The selling of eggs here entailed a small chain of commercialization which involved harvesters and intermediaries (Pritchard et al., 1990: 18-19; Naranjo and Arauz, 1994: 124). Therefore, eggs were somewhat treated by local community members as commodities.[13]

Although eggs were commercialized, turtles themselves were not assigned an exchange value by harvesters. It must be realized at this point that differently from other species of sea turtles, leatherbacks are not often consumed for their flesh (UNEP-WCMC, 2003: 19). Certain killing of these animals for food is recorded in the Western Pacific Ocean, but there is no evidence of this happening at the Tamarindo Bay. As a result, turtles were not valued economically by the local communities because of their meat, but regarding its role in the production of eggs. Access to turtle nests was not assigned commercially, by paying for access to the turtles, but by demarcation of the beach and turtles nests there through the use of stakes. This was made following common agreements before nesting began. Typically families distributed rights to areas of the beach regarding the order in which they arrived to the area (Jaén, M., 2011, personal interview). Moreover, at that time, more than 1.500 turtles used to nest in the area (Santidrían-Tomillo, 2007: 57) which probably was more than enough to allow for the distribution of access to be done without many problems (Jaén, M., 2011, personal interview).

By the late 1980s, Playa Grande was becoming a very popular destination for foreign and national tourists. The periods of highest tourist visitation to the area have usually coincided with the nesting season of turtles, around November and February each year (Pritchard et al., 1990: 21). Unofficial estimates of tourist visitation to the area to see turtles nesting at night in the late 1980s and early 1990s, was of about 5.000 to 10.000 during the

whole nesting season (Pritchard et al., 1990: 22; Herzog and Gerrand, 1992: 7).[14] Half of the visitors were tourists that came as part of a tour from Tamarindo and Flamingo (a beach resort located 15 kilometers north). Tours were often hired for travelling through the Tamarindo Estuary during the afternoon to later engage in turtle-watching at night. There were at least two tour operators in the area organizing 4 turtle-watching tours each week. As guided visits began to intensify in the early 1990s, tour companies multiplied and began providing 7 or more tours every week (Padilla, C., 2011, personal interview). The cost of each tour provided by local companies ranged between 20-35 US dollars per person, yet companies from San José and Liberia charged more (Wilson, L., 2011, personal interview). Tourists travelling by eco-tour to the beach ranged in between 35 to 80 people, by company, each week of the nesting season (Herzog and Gerrand, 1992: 18).[15]

The other half of the visitors to the BMNP did not used tours. By law, all Costa Rican beaches are public and therefore, access to them cannot by subject to any kind of restriction, except, of course, that the beaches may be subjected to some kind of special protection, like their establishment as national parks. In the late 1980s, plenty of Costa Rican families came from San José with some regularity. They camped at the beach for some days as part of a family vacation fieldtrip (Padilla, C. 2011, personal interview). These people used to enjoy the beach during the day and then stayed around to watch turtles nest during the nights.

As tourism expanded on the beach, conflicts began to surge mainly between egg-harvesters, foreign tourists and their guides. Foreign tourists used to become annoyed by the presence of egg-harvesters and their intention to extract turtle eggs while a tour was in progress. Occasionally, annoyances tended to become brawls which hindered the tourist experience. For that reason, tour guides used to pay harvesters to move to other locations while they were on the beach (Pritchard et al., 1990: 5-6, also Wilson, L. 2011, personal interview). By the late 1980s, it was known that some companies traditionally paid egg-harvesters to keep away from the eco-tours during the nesting season, a situation which was rapidly becoming a nuisance for tour managers. Visitors without proper tour guidance also became a problem for local companies. After word by a tour guide was given of a turtle surfacing on the beach, visitors used to rush to the area to see the turtles. This irritated foreign tourists who were hoping for close contact and a fairly near experience with the animals and found themselves surrounded by a lot of people (Pritchard et al., 1990: 22; Arauz, R., 2011, personal interview).

4.3. Tourism and the territorialization of the BMNP

Since 1983, several conservationists and conservation-related scientists became interested in the leatherbacks of Tamarindo Bay. Some of them, like María Teresa Koberg, used to engage with local egg-harvesters, fostering environmental education about the effects of egg-harvesting on diminishing turtle populations. Although conservationists managed to turn some of them to their cause, efforts remained highly unsuccessful (M.T. Koberg, 2011, personal communication; Padilla, C., 2011, personal interview). In view of a critically diminishing population of turtles visiting the site, conservationists considered that the only alternative was to establish rules in order to proscribe egg-harvesting from the beach. So, efforts were made to promote the management of Playa Grande as a protected area.

With the support of Dutch cooperation, and of local eco-tour operators,[16] conservationists mustered enough political support to establish the Tamarindo Wildlife Refuge in 1987. A wildlife refuge is a less-strict category used to control, yet not necessarily to restrict other uses of resources. Moreover continuous state presence is often not required. For example, similar wildlife refuges which protect sea turtles in Costa Rica allow

for the controlled extraction of turtle eggs by harvesters, like Ostional, located 30 kilometers to the south of the BMNP (Campbell, 1998).

In 1990, conservationists argued that efforts to restrict egg-harvesting through the TWR were being highly unsuccessful and tourism and real estate development were rapidly becoming potentially unmanageable problems as well. The situation was used to legitimize the elevation of the TWR into a national park, a stricter PA category which proscribes all extractive use of natural resources. The conservation effort became financially and politically supported nationally by SINAC and the National Parks Foundation (FPN), and internationally by James Spotila and Frank Paladino, two well-known turtle biologists from Drexel University and Indiana-Purdue University (Spotila and Paladino, 2004). By 1991, the conservation effort managed to muster enough political support and funding to allow for the transformation of the TWR into Las Baulas Marine National Park. In essence the BMNP is a state-owned PA, however these foreign and national biologists and conservationists *"have ultimately secured not only resource rights, but 'state' authority to decide the rights and acceptable uses"* (Corson, 2011: 709) of natural resources at the BMNP. In effect they have determined much of their operation objectives, as well, as funding needed to manage even the most basic day-to-day operations.

The BMNP effectively territorialized the area through a *fortress conservation approach*. First, by *mapping a boundary* around the Playa Grande, and later around Playa Langosta, the sea and the wetlands, in order to keep egg-harvesters and also the few fisherman out. From the beginning, the park authorities established booths at the road which reaches Playa Grande from the north and at the side of the Estuary overlooking Tamarindo. Both booths were used to charge an entrance fee to visitors during the nesting season and to control access to the area. After 1992, visitors who entered to watch turtles nesting required to be part of an organized paid excursion, which cost, added to the entrance fee, constituted a dissuasive for most local egg-harvesters and community members (Arauz, R., 2011, personal interview). Later on, conservationists planted a large and dense row of *madero negro* (*gliricidia sepium*) around the beachfront which impedes accessing the beach from other areas different from the road, almost like a 'green' fence to control the PA's perimeter (Boza, M., 2011, personal interview; Wilson, L., 2011, personal interview).

Secondly, conservationists also defined *acceptable uses of resources* by establishing rules in order to control the activities of people who entered the area. The most notable of these was the proscription of egg-harvesting. Conservationist and scientists believed that the consumption and selling of eggs by local communities was not acceptable for the protection of sea turtles. As a matter of fact, conservationists considered it to be impossible to be managed sustainably in the long run, and that it could become an 'industry' in its own right, as it had developed from a purely local activity into a commodity chain composed by harvesters, intermediaries and markets (Pritchard et al., 1990: 16-19). Egg-harvesting was already been made illegal and punishable by up to three years in jail, except in certain beaches were it could be controlled. Therefore, what was needed here was the enforcement of those rules. This was done, first through the aforementioned restrictions and border-mapping, but also through the strengthening of patrolling activities by park rangers, conservationists and volunteers. After 1991, park rangers also got the Rural Guard (Costa Rican rural police) involved to supplement these activities by enforcing checkpoints to control vehicles leaving the park, in order to guarantee that no eggs were extracted (Pritchard et al., 1990: 19). To exercise a more thorough control and avoid people from extracting eggs or damaging nests in broad daylight, authorities also began charging for the entrance to the national park during the day as well (Boza, M., 2011, personal interview). Park rangers also enacted a direct supervision of all tourist activities in the area.

These rules not only 'evicted' locals, but unguided visitors who enter the beaches freely before the BMNP was established, as they were also framed as potential threats to the leatherbacks. As conservationists (Padilla, C., 2011, personal interview; Arauz, R., 2011, personal interview) have said, this people used to drive their vehicles into the beach illuminating the beaches in order to look for incoming turtles. Others used to cut down vegetation in the area to light fires and disposed of their wastes inappropriately. These behaviors often scared the turtles at the beach and interrupted the nesting period, and therefore needed to be stopped.

Finally, the establishment of the BMNP also entailed the *allocation of rights over territories to private actors* in order to influence and muster co-control by these. Although fairly critical of unguided tourists, conservationists considered that guided eco-tourists had been positive for the park. Ecotourism is considered by them as an excellent alternative to combine development with conservation, first because ecotourism *"generates an economic incentive for conservation"* (Pritchard et al., 1990: 5), allowing for new economic activities which could provide a compensatory income to surrounding areas in exchange of the territorialization of the park. In other words, it constitutes a way through which nature can be saved because of its 'market value'. Secondly, tourists are seen here as potential saviors of nature. The conservationists believe that properly guided eco-tourists in the BMNP could be educated and motivated through their experiences with leatherback turtles in order to inculcate them into values of conservation.

> *"Turtle-watching is essentially a benign activity. Its sole presence drives away egg-poachers and collectors while giving participants an experience that they will never forget. An unpredictable proportion of such participants may become so moved as to become in ambassadors and activists of the conservation of turtles – a growing group of citizens aiding the cause."* (Pritchard et al., 1990: 21)

Through this logic, conservationists identified eco-tourists and eco-tour operators as potential private actors that could be helpful in exercising co-control over the land being territorialized. Therefore the park was established under the notion of removing access rights from egg-harvesters, to reallocate it, partly, in favor of this group of people. As the Park Management Plan states regarding access to the beach during the nesting season:

> *"The access to the beach after sundown will be restricted to those people taking part of an organized excursion (excepting those who do scientific research or those who own and live on lands on the beachfront, and whose lands have not been acquired for the park)* (Pritchard et al., 1990: 22).

The nature of the allocation of access rights reflects the manner in which territorialization of this park has become a facilitating device for the neoliberalization of leatherback turtles at the Tamarindo Bay, through tourism commodification. Although there was some kind of commodification of the eggs and the reproductive process before, with the creation of the park, new rules were established which led to the opening, deepening and expansion of new avenues of capitalist accumulation based on the economic value of the turtles, their eggs and the process of nesting as a tourist experience. This situation replaced existing social valuations of turtle eggs as an important part of the local diet, a commercialized good linked to local livelihoods and as an act of nature, freely observable by local and national visitors.

With this claim, this paper is not stating that the national park was an inherently neoliberal project. On the contrary, the dominant objective for conservationists was to protect and to conserve the turtles mainly from activities such as egg-harvesting and real estate development, which were believed to be extremely harmful. However, to politically legitimize their project before various social groups whose livelihoods were intrinsically

related to the biological processes happening in this area (e.g.: tourist companies, beachfront property owners and local communities) required conservationist to not limit the prospects of future development of the Tamarindo Bay.

As a result, through a process of territorialization, conservationists directly engaged in the fostering of a business climate for ecotourism. On one side, they recognized on the need of promoting certain integral conservation-development planning through ecotourism that went beyond promoting the BMNP as a wildlife experience (Pritchard, 1990: 5-6). For example, the 1990 Feasibility Report for the Establishment of the Park and the 1991 Management Plan territorialized a vision of the beaches, towns and land use of the Tamarindo Bay which placed Playa Grande as a wildlife destination and Tamarindo as an enclave for future tourist expansion of hotels to provide much needed quality comforts for tourists. As a result, Tamarindo was consciously not delimited as part of the park, nor restrictions were demanded on its development.

Furthermore, conservationists also engaged in constructing and promoting sea turtles as tourist attractions and circulating values. In a survey made in 1992, a great deal of tourists interviewed at the beach said that they were drawn to the BMNP after watching TV documentaries of Costa Rica in which turtles appeared nesting and in which camera angles gave them a sense of being up close and personal with these animals, making them want to live this experience themselves. Almost all stated that they expected to see the adult turtles from a distance and watch the nesting sequence at close range (Herzog and Gerrand, 1992: 15-16). Conservationists anticipated on the possibility that turtles offered as a powerful differentiating attraction of Tamarindo and Playa Grande from other beach destinations, as Pritchard (1990: 7) says:

> *"There is no creature in the world (*leatherback turtles) *of such dimensions to which one may get close, to less than a meter or two, and that allows one to remain by their side for an hour or more in order to intimately observe the crucial aspects of their behavior, without running the risk of being harmed, either for the turtle or the observer. Also they are so abundant, that can be easily observed since October to March, at any night, to the point that every small group of turtle-watchers, accompanied by a properly trained guide to inform them, can have their own turtle to watch. Other species of the park, from crocodiles to alligators and birds, will attract audiences of specialists in different degrees, and the beautiful beaches of the park will constitute a valuable resource for all types of tourists. However, it will be the leatherback turtles which would make this park inimitable."*

For that, conservationists believed that the BMNP had to offer appropriate conditions for the peaceful observation and interaction of tourists with turtles. This entailed the instituting of clear rules proscribing egg-harvesters and unguided visitors, in order to control the manner in which people accessed and used the beaches. This situation suited local tour companies which found these restrictions favorable (Hitz, 1991: 35), due to the fact that virtually made them the only means of entering the park for turtle-watching. This situation fostered a more intense commodification of turtles by tour companies which multiplied in the area going from 2 before the park was created to 7 by 1992, without counting stand-alone tour guides (Herzog and Gerrand, 1992: 18).[17] Tours and tourists in the area multiplied as well to a point in which companies offered 7 tours a week with attendance of 10-20 tourists each. Considering price costs and these access restrictions, turtle-watching became a costly activity priced in around 35 US dollars in 1992.

The establishment of the BMNP was oriented to the protection of the population of leatherback turtles which nested there. However, in effect it also constituted a mechanism which allowed for the neoliberalization of sea turtles, due to the fact that it effectively substituted the existing forms of partially-extractive economic valuation of the eggs of sea

turtles by local egg-harvesters and other social uses of these animals by visitors, in favor of the intense commodification of these, their eggs and the reproductive process in itself by tour companies. The territorialization of the park allowed for *"wildlife and landscapes* (to be) *produced, reproduced and redesigned as tourist attractions* (and) *in the process* (were) *commodified and drawn into the global tourism marketplace as products to be consumed"* (Duffy and Moore, 2010: 746); also allowing the opening of new and more profitable ways to accumulate from these animals.

4.4. Fundraising and neoliberalism

This process of commodification of non-consumed sea turtles and eggs has been widened as well, through activities of conservationists and conservation scientists themselves. This has been done in two ways: by their direct engagement in ecotourism; and by transforming images of these animals into circulating values for fundraising campaigns (Garland, 2007). Since 1997, biological research and conservation projects of the University of Drexel at the BMNP served as a counterpart in the promotion of a volunteer tourism program related to leatherback conservation. This program continues today, administered jointly by Earthwatch, a large international NGO specialized in these types of programs and The Leatherback Trust (TLT), an NGO, formed in 2002, which unites most of the main key conservationist figures of the area, as well as various renowned herpetologists and biologists.[18]

Volunteer tourism (or 'voluntourism') is a growing new trend which is based on the *"idea that individual's holiday choices can be used to 'deliver' anything from wildlife conservation to economic development"* (Brockington et al., 2008: 143). It depends on the capacity to channel and commodify ethical and social concerns and preoccupation of people into profitable activities (Mowforth and Munt, 2002: 125-155). Much like ecotourism, instead of engaging in collective and organized form of action to address social problems, voluntourism depends on the consumptive action of the individual (Duffy, 2002). Whether this may be a useful means to resolve these social problems is something that remains to be seen as criticisms and appraisals have risen as well (Duffy, 2002: 64-70; Campbell, 2007), further study is needed.

This program seeks to involve volunteers in activities destined to *"save leatherback sea turtles from extinction"* (Earthwatch, 2011). Advertisement promises volunteer-tourists direct contact with these animals during the nesting period through conservation-related activities, such as monitoring and measuring turtles. Out-of-season activities involve moving eggs from nests to hatcheries at the TLT Biological Station and protecting hatchlings as they crawl to sea. The program also promises the volunteer enough free time to recreate in beach activities at Playa Grande and Tamarindo. The program asks volunteers to cancel a minimum of 2.800 dollars per person for a period of 9 weeks, of which only 58% covers for travel and food expenses (Earthwatch, 2011). The rest is distributed as grants for research or other activities between both Eathwatch and the TLT.

Concomitantly, conservationists have made efforts to raise funds to finance their operations. Between 1990 and 2004, total money collected was more than 4.000.000 dollars which came mainly from Earthwatch, National Geographic Society, World Wildlife Fund, Guiness Ltd., and U.S. Marine Fisheries Service. These funds have been used to finance research, build park infrastructure and buying the highly-valued beachfront land for the delayed expropriation process of the park (Spotila and Paladino, 2004).

As Garland (2008: 63) recognizes, capitalist value-production of nature by conservationists is not based on the material extraction, consumption and exploitation done of natural resources, on the contrary, it *"relies heavily upon ideological mediation to add value*

to the initial capital that these animals represent". In other words, instead of exploiting sea turtles because of their eggs, conservationists do so reflecting on their symbolic value in ways that have little to do with how these are used materially. Images and symbols of nature under conservation gradually attain a crucial importance here as they, and not necessarily the actually existing turtles, become the currency by which conservationist are capable of obtaining funding for financing development (Igoe et al., 2010: 494-498). An spectacular struggle for the protection of nature or the image of sea turtles 'crying'[19] while giving birth, rapidly become very potent sources of symbolic value which can become *"capital with potential to circulate and generate further value at the global level"* (Garland, 2008: 52), in complete abstraction of the underlying assets behind it, almost as 'derivatives of nature' (Büscher, 2010).

Fundraising activities here are based on a notable commodification of the leatherbacks in new ways, such as using their image on coffee mugs and brands, shirts, caps and bags. A highly profitable device was National Geographic's Great Turtle Race. In 2004, this NGO tagged 14 different turtles with GPS devises in order to follow their movement in real time as they made way to the Galapagos Islands after nesting in Costa Rica. To finance the project, promotional rights to each turtle were sold to transnational corporations and businesses, which used their merchandise to publicize the race. Moreover, the race was covered from beginning to end by the National Geographic Channel, and some booking agencies even managed to run bets on the final standing.

5. Obstacles of neoliberalization at Las Baulas

The territorialization of the BMNP has facilitated an intense commodification of sea turtles in this park. This process has taken various forms, from the most traditional ecotourism transformation of these animals into tourist attractions to the use of their images and key components of their biological processes as circulating values for accumulation. However, this process has not happened without resistances or contradictions. On one side, communal resistances to restrictions entailed by territorialization gradually began to generate problems and conflicts to conservationists and tour companies. The outcome of these resistances, even though has deepened neoliberalization, has also somewhat frustrated the complete reconfiguring of sea turtles into market logics. On the other side, tourism-related real estate development has gradually frustrated many conservation efforts at the BMNP. This has opened ground for struggles and new forms of territorialization which in turn have tended to frustrate urban growth on one part of the park and to promote its appropriation by private capital on the other. This section explores this process.

5.1. Egg-harvesting to turtle-watching

The establishment of the BMNP in 1991 not only provoked a breakdown in the livelihood of local communities, but an important transformation in the way in which they related to nature on an everyday basis, as people from the community used to travel there also to walk on the beach, to observe the turtles nest and for other social activities beyond egg-harvesting. The establishment of restrictions to access and use the beach in this way caused the appearance of conflicts and tensions with conservationists and state administrators. These tensions were reflected in different confrontations. In 1992, the Communal Association of Matapalo (ACM) called for meetings with SINAC,[20] to demonstrate their discontent with the park and to consider alternatives for the community. These talks were

unfruitful and resulted in the occupation of the park by the locals (M.T. Koberg, 2011, personal communication).

This situation revealed the notable lack of political support of the park, and constituted a threat for its legitimacy. This forced conservationists and communities to plan for alternatives to the problem. The Gran Chorotega Foundation (FGC),[21] a provincial NGO, dedicated to the preservation of local culture and biological resources of Guanacaste proposed the integration of people from the various communities around the BMNP with eco-touring there. A training program[22] was put in place with the mediation of members of all sides[23] and the first local guides began working at the end of the nesting season in January 1993 (Naranjo and Arauz, 1994; UNDP, 2007: 11-13). Tensions have continued as local guides were not gladly received by the park's state administrators (Campbell, 2002b: 314-317; Naranjo and Arauz, 1994), which has force them to organize themselves in local organizations: Association for the Protection of Marine Resources and Wildlife (APROTORBA) in 1994 (representing Matapaleans), and the Tamarindo Tourist Guides Association (AGTT) (representing the other communities) in 1996. Both organizations have served to fight for the recognition and accreditation of local guides by the Ministry of Environment and SINAC.

New tensions have appeared between local guides and private tour operators, even though some began using the local guides (Campbell, 2002b: 314-317). Local guides feel that the benefits from ecotourism need to the previous loss of livelihood and that the BMNP should promote communal development. Local guide organizations do not function as private companies. On the contrary, these have been organized as cooperatives, by which the members reserve a percentage of their total earnings to be reinvested in the benefit of local communities.[24] Consequently, both communal organizations pressured for regulations which may allow them to attain greater control over the access to sea turtles. In 2006, after long struggles with park administrators and with support of TLT, local guide organizations managed to guarantee a fragile arrangement[25] by which state authorities recognized them as the only authorized guides inside the park (García, 2007: 99). [26] Currently, private operators are obliged to hire local guides to develop their tours (Padilla, C., 2011, personal interview; Jaén, L. 2011, personal interview) and communities are somewhat involve in other planning activities of the park regarding ecotourism and environmental education (García, 2007: 99).

These agreements between local community members and conservationists do not question or impede the continuous commodification of sea turtles in the area; on the contrary, it deepens it by involving local communities which not necessarily engaged in these practices before. However, by gaining control over the commodification of these animals, these agreements have allowed communities to somewhat frustrate attempts by eco-tour operators to completely subsume turtles into market logic. Therefore, even if the BMNP was based on a fortress conservation narrative which supplanted communal egg-harvester with eco-tourists; community based alternatives have opened some ground to construct sea turtles as a community-owned resource and a means to develop a more cooperative way of fostering local development. As Corson (2011: 708) says: *"ultimately, the boundaries and rights created through territorialization processes both establish and produce terrains of struggle – i.e. the material and ideological terms over which natural resource conflicts are fought".*

5.2. Territorialization and frustrated urban growth

Territorialization has historically happened with different objectives in mind as a result of continuous contestation between agents involved. As Sikor and Lund (2009: 14) say, *"by making and enforcing boundaries (…) different socio-political institutions invoke a territorial dimension to*

their claim of authority and jurisdiction". These claims may also reflect also different social interests as with neoliberalization 'state' practices of territorialization go beyond than just being engaged by state agencies (Igoe and Brockington, 2007: 439; Corson, 2011: 709). This is reflected in recent struggles between conservationists and land owners of the BMNP and on the efforts of both to re-territorialize suiting their political ends.

Most scientists agree on several negative effects of urban and real estate development on sea turtles (Perry et al., 2008; Brock et al., 2009; Witherington et al., 2011; Derraik, 2002).[27] However, there are debates on the degree of the impact that settlements have on nesting beaches and, related to this, on the measures that need to be put in place to counter these effects. For some, impacts can be controlled so that nesting beaches may share space with areas of high urban growth (Landry and Taggart, 2010; Bourgeois et al., 2009; Perry et al., 2008; Salmon, 2005). In these cases, scientists recommend making use of species-oriented conservation measures which have little impact on private properties nearby (Bourgeois et al., 2009: 91-92; UNEP-WCMC, 2003: 38-45), such as the use of provisional fences to protect turtle nests, the mandatory use of light filters and exterior red lights to reduce impact of lighting, protection nets around gardens facing the beach, restrictions regarding new vegetation on the area, etc. Other scientists are more radical in their recommendations. They recognize that human settlements, by destroying vegetation inland and affecting coastal groundwater resources and nearby wetlands, may constitute a great threat to the fragile beach and dune ecosystem used by turtles (Schlacher et al., 2008; Spotila et al., 1994; CCT, 2004). Experts on this trend argue that protection levels should be more restrictive including the eviction of local property owners and that delimitation of protected areas. Of course, both management alternatives are based on a continuum in which boundaries are not that clear and in which both activities may even coexist. However, the importance here is to explore the manner in which these measures may reflect processes of territorialization in view of political interests behind conservation.

The BMNP was established by conservationists as a more area-oriented approach on sea turtle conservation though species conservation also exists. In Costa Rica, the category of national park refers to very strict PAs which exclude all other types of land uses different from conservation. The establishment of national parks requires land to be conserved to be put under control of the state. Although forced eviction has been a mechanism used by the Costa Rican state for PA establishment, the state is obligated to buy (expropriate) landowners if they offer legitimate proof of ownership. Expropriation is a long and tedious legal process, involving legal confrontations between state and owners, until a settlement price is reached (Campbell, 2002a: 38; Honey, 1999: 142-144). To avoid lands to be degraded or developed during this process, the state can establish certain types of use restrictions on owners.

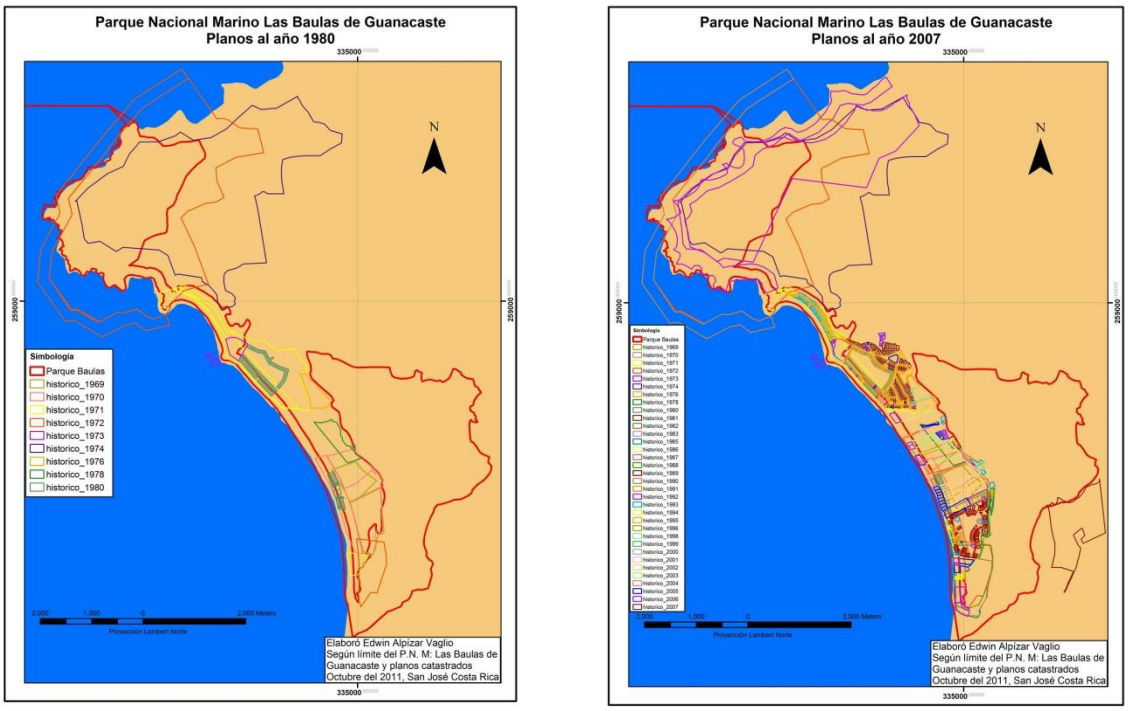
The beaches of the Tamarindo Bay were not owned by the state and were already subjected to some type of real estate pressure before the creation of the BMNP.[28] By 1989, the beachfront, including areas which are now part of the national park, was shared with two urbanizations, and other were under way (Hitz, 1991: 22-28; Honey, 1999: 165-166; Padilla, C., 2011, personal interview). Some construction and fractioning of land plots for construction continues to happen here, even within the protected area. But the area remains mostly underdeveloped due to lack of legal security caused by the ongoing expropriation process (see map 4).

Playa Langosta on the other hand was a highly isolated beach until the early 1990s, due to the lack of good roads leading to this area (Hitz, 1991: 30-35; Chavez et al., 1993: 185). Growth in the northern area of the beach happened quickly after its addition to the BMNP in 1995. However, different from Playa Grande, ownership here is much more concentrated between a Barceló hotel at the San Francisco River estuary and a large 1.800-

hectares real estate and beach resort development owned by a company of Salvadorian, Costa Rican and American capital called Hacienda Pinilla, which covers 3 miles of coastline from the estuary and including the area around the wetland.

Map 4
Land fractioning and ownership dynamics in Playa Grande (1980 and 2007)

1980 **2007**

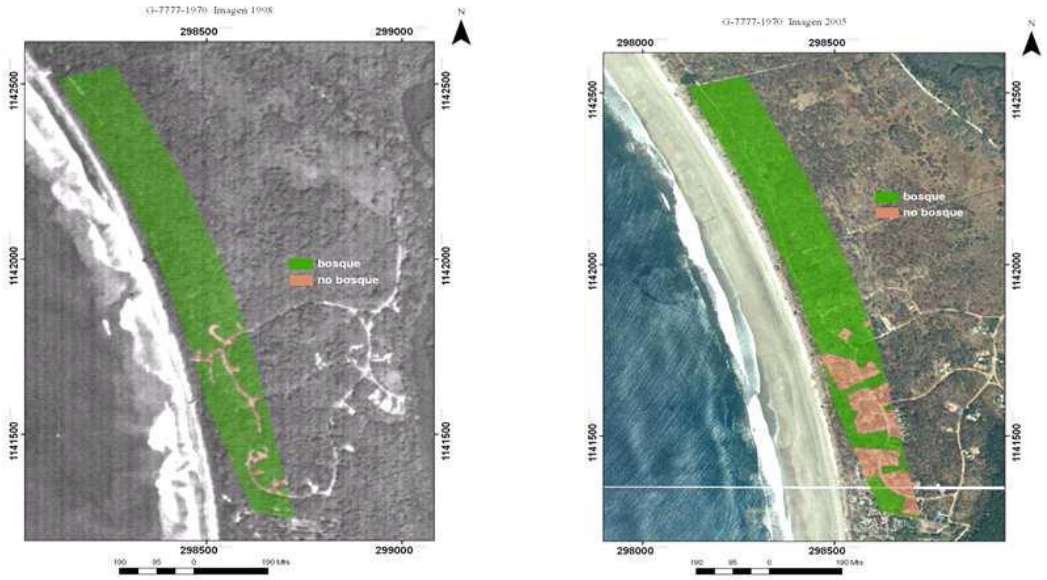


Source: Bosques Nuestros, 2007

Negative opinions abound on the effect of real estate development. Some argue that this growth has been destroying even the central factors on which Tamarindo Bay was originally promoted as a tourist destination (Barrantes, 2010: 62-63; Picon and Baltodano, 2008; Morales, 2011; Ramírez, 2007). Real estate pressures and building in Tamarindo, Playa Grande and Playa Langosta have been causing growing problems for the BMNP. Problems of overexploitation and pollution of the local groundwater aquifer have caused their salinization causing imbalances for the wetland and the beaches (Losilla y Agudelo, 2002). Concerns also rise as shore waters are becoming increasingly polluted causing preoccupation of the effect of debris on sea turtles (Boza, M., 2011, personal interview). Similarly the entire bay is used for sport fishing which has not been properly controlled (CCT, 2004: 17-18). This situation is furthered heightened by the fact that local park rangers do not have even a boat to actually enforce protection at sea (CGR, 2010: 40; Mendez, M., 2011, personal interview). The lack of control of this is only heightened by the fact that the state has troubles exercising a stronger control of the borders of the park which is reflected by the fact that in the past ten years, forested areas in the coasts have been systematically degraded by nearby constructions (see figure 2, next page) (CGR, 2010: 38-44).

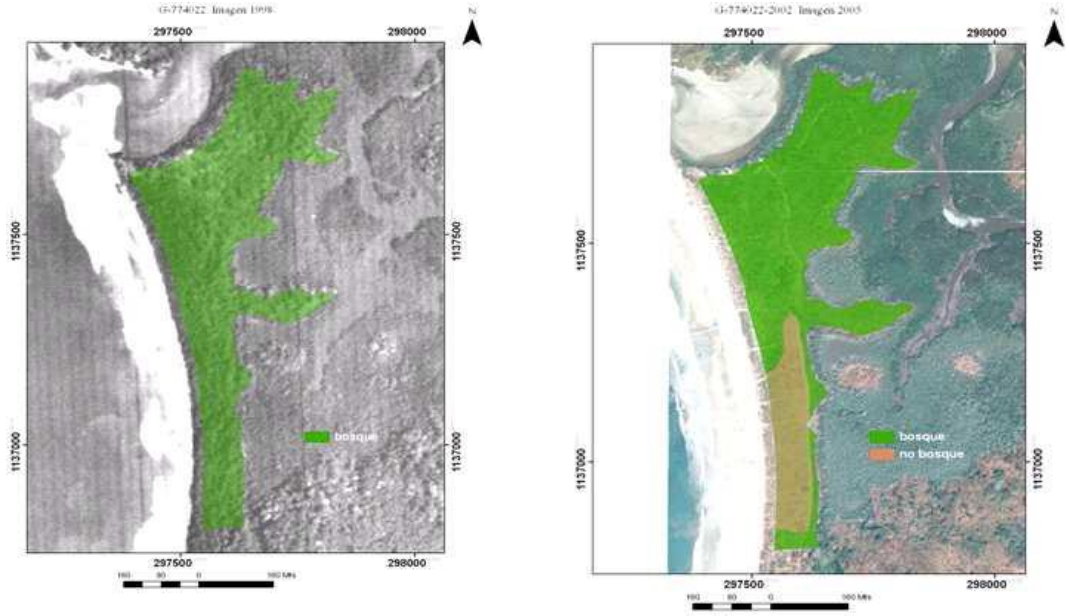
Figure 2
Degradation of the forests of the BMNP (1998 and 2005)
Playa Grande, southern sector

1998 **2005**



Playa Langosta

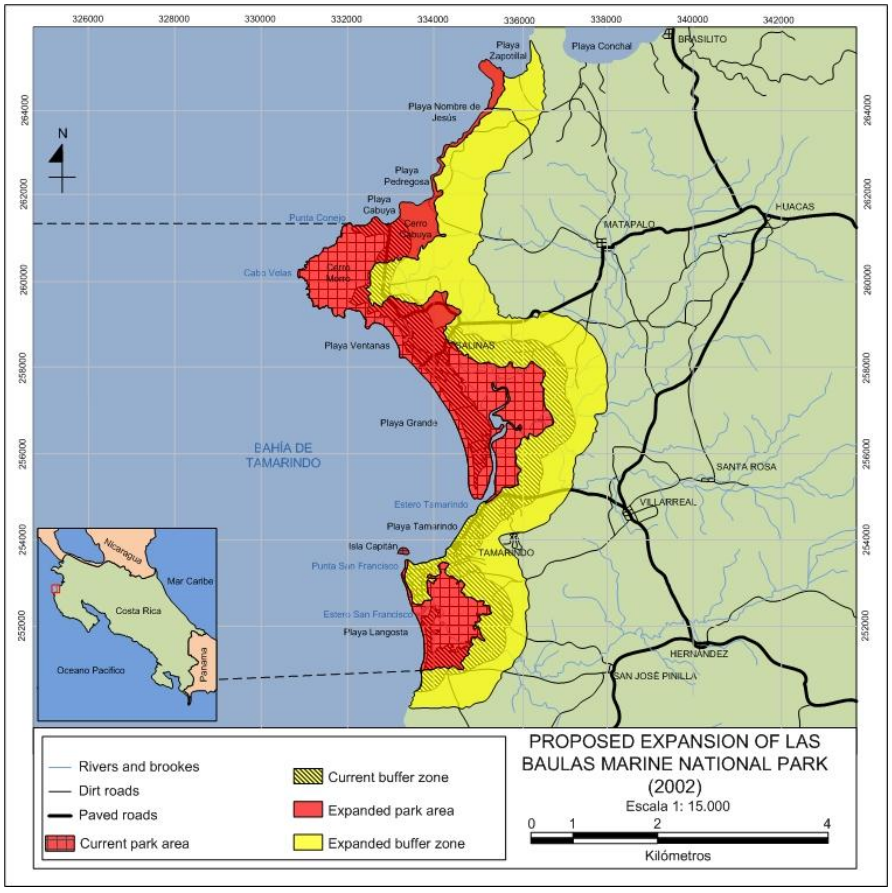
1998 **2005**



Source: Comptroller General Office (CGR, 2010: 42-43); with photographs of the IGN of 1998 and 2005 and interpretation of the National Program for Regularization of Public and Land Records.

The BMNP was established with the objective to halt real estate development at the beachfront, though allowing it to continue inland. This feature has caused an important conflict for the BMNP, as expropriation has taken many years to begin[29] and land prices have risen to a point of being unattainable, due to land speculation. This frustrates some of the conservation effort since total land to be expropriated equals 75% of the terrestrial area of the park (SINAC, 2007; CGR, 2010). Even in this situation, these problems have been interpreted by conservationists as the need to widen the area of the park in order to territorialize a more strict control over lands outside of its borders. This has been attempted in two occasions, first, in 2002, through the elaboration of a law bill which seek to expand the boundaries of the park by moving the existing border 500 meters inland around Playa Grande and also to the north, covering other nesting beaches. This proposal included as well a 1 kilometer wide buffer zone destined to regulate the intensity of real estate development in the area (map 5).

Map 5
Project of expansion of Las Baulas Marine National Park (2002)



Source: Own construction with data provided by the Tropical Science Center, 2002.

Simply put, this project entailed the territorialization through protected area management of all land privately owned around the park and the establishment of control mechanisms in order to directly halt any real-estate use of land behind of the beachfront area. Although a very ambitious project, it lacked the political support of political parties at the Legislative Assembly, and even from MINAET and SINAC themselves, which argued that the expansion could not be possibly financed by the state, and was not politically viable in view of the growth of tourism in the area (Sánchez, M., 2011, personal interview; Mendez, M., 2011, personal interview).

In 2004, conservationist re-approached the situation by establishing a 500-meter wide buffer zone around the existing park in 2004 (map 3, p. 16 of this document, CCT: 2004: 80-82). The objective was the same as before, to control real estate use of land in the area, but, by using the National Technical Environmental Secretary (SETENA, agency in charge of evaluating environmental impacts of new constructions)[30] to enact some control of what was going to be built, particularly around Playa Grande. The application of this buffer zone in reality has been very complicated as many state agencies do not take it into account for giving building permits near the park, such as the local government, there are notable lacks of coordination between planning authorities and centralized environmental control of urban growth in these areas is very weak (CGR, 2003; Astorga, 2006). However, recently, this tool gained some strength, as conservationists managed to convince the Constitutional Court (resolution 18529-2008) to resolve in favor of halting all new building permits in the area until agencies involved in land planning coordinate and elaborate regulations to attend possible environmental impacts of urban growth with regards to sea turtles.[31]

The BMNP constituted a form of territorialization which tended to facilitate the neoliberalization of sea turtles in the area through ecotourism. However, as this activity has grown and others related have appeared and developed as well, previously established territorialization through PA management was rapidly becoming a problem. Processes of expropriation and conservation planning of highly-valued areas within the park and recent restrictions due to extended territorialization through the BMNP's buffer zone, have ended up frustrating new rounds of accumulation in the area based on real estate investment. This has opened new pathways for neoliberalization.

5.3. New pathways for neoliberalization

Frustrated attempts of urban growth for affluent real-estate development due to growing restrictions related to the BMNP have forced property owners to lobby for a reconfiguring of the park in order to make it suit their needs. Property owners are a largely heterogeneous group[32], yet it seems that the common factor that links this group is that they are all affluent foreigners and nationals which want to impede the expropriation of their lands. Some of them are highly influential people in national politics, including former ministers of government, large private banks, national companies or even, transnational tourist and real estate conglomerates. As said, the land around Playa Langosta, is mostly owned by a transnational hotel and a large real-estate and tourism resort project. Both companies have been important contributors of the official party during the last two administrations and are also important players in the national tourism sector (Robles, 2011, 2009: 112-114). It is difficult to know precisely what is the exact degree of influence of these groups, however, it is feasible to think that it is notable, as they have managed to muster the political support of the Executive Power around several of their initiatives including law bills and political commissions to reduce the size and category of the BMNP. State officials interviewed recognized that this group is known to be highly influential over the decision-making process of the state (Mendez, M., 2011, personal interview; Sanchez, M., 2011, personal interview).

In other words, this group has actively attempted to adjust the territorialization of this protected area in order to make it coherent with processes of accumulation related to real-estate development. This reconfiguring is reflective of a new round of neoliberalization related with attaining a political fix which may serve to bypass obstacles and resistances which have recently clustered around rising criticisms on the environmental performance of neoliberal capitalism in this country, particularly evident in recent water and biodiversity-related conflicts in Guanacaste (Vargas, 2003: 287-292; Ramírez, 2007, 2009).

Recently, in 2008, with the support of the Executive Power, the owners of land in Playa Grande managed to send a bill to Congress in order to return the BMNP to being a mixed wildlife refuge. This type of PA, allows administration to be shared between property owners of land and SINAC, allowing the former to integrate other uses of land such as touristic residences, recreational facilities, tourist and real estate development and other public works inside of the protected area. Although the project counted with support of the Executive Power and the official party in the Legislative Assembly, it was negatively received by the opposition, environmentalists and other social organizations, besides being pounded on by several news-media organizations of the country, considering it the beginning of the neoliberalization of the national park system.

In Playa Langosta, owners have managed to enact a more subtle and effective strategy to manage the situation. Considering that the park area that they own consists of a small part of their total operation and that both control the only roads accessing this sector, Barceló and Hacienda Pinilla have endeavored in efforts to actually appropriate the conservation effort. According to the master plan of Hacienda Pinilla, this project attempts to build a luxurious gated community composed of multiple beach residences and condominium buildings, a golf course and two large beach hotels. The master plan also states the objective of using the area around the park as a private protected area which allows the owners to publicize the project as sustainable, while offering a chance for tourists visiting the Marriot or the Barceló hotels to enjoy of the natural landscape of the beach in an almost secluded way (Hacienda Pinilla, 2011). This project is ongoing and has some support of the state authorities of the BMNP and SINAC which allows them to administer this area of the park in exchange of allowing access to state biologists for research purposes (Mendez, M., 2011, personal interview).

Success of owners in Playa Langosta has also to do with the fact that this was a largely isolated beach which did not presented an embedded traditional economy related to communal egg-harvesting, and was not subjected to considerable surveillance by conservationists. This has made the overall process of state territorialization in this area far weaker here than in Playa Grande.

6. Conclusions

This paper has described the complex process of territorialization of Las Baulas Marine National Park. In so doing, it has presented how this area was mapped through the definition of boundaries and regulated through the establishment of new rules which determine the appropriate manner in which sea turtles there should be accessed and the allocation of rights over them. In so doing, the paper described how this process entailed the virtual eviction of local communities which historically harvested turtle eggs in the area, as well as the later enclosure of it, in order to give way for ecotourism.

In effect, the process of territorialization here has facilitated the neoliberalization of nature, as both measures have been essential for the redesigning and production of the landscape and the sea turtles, their eggs and the nesting process in the Tamarindo Bay, as tourist attractions in order to be put forth as products ready to be consumed at the global tourist market (Duffy and Moore, 2010: 746). This, in turn, can be framed on a wider process of neoliberalization in Costa Rica. This process is oriented on the ideological construction of the country as a product brand which offers a peaceful and natural touristic destination. Protected areas, such as the BMNP, are actively used as material counterparts to this ideational construction in order to facilitate this process of economic re-articulation, upon which much of the political legitimacy of neoliberalism depends.

It is not said here, however, that protected areas and ecotourism are inherently neoliberal, yet it is possible to affirm that in this case both have been drivers of the rapid expansion and deepening of that process. More than that, the fostering of tourism has caused a ripple effect by which the leatherback turtles of Tamarindo Bay become consumed without ever seeing them, through caps, cups, statues, souvenirs, or the use of their name and image on the signs of local restaurants and hotels. In other words, although tourism is just one way nature becomes neoliberalized, it certainly constitutes a facilitator for new and creative avenues of capital accumulation from nature.

However, it is not feasible to speak hastily about the neoliberalization of protected area territorialization at Las Baulas Marine National Park. An interesting aspect here is the manner in which the demarcation of *"boundaries and rights created through territorialization process* (has) *both establish*(ed) *and reproduce*(ed) *the terrains of struggle"* (Corson, 2011: 708) and of resistance to both territorialization and neoliberalization. This is reflected in the manner in which the same efforts of territorialize conservation have resulted in the frustration of new rounds of neoliberalization and capital accumulation in Playa Grande. Further exemplified by the manner in which communities have been integrated into ecotourism to a point in which these hold some control over natural resources in order to benefit part of that collective, to the point of somewhat frustrating activities of eco-tour operators in the area. However, this is much more evident regarding the ability of conservationists to frustrate the building of affluent communities by real estate investors. In Playa Langosta, geographical isolation, the absence of stronger efforts of conservation and of deeply embedded egg-harvesting by communities; as well as the large size of the real estate development projects, certainly reflects on the effectiveness of the strategy to manage territorialization by appropriation.

Overall, the case of the BMNP illustrates the manner in which neoliberalization, first, is forced to adapt to existing social contexts which precedes it and, second, the way in which this adaptation comes accompanied by new contradictions, which impede us from seeing this process as a global, coherent and pervasive. In this respect, Duffy and Moore (2010) speak about neoliberalism by recognizing its *palimpsest effect*, in that it defines new values and uses of nature which are compatible with international markets, but without necessarily displacing the ways in which nature has been valued, used and possessed before.

Notes

[1] According to Laws et al. (2003: 298), interviews should not extend for more than one and a half hours in order to avoid wearing out the informants. On certain occasions, interviewees were visited twice in order to get a deeper account to their knowledge; others were not uncomfortable about talking for various hours straight.

[2] Although some state-owned enterprises were privatized in the 1980s, further attempts to continue this process have been systematically opposed by left-leaning political parties and in some cases, these have been arduously contested in the streets through direct opposition by organizations of the civil society. Currently, the state owns various enterprises which allow it to have a great deal of control over the healthcare, telecommunications insurance, banking and financial service markets, as well as a complete monopoly over the provision of water and electricity services.

[3] During my stay at The Hague, I managed to attend one large tourism fair in which travel agencies and tourism institutes from various countries across the world came to publicize their 'product' to European tourists and travel companies. Costa Rica bolstered one of the largest and more developed stands with regards to other Latin American countries, mainly featuring posters and TV images of waterfalls, volcanoes, empty beaches and the most characteristic wildlife of the country.

[4] Since the 1940s, forest coverage in this country had diminished in about 65%, replacing forests with a landscape composed of agricultural plantations and cattle pastures (Evans, 1999: 49; Bruggemann, 1997).

[5] The state had already established some protected areas before the 1970s. However, most of these efforts lacked actual enforcement or monitoring and were mostly isolated policies (Evans, 1999: 58-60). There were also some private efforts made by private foreign individuals which also preceded the establishment of the program in the 1970s, however, these were mostly isolated as well (Campbell, 2002: 35-36).

[6] Local support to the establishment of protected areas is generally low and there are plenty of examples of resistance to it (Campbell, 2002: 37-39; Evans, 1999: 97). National parks at Santa Rosa, Cahuita, Arenal and Ballena involved forcible evictions of groups of peasants and local populations that lived in these lands (Evans, 1999: 97; Isla, 2005: 53-55). Although, there was some financial compensation in return for the lands, it came late, if it came at all. In other parks and refuges such as Ostional, Gandoca-Manzanillo and Baulas (which will be studied here), efforts were made to restrict lifelong existing livelihood strategies of local communities, leading to conflicts with park administrators (Campbell, 1998; Bruggeman, 1997; Evans, 1999: 229-232). Utting (1994) says that even though social tensions playing out in each case are unique, common issues that arise throughout these cases include: 1) lack of prior consultation with local people; 2) non-existent or delayed financial compensation; 3) encroachment of landless peasants in PAs due to structural limitations on available land elsewhere; and 4) the uneven application of restrictions against local users of resources in PAs, but allowing the usage by others (e.g.: tourism, hydroelectricity generation, logging, etc.).

[7] Surveys for 2008 were made to 2.943 departing tourists which used the Juan Santamaría International Airport (main gateway to the country).

[8] A wildlife refuge according to the 1998 Law on Biodiversity is a "*geographical areas which possess terrestrial, marine, coastal-marine or sweet-water ecosystem or a combination of these. Their main objectives would be the conservation, research, increase and management of wildlife, especially endangered ones."* A wildlife refuge can be equaled to a category IV protected area according to IUCN's Guidelines for Applying Protected Area Management Categories, that is a Habitat and Species Management Area, which *"aim to protect identified target species and habitats"* ('Category IV – Habitat Species management area', 2011) through the restoration of these habitats and active management of the species.

[9] A national park, according to the 1998 Law on Biodiversity is a "*geographical areas which possess terrestrial, marine, coastal-marine or sweet-water ecosystems or a combination of these which are of national importance, established for the protection and conservation of natural beauties and biodiversity and recreation for the general public. These areas present one or more ecosystems in which species, habitat and geomorphological sites are of special scientific, cultural, educative and recreational interests or which contain a natural landscape of great beauty."* A wildlife refuge can be equaled to a category I protected area according to IUCN's Guidelines for Applying Protected Area Management Categories, which is a far more stricter category.

[10] There have been academic efforts to process and organize this information which had led to successful results. However, most of the studies of the history of social dynamics in Guanacaste have been more interested in understanding how land tenure behaved in the Tempisque Valley, giving few attention to the coastal areas. Some of these dynamics are briefly reconstructed in this paper through the use of statistical data from the census of 1973 and 1984 and accounts collected from the interviewees that lived in the área before the 1980s.

[11] The Costa Rican government and the National Aeronautic and Space Administration (NASA) of the United States have collaborated in various projects for various decades with the objective of mapping this country's territory. Although the most recent collaboration was 'CARTA Mission', satellite and aerial imagery has been taken of the country's territory with varying level of details for scientific and land-planning purposes. The quote here refers to aerial images of the country taken during 1986.

[12] This is a rough claim suggested by the fact that from the 65 dozens of eggs being collected during the 4 months which last the turtle nesting season, local families used to consume about 30 eggs per week. (Pritchard et al., 1990: 17-18).

[13] Some other people, such as Louis Wilson (2011, personal interview), an American owner of a local hotel, and Honey (1999: 166-167) have stated that such chains involved larger actors such as local commercial cookie companies from the Central Valley, yet there is no tangible evidence that supports this claim.

[14] Unofficial estimates seem to coincide with a survey made in 1992 by Herzog and Gerrand (1992: 7), which stated that a total of 2.565 tourists visited Playa Grande over 25 nights in January when the study took place, and taking into consideration that the nesting season extends over another three months.

[15] Herzog and Gerrand (1992: 18) state that there were 7 tour operators which visited the area with some regularity.

[16] Louis Wilson and Marianela Pastor were of key importance here for the establishment of this protected area. They helped Koberg in mustering international cooperation and supported her in lobbying the project in the local touristic business community and the government (M.T. Koberg, 2011, personal communication; Wilson, L., 2011, personal interview).

[17] There were 46 tourist guides who brought tourists to Playa Grande. Almost 60% of these were employed by tour companies or hotels of Tamarindo, Flamingo or Liberia. The rest were self-employed and used to give out tours independently, these people used to give out cheaper tours in the area charging a reduced rate to nationals of about 3,5 US dollars, therefore reducing the level of resistance to the restrictions being put in place in the area (Herzog and Gerrand, 1992: 21-23).

[18] The Leatherback Trust is an NGO based in Costa Rica and South Carolina, United States. The TLT was established by Frank Paladino and James Spotila in an effort to coordinate efforts of conservation in the BMNP. Collaborating scientists of the organization include various key figures of the field of turtle biology and herpetology, as well as national conservationist figures such as Mario Boza and Randall Arauz, both of which were interviewed for this study.

[19] Sea turtles excrete salt through their eyes while nesting, giving the appearance that they are crying. The symbolic value of this totally normal biophysical behavior of these animals is often used to anthropomorphize them in order appeal to their 'maternal instinct' for example.

[20] At that time, SINAC was called Service of National Parks.

[21] In 1990, this organization was highly involved in a long strife against massive tourism in the area and promoted constantly a form of ecotourism which guaranteed that local people be strongly involved. By that time, people from Matapalo and Villarreal had little involvement with tourism being developed both inside and outside the BMNP. Most of the local hotels in the area were owned by foreigners and, although some worked here, the benefit being obtained by local communities was minuscule. Besides, tour operators working at the park did not include any community member.

[22] This project began being implemented in 1992 with the mediation of several members of the community, including some of the people of the groups opposed to the park. At the end of that year, an open call was made to local people and workshops were given to the attendants including turtle biology and English lessons.

[23] It is important to note as well, that there remains some opposition of certain groups of the community against the park. Much of the resistance is linked to the notion of the park constituting a bulwark against tourist development in the area ant the potential job possibilities this could bring. Within this resistance, locals argue that environmental conservation efforts have actually been incapable of impeding the reduction of the turtle population in the park.

[24] Currently, local guides charge 4 dollars to Costa Ricans and 16 dollars to foreigners. This rate includes the entrance fee to the park, 2 dollars for Costa Ricans and 6 for foreigners. The 20% of the rest is used by local guides in diverse activities from cleaning the beach to donations to community organizations like the local school, the church or the improvement of the park. The other 80% is distributed among themselves in order to pay for wages (García, 2007: 93; UNDP, 2007: 40-41).

[25] The Agreement of Cooperation between SINAC and APROTORBA consists in the concession of all touristic services to the communal organizations in order to foster communal participation of them. The agreement includes conditions for the participation of local communities in aspects such as planification and consolidation of the Ecotourism Program of the park as well as related to conditions of the public areas.

[26] Recent pressures by the state to force local guides to become certified tour guides and undergo academic qualification has been interpreted as an attempt to justify for a renewed entrance of private operators as tour guides (Padilla, C., 2011, personal interview).

[27] The presence of lighting (used for roads, urbanization and houses) and of loud noises (produced by car engines and music) scare and disorient adult turtles and hatchlings when they make their way through these beaches, causing that occasionally they move inland instead of going to sea, making them much more vulnerable vis-à-vis predators. Other threats that are also acknowledged are: the introduction of non-autochthonous plants such as palm trees and grass, which often causes the compaction of sand of the beaches, damages to the nests because of the nature root growth and the displacement of existing vegetation which may be necessary for the continuous maintenance of the beach ecosystem; the introduction of domestic animals, such as dogs, which often dig up the turtle nests to eat the eggs and attack hatchlings on the beach; and the presence of excessive tourist and vehicular traffic, which results in sand compaction and the stumping of nests. These issues do not take into account the problems caused by pollution-related debris on shore waters nearby human settlements

[28] The first real estate development project at Playa Grande was established in 1973, it consisted of 313 land plots for residences, condos and the plan included a marina and a commercial area (Hitz, 1991: 20-21).

[29] By 2010, the procedure had begun in 64 out of the 650 properties which need to be fully or partially bought out. Moreover, only 24 of these cases had reached the courts – the final stage of the process (CGR, 2010).

[30] By law, environmental impact assessments in Costa Rica are mandatory to obtain almost any type of building permits in Costa Rica, except residential houses.

[31] The resolution states that all new building permits are prohibited in the area until technical studies are made reflecting on the character of the effects of urban noise, lighting, waste water management and human presence in the ecosystem and the BMNP, have been measured. The study could eventually lead to the expropriation of properties located in the area if proof is shown of their degree in which these affect the park area.

[32] Although conservationists tend to talk about them as developers or investors interested on building large real estate projects, the group is actually made up mainly by affluent people who bought land on the area during the 1990s and 2000s with the objective of building their second homes or to establish small-size hotels (Saborio, V., 2011, personal interview). Their views on the conflict are varied, some of them are not necessarily against the park, in fact they actively collaborate in activities relating to it; and some actually believe that real estate investment needs to be controlled somehow in order to further avoid degrading the Tamarindo Bay (Wilson, L. 2011, personal interview; Chacón, K., 2011, personal interview).

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