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GOLD MINING IN PERU: COMPANY STRATEGIES, EVERYDAY VIOLENCE, AND THE POLITICS OF ATTENTION

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ABSTRACT

"Gold Mining in Peru: Company Strategies, Everyday Violence, and the Politics of Attention"
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For more than five years, Latin America has been classified as the world's deadliest region for environmental activists. In Peru, the deadliest and most common type of conflicts are related to mining. However, there are dozens of mining conflicts in the country, and not all of them become violent—some are managed productively, and even violent conflicts can be resolved. What explains this variation? This interdisciplinary dissertation traces the processes and factors that can explain why mining conflicts both escalate into, and are transformed out of, violence. I draw on a controlled, qualitative comparison of four case studies, extensive ethnographic research conducted over 14 months of fieldwork, analysis of over 900 archives and documents, and unprecedented access to more than 230 semi-structured interviews with key actors in industry, the state, and civil society. Although the four mining projects shared similar contexts, their divergent outcomes—including the understudied effect of conflict 'routinization'—can be explained by actors' everyday relationships, locals' efforts to organize and draw outside attention, and companies' strategies to manage opposition and public opinion.

In identifying patterns leading to conflict escalation and resolution, this research assists policymakers in the design of effective institutions that can channel conflict, gives international actors the understandings to best direct resources towards preventing violence, equips companies with tools to protect their investment by building mutual and durable community relations, and helps civil society in promoting forms of development that are commensurate with local needs and desires. More broadly, this dissertation presents an ethnography of subtle forms of violence, and explores how meaning-making practices render certain types of pain or damage noticeable while occluding others. By excavating how everyday interactions that underlie conflicts are strategically concealed in the short term, this study aims to assist in the prevention and transformation of violence over resource extraction.

ACKNOWLEDGEMENTS AND DEDICATION

> If you are a poet, you will see clearly that there is a cloud floating in this sheet of paper. Without a cloud, there will be no rain; without rain, the trees cannot grow; and without trees, we cannot make paper. The cloud is essential for the paper to exist. If the cloud is not here, the sheet of paper cannot be here either. So we can say that the cloud and the paper inter-are. […] If we look into this sheet of paper even more deeply, we can see the sunshine in it. If the sunshine is not there, the forest cannot grow. In fact, nothing can grow. Even we cannot grow without sunshine. And so, we know that the sunshine is also in this sheet of paper. The paper and the sunshine inter-are. And if we continue to look, we can see the logger who cut the tree and brought it to the mill to be transformed into paper. And we see the wheat. We know that the logger cannot exist without [their] daily bread, and therefore the wheat that became [their] bread is also in this sheet of paper. And the logger's [parents] are in it too. When we look in this way, we see that without all of these things, this sheet of paper cannot exist. Looking even more deeply, we can see we are in it too. This is not difficult to see, because when we look at a sheet of paper, the sheet of paper is part of our perception. Your mind is in here and mine is also. So we can say that everything is in here with this sheet of paper. You cannot point out one thing that is not here—time, space, the earth, the rain, the minerals in the soil, the sunshine, the cloud, the river, the heat. Everything co-exists with this sheet of paper. –Thich Nhât Nanh, *The Heart of Understanding*, 1988

In any study that relies on extensive fieldwork, the list of people to whom is owed the completion of the work far exceeds the number of pages allotted to dedicatory sections. As the epigraph to this section illustrates, I have everything for which to be thankful. Preparing for, conducting, and writing this research was made possible by a host of people who deserve my eternal gratitude. To keep this short, I will focus on three groups.

First, this research would not be possible were it not for all the people in Peru who—in parks, restaurants, in their offices and homes, at events and in our various expeditions, and far more—shared a moment with me to discuss their views and experiences. Many people, including those who did not officially 'participate' in this research, generously invited me into their homes and to their proceedings; cared for me when I was

sick; ran back to my hostel, after meeting me, to gift me books or show me fascinating media; stayed up late talking with me about politics and society; facilitated my conversations with others; offered me mementos, kind words, and useful advice or materials before we parted ways; and otherwise transformed difficult logistics into unforgettable memories, enduring relationships, and, I hope, useful research. I owe special thanks to Alicia Abanto, Stéphanie Rousseau, Gerardo Damonte, Luis Villafranca, Maritza Paredes, Liliana Alzamora, Nelson Peñaherrera, Luis Riofrío, Lenin Bazán, Cesar Medina Tafur, Mirtha Vásquez, Teresa Santillán, Nilton Deza, Liz Puma, Eduardo Dargent, Paula Muñoz, José Carlos Orihuela, Vladimir Gil, José de Echave, Ronald Ordóñez, Raúl Benavides, Javier Torres, and Jefree Roldán, among many others. In addition to all these people who participated in my work in any small or major way, I would like to dedicate this work to all the people (especially in Peru) who have struggled and are struggling for justice, and for a better world, and who have faced various forms of violence for their efforts. The world and I owe them incalculably.

Second, I was lucky to know and have the support of my advisor, Kent Eaton, who from our earliest conversations was a constant source of light unwaveringly able to guide me out of my own uncertainty and intellectual confusion. Kent unswervingly found potential in my work, and opened many doors for me to think about and carry out this research. I was also lucky and owe infinite thanks to Mark Massoud, an exemplary mentor and instructor, without whose encouragement, support, and friendship I would not have survived these graduate school years; to Eleonora Pasotti, who consistently provided the perfect balance of razor-sharp criticism and enlivening reassurance that every apprentice craves; and to Jeffrey Bury, whose field expertise and contacts, intellectual advice, and friendly conversations with me made this research fun. These four people were kinder, more caring, sharper, and wiser mentors and role models than I could have imagined; they always superseded the hopes and

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I am likewise thankful for the unofficial mentorship of Megan Thomas, Sylvanna Falcón, Ben Read, Hiroshi Fukurai, Ronnie Lipschutz, Cecilia Rivas, and many other members of the UCSC faculty. I am grateful also for my colleagues, friends, and peers in the UCSC Departments of Politics, Latin American & Latina/o Studies, Sociology, History, Environmental Studies, Education, History of Consciousness, and Social Documentary, and in the UC Student-Workers Union. I also want to inscribe here a particularly special thanks to all my students—hundreds of people who, in more than ten courses and through the Pathways to Research mentorship program, unflinchingly brightened my day, sharpened my thinking, and inspired my commitments. Additionally, participants in the various forums in which I have presented my work (on and off campus, in Peru, in academic and activist settings, and further) have without doubt made this research more accurate and legible. Not least of all, this research would also not have been possible without the generous financial and intellectual support provided by the United States Institute of Peace, the International Center on Nonviolent Conflict, the University of California, the UCSC Department of Politics, and the UCSC Research Center for the Americas (formerly known as "CLRC").

Many people beyond Peru and UCSC are responsible for shaping my thinking and interests, as well as for shaping the persistent and resourceful personality that enabled this research. I am thankful to all the activists with whom I have organized for more than 15 years, as my conversations with them largely provoked my research questions, and their efforts have kept me aware of the stakes in this work. I also want to give a special thanks to

Jennifer Collins, Sally Kent (RIP), Stephanie Alemán, Nerissa Nelson, Beverly David, Eric Yonke, David Lay Williams, and other friends at the University of Wisconsin, Stevens Point. Thanks to my colleagues at the Institute on Qualitative and Multi-Methods Research, and to colleagues, mentors, and friends I met through various projects: Adilia Caravaca Zúñiga and Mihir Kanade, my instructors through the UN University for Peace in the summer of 2013; my hosts in indigenous communities in Costa Rica and Guyana; and Maiah Jaskoski and Maria Rasmussen, my leaders in a U.S. Minerva Research Initiative study on resistance.

Third, I thank my family—my aunts, uncles, cousins, and grandparents; my mother Laura Becerril (whose compassion and social skills are ceaselessly energizing); my father Michael Wilson (a primary source of my intellectual and political curiosity); my uncle Carlos González (my first mentor, a careful critic, and a loving guardian)—and my lifelong friends.

I want to reserve special thanks for sister, Melissa Wilson Becerril, and my partner, Rachel Alexia Anderson. Through good and often-difficult times, Melissa has been my lifelong role model and source of support. Looking up to her has doubtlessly made me who I am, and I am still constantly aiming to be a fraction as good as her. Rachel likewise has been my moral compass, my greatest editor, the antidote to my afflictions, and my leading inspiration. As my first soundboard for any idea, she is greatly responsible for making this research worthy of any readership. I am thankful for our conversations, her companionship, and her love and support. Her clarity and consistency are truly unparalleled. I thank both of them for always challenging me to improve, and for teaching me to see criticism as a gift made from love. This dissertation is dedicated partly in their honor, for I can think of few people more skilled, gifted, or capable of healing the world and making it brighter.

Anything that is worthwhile in the pages that follow is owed to these many people. Any errors are, of course, entirely mine.

Dedication

"*¡No jueguen con el agua!* [Don't play with the water!]" seemed to be my grandmother's favorite phrase. As children, my cousins and I would collect water in buckets and chase each other around her backyard, tossing it along the way. Although we aimed to throw the water at each other, most of it inevitably landed on the grass and concrete. As a kid, I never fully understood her problem with our game. I used to think she did not want us to catch a cold and get sick, as her second favorite admonition was, "Put on a sweater!" Now, I believe she meant that water was not to be wasted. Although my grandfather worked up to become the head mechanic in a cement mine and factory, in the area of central Mexico where they lived all their lives, my grandparents were, first of all, farmers—dark-skinned, rural, and humble, tied to their land by virtue of economics, culture, and no doubt, a bit of politics.

Although they lacked a full elementary-level education (Mexico did not institute public education until they were already married and making the first of five children), they were funny, infinitely wise, and proud of their land. As heads of a large family in which my mom, their only daughter, and my father, an immigrant from the U.S., were hard-working artists and entrepreneurs who spent much of their time in downtown Mexico City, raising me and my older sister fell largely on them. In addition to the people already mentioned above, this dissertation is dedicated in their memory. For my grandfather, José de Jesús Becerril Benitez, who taught me to whistle with birds, stop to smell flowers, and appreciate the little things. And for my grandmother, Josefina García Cuellar, who sat on a wheelchair from as early as I can remember until she passed away in 2006, but was not anything remotely close to meek, and who showed me that laughter is one's strongest weapon.

Chapter I

Between Violence and Not-Violence in Peruvian Resource Extraction

Because of the scale, intensity, and compounding effects of climate change, protecting the environment has never been more important—but in many places, doing so can be a deadly task. In 2012, the organization Global Witness began systematizing world data regarding violence against 'environmental activists'—people organizing to contest, for example, projects over land grabbing, water, dams, logging, gas, agro-industry, oil rigs and pipelines, infrastructure, and mineral extraction. Ever since then, the organization has consistently identified Latin America as the world's most dangerous region for environmental defenders, and specifically Brazil, Honduras, and Peru as places where this issue concentrates. This dissertation investigates why conflicts related to resource extraction have taken a violent turn in the past decades, particularly in Peru.[1]

One-third of the world's mining investment concentrates in Latin America. In Peru, minerals remarkably represent about 65% of the country's export income and have guaranteed its standing as one of the world's fastest growing economies. Gold alone accounted for 18 percent, decidedly the largest share, of the total income Peru received in the period between 1995 and 2015.[2] Perhaps this is why the most common and deadliest conflicts in Peru today, by far, are related to mining. At least 270 people were killed and 4,614 people were injured in Peru's social conflicts between 2006 and 2016.[3]

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[1] Global Witness, "On Dangerous Ground" (London: Global Witness Limited, 2016).

[2] Observatory of Economic Complexity, "Peru" (Massachusetts Institute of Technology, 2017).

[3] Defensoría del Pueblo, "Violencia en los Conflictos Sociales" (Lima: Defensoría del Pueblo, 2012); Magali Zevallos, "Perú: Represión y Muertes en Conflictos Mineros" *Gran Angular*, May 11, 2015; Observatorio de Conflictos Mineros en el Perú, "20º Informe del OCM, Reporte

The Peruvian ombudsperson's office, an independent state agency in charge of auditing and protecting human rights, registered well above 200 conflicts in Peru each year consistently between 2008 and 2017. The vast majority of these, about two thirds on average, have been linked to resource extraction, and most of all to mining specifically.[4]

The death rate in these conflicts is truly staggering. Between 2005-2009, the Río Blanco (formerly Majaz) mining project in the Piura region caused seven deaths. In June of 2009, 33 people were killed when the state armed forces opened fire on indigenous protesters, who were occupying roads and an oil duct in the Amazonian province of Bagua. Six of the 24 total victims produced by Peru's social conflicts in 2012 were killed by police while protesting the Conga open-pit mining project, backed by the World Bank and suspended for years now. Between 2011 and 2015, at least five people were killed over the Tía María project, owned by Grupo México. During the same period, at least four people were killed over the Espinar mine in Cusco. And between 2015 and 2018, the largest conflict story in Peru was the Las Bambas copper mine, a Chinese investment that would surpass Conga as the country's largest mine, if either are ever constructed; five people died over this project between September 2015 and October 2016.

However, these examples are only a handful of the many mining conflicts that continue to plague politics in Peru, not to mention in other places beyond. Each year, dozens of mining projects—old and new, big and small—burst into conflict in Peru.

Primer Trimestre 2017" (Lima: Cooperacción, 2017). As a side note, it should be clarified that these statistics have an 'immediate bias' in that they discount the numbers of deaths and injuries caused indirectly by pollution, alcoholism, underdevelopment, and gendered or sexual violence that accompany the installation of mining projects.

[4] Defensoría del Pueblo, "Reporte Mensual de Conflictos Sociales N° 155 – Enero 2017" (Lima: Defensoría del Pueblo, 2017).

However, mining conflicts vary immensely, even among similar cases. Only a few escalate into open violence, some remain mainly nonviolent or show few signs of tension, and even violent conflicts are sometimes resolved. What explains this? Why do some conflicts burst into violence, and when do they not? Why do some stagnate and become routinized, and how can they be sustainably resolved? These questions are at the heart of human rights and development issues in Latin America today. The literature on resource conflicts tends to focus on violence as a possible outcome of weak institutions, but violent coercion is only one way in which different actors participate in a broader process of political negotiation over natural resource management that involves institutions, collective actions, digital media, under-the-table acts, and distant allies.

Significance of the Study: Contributions to Policy, Practice, and Scholarship

> Gold is treasure, and with it, those who possess it do as they wish in this world and succeed in helping souls into paradise. –Cristóforo Colombo
>
> Humanly if possible, but at all costs, get gold. –King Ferdinand of Spain
>
> Enough is enough. These people [indigenous protesters] do not wear crowns. They are not first-class citizens. That 400,000 natives could say to 28 million Peruvians, "You don't have a right to come around here"? No way. That is a very grave error, and whoever thinks that way wants to take us to irrationality and to a primitive retrocession. –Alan García[5]

It is difficult to overstate how much Latin American societies, politics, economics, cultures, and landscapes have been deeply shaped by a long history of

[5] José Carlos Díaz Zanelli, "La Contradicción de Alan García con los Pueblos Indígenas," *Servicios de Comunicación Intercultural*, January 18, 2016; Patricia Martínez i Álvarez, "Personas de Primera," *El País* (Opinión), June 11, 2009.

resource extraction,[6] but beyond merely representing a protracted process, this phenomenon is a presently urgent and intrinsically worldwide concern. As people across the world have fueled demand for energy and minerals, natural resources have become the engine behind many countries' economic growth, expanding the strategic importance of extractive industries and the frontiers of extractive capitalism. In Peru, this situation has led to a massive rise in social conflicts, galvanizing communities to contest their rights—on the streets and in courtrooms, in occupied buildings and internet blogs, and through local elections as well as arsons and kidnappings.

Indeed, to defend their own paths to 'development', locals-turned-activists have barricaded themselves in buildings, sought mediation from domestic courts and international agencies, defended themselves from police and armed thugs, blockaded roads, detained unauthorized resource prospectors, confiscated property, and more; likewise, they have faced arrests, police violence, defamation, intimidation, and other forms of repression. Their efforts have placed issues of water pollution and scarcity, dignified livelihoods, benefit redistribution, and equal representation at the center of the country's debates. At the same time, irresponsive institutions, state-corporate repression, and racist discourses (such as those president Alan García used to justify repressing indigenous people, who were protesting against extractivism in their territories in 2009) have contributed to a sense that illegal tactics, such as property destruction, are needed. Anger, desperation, and provocation have led many to take matters into their own hands.

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[6] Anthony Bebbington, *Social Conflict, Economic Development and Extractive Industry* (New York: Routledge, 2012), 3-4.

Why should anyone care about Peru's gold mining conflicts, and what broader insights can be gained from a semiotic and comparative understanding of violence? Rural conflicts over extractive projects affect more than local politics and governance, companies and states' revenues, and national politics—they can also disrupt macro-economic forces and international relations. Furthermore, because local territorial dynamics are increasingly tied to international commodity chains, conflicts over natural resources transcend traditional ways of conceiving of locality and space.[7] They involve and link people on various ends of commodity chains, from sites of extraction to retail, consumption, and waste. And unsustainable resource governance threatens ecological stability, an inherently global problem. Therefore, even before they escalate to overt violence, resource conflicts are critical obstacles to justice and human development.

Contentious politics take place on physical, legal, and discursive levels. In Peru, the country's notorious resource conflicts are at the center of its political agenda. Moreover, in addition to their salient character in public debates, Peru's resource conflicts have become a 'conceptual epicenter'—they invoke and transverse political, economic, and cultural issues such as violence, corruption, justice, gender, race, class, development, sustainability, and democracy. Therefore, as Peruvian friends often reminded me during my fieldwork, managing and transforming conflicts is difficult to do from a distance. The field severely lacks in-depth and empirical studies, especially those that balance dense case understandings with comparative analysis to draw patterns. In places such as Peru, where resource conflicts are notorious (to the point that Peruvian

[7] Gavin Bridge, "Global Production Networks and the Extractive Sector: Governing Resource Based Development," *Journal of Economic Geography* 8, no. 3 (2008): 389-419.

news media frequently address them as 'our daily bread,' as I noticed often[8]), studies such as this can make a significant contribution to policy, practice, and scholarship.

By examining patterns in the trajectories and outcomes of conflicts, this dissertation has the potential to make a lasting impact, not only in academic literature but also for practitioners seeking pathways to dialogue and peace. It is especially intended to assist company agents, civil society and activists, state actors, and international supporters. First, the work will help company actors working to improve their local engagement. This study emphasizes, and will provide useful insights about, the agency of company employees across the corporate structure. This applies to both their long-term strategies to engage local opponents, and the everyday relationships that they establish with people in the areas near their project. Second, the cases and theory presented here elucidate mechanisms about when activism is effective, at what, and when it is not. These will have practical value for civil society organizations and local activists seeking ways to effectively attain justice and promote their communities' wellbeing, especially when contesting extractive projects. Third, the research contributes recommendations for policymakers seeking to develop robust institutional mechanisms to channel conflict nonviolently and prevent violence—particularly in the context of Peruvian political culture, but relevant beyond those boundaries. And fourth, the theoretical conclusions here will speak to outsider actors, such as the thoughtful people I interviewed in intergovernmental organizations and solidarity groups, who are constantly searching for ways to direct resources and provide their support, even across a long distance.

[8] I heard this repeatedly from Lima-based radio and newspapers; e.g., see Verónica Ruíz, and Arturo Pérez, "Advierten Nuevos Conflictos Mineros," *La República*, March 19, 2007.

In sum, this research reflects a serious underlying intention: to assist policy makers and state officials in fomenting democratic governance and preventing violent conflict, to assist companies in protecting their investment through understanding the adverse effects of short-term conflict avoidance strategies, and to assist communities in fomenting their human and economic development in ways that are both democratic and sustainable. By studying cases beyond the headlines and understudied dynamics of conflict management, this investigation will help in promoting forms of development commensurate with local needs, desires, and capacity.

Conceptual Frameworks: Mining and the Spaces of Violence in Peru

The recent, tremendous expansion of extractive industries in the global South has fed and enriched theoretical debates about the causes of extraction-related conflicts. Common explanations, from within as well as outside Peru, can be roughly classified according to their focal points: institutions, structures, and agents. These are worth unpacking briefly here.

One strand of research points to the negative impacts of resource abundance on democracy and development. These negative impacts are not only ecological, in the form of pollution, nor only social, in the form of healthcare, but also political and economic, in forms such as corruption, diminished democratic confidence, decreased scores in human development indicators, and anemic state institutions.[9] A large body of works has

[9] Javier Arellano-Yanguas, "A Thoroughly Modern Resource Curse? The New Natural Resource Policy Agenda and the Mining Revival in Peru," *The Institute of Development Studies* 300 (2008): 5-51; Terry L. Karl, *The Paradox of Plenty: Oil Booms and Petro States* (Berkeley: University of

elaborated these outcomes as different aspects of the "resource curse," a theoretical framework that describes these negative effects in resource-wealthy states with weak and exclusionary institutions, which is especially the case in former colonies. Scholars have drawn on these frameworks to explain conflicts specifically within the Peruvian context,[10] and practitioners of conflict mediation confirm the important role played by the state's eroded credibility as an impartial mediator of company-community relations.[11] However, literatures on the resource curse see violence merely as one of the possible side effects of institutional fragility, and have paid little attention to the specific ways in which social actors choose among the full range of strategies and tactics available to them.

Structural explanations center on the unequal distribution of the benefits and burdens of extraction[12] and on social and economic dislocations.[13] Meanwhile, studies of

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California Press, 1997); Michael Ross, "Review: The Political Economy of the Resource Curse," *World Politics* 51, no. 2 (1999): 297-332.

[10] Maiah Jaskoski, *Resource Conflicts: Emerging Struggles over Strategic Commodities in Latin America Phase II* (Monterey, CA: Naval Postgraduate School, 2012); Carlos Meléndez, "Mediaciones y Conflictos: Las Transformaciones de la Intermediación Política y los Estallidos de Violencia en el Perú Actual," in *El Estado Está de Vuelta: Desigualdad, Diversidad, y Democracia*, ed. Víctor Vich (Lima: Instituto de Estudios Peruanos, 2005); Alfredo F. Ponce and Cynthia McClintock, "The Explosive Combination of Inefficient Local Bureaucracies and Mining Production: Evidence from Localized Societal Protests in Peru," *Latin American Politics and Society* 56, no. 3 (2014): 118-140.

[11] Liz Puma and César Bedoya *Transformación de Conflictos* (Lima: ProDialogo, Prevención y Resolución, 2015); Leire Urkidi and Mariana Walter, "Dimensions of Environmental Justice in Anti-Gold Mining Movements in Latin America" *Geoforum* 42 (2011): 683-695.

[12] Moisés Arce, *Resource Extraction and Protest in Peru* (Pittsburg: University of Pittsburg Press, 2014); Anthony Bebbington and Jeffrey Bury, *Subterranean Struggles: New Dynamics of Mining, Oil, and Gas in Latin America* (Austin: University of Texas Press, 2014); Bebbington et al., "Contention and Ambiguity: Mining and the Possibilities of Development," *Development and Change* 39, no. 6: 887-914.

[13] Jeffrey Bury, "Livelihoods in Transition: Transnational Gold Mining Operations and Local Change in Cajamarca, Peru," *Geographic Journal* 170, no. 1 (2004): 78-91; Guillermo Salas, *Dinámica*

agency highlight competition among local factions,[14] environmental ideologies,[15] and claims about autonomy and identity.[16] Merging the ground between structure and agency, literatures on collective action, subnational conflict, and civil resistance are also instructive. Explanations for the general incidence of collective or political violence draw attention to the importance of historical and contextual factors,[17] social and economic structures,[18] leadership, emotions, and meanings,[19] institutional exclusion and unrepresentative political systems,[20] a desire for self-determination,[21] the perceived

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Social y Minería: Familias Pastorales de Puna y la Presencia del Proyecto Antamina (1997-2002) (Lima: Instituto de Estudios Peruanos, 2008); Kurt Weyland, *The Politics of Market Reform in Fragile Democracies: Argentina, Brazil, Peru, and Venezuela* (Princeton: Princeton University Press, 2002).

[14] Javier Arellano-Yanguas, "Aggravating the Resource Curse: Decentralisation, Mining, and Conflict in Peru," *Journal of Development Studies* 47, no. 4 (2011): 617-638.

[15] Anthony Bebbington and Denise Humphreys Bebbington, "Actores y Ambientalismos: Continuidades y Cambios en los Conflictos Socioambientales en el Perú," in *Minería y Territorio en el Perú: Conflictos, Resistencias, y Propuestas en Tiempos de Globalización,* eds. José de Echave, Raphael Hoetmer, and Mario Palacios Panéz. Lima: Programa Democracia y Transformación Global, 2009; Lewis Taylor, "Environmentalism and Social Protest: The Contemporary Anti-Mining Mobilization in the Province of San Marcos and the Condebamba Valley, Peru," *Agrarian Change* 11, no. 3 (2011): 420-439.

[16] Shane Greene, "Getting over the Andes: The Geo-Eco-Politics of Indigenous Movements in Peru's Twenty-First Century Inca Empire," *Journal of Latin American Studies* 38, no. 2 (2006): 327-354; Kay Treakle, "Ecuador: Structural Adjustment and Indigenous Environmentalist Resistance," in *The Struggle for Accountability: The World Bank, NGOs, and Grassroots Movements*, eds. Jonathan Fox and David Brown (Boston: Massachusetts Institute of Technology Press, 1998); Patricia I. Vásquez, *Oil Sparks in the Amazon: Local Conflicts, Indigenous Populations, and Natural Resources* (Athens: University of Georgia Press, 2014).

[17] Alain Joxe, "A Critical Examination of Qualitative Studies Applied to Research in the Causes of Violence," in *Violence and its Causes*, ed. Alan Joxe (Paris: UNESCO, 1981).

[18] Wilber Chafee, *The Economics of Violence in Latin America* (London: Praeger, 1992).

[19] David Meyer and Nancy Whittier, *Social Movements: Identity, Culture, and the State* (Oxford: Oxford University Press, 2002).

[20] Daniel M. Goldstein, "'In Our Own Hands': Lynching, Justice, and the Law in Bolivia," *American Ethnologist* 30, no. 1 (2003): 22-43; Hank Johnston, "Ritual, Strategy, and Deep Culture in the Chechen National Movement," *Critical Studies on Terrorism* 1, no. 3 (2008): 321-342.

[21] Valpy Fitzgerald, Frances Stewart, and Rajesh Venugopal, *Globalization, Violent Conflict, and Self-Determination* (New York: Palgrave Macmillan, 2006).

efficacy or rationality of violence,[22] and environmental factors such as resource scarcity—but scarcity-based analyses are over-deterministic and often racist, providing cultural assumptions and generalizations instead of explanations.[23] Finally, some scholars have also suggested that the nature of the resources at stake, their value, and the cost-benefit of their extraction and transportation affect conflict dynamics.[24]

Alternatively, literature on nonviolent or 'civil' resistance presents a ground-up framework to study the ideas, conversations, learning environments, institutions, practices, and symbolic systems of non-elites who are moved into political action, even despite their cultural or political differences and despite the risk of violent repression or authoritarianism.[25] Civil resistance literature suggests that attention to social movement's internal processes—including leadership structures, cohesion, decision-making, and collective learning—may explain their transformation from violent and spontaneous actions to organized, sustained, "disciplined," and intentionally nonviolent resistance.[26]

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[22] Robert Pape, *Dying to Win: The Strategic Logic of Suicide Terrorism* (New York: Random House, 2001).

[23] Henrik Urdal, "Population, Resources, and Political Violence," *Journal of Conflict Resolution* 52, no. 4 (2008): 590-617.

[24] Paivi Lujala, Nils Peter Gleditsch, and Elisabeth Gilmore, "A Diamond Curse? Civil War and a Lootable Resource," *Journal of Conflict Resolution* 49, no. 4 (2005): 538-562.

[25] Peter Ackerman and Berel Rodal, "The Strategic Dimensions of Civil Resistance," *Survival: Global Politics and Strategy* 50, no. 3 (2008): 111-126; Brian Martin, *Social Defence, Social Change* (London, UK: Freedom Press, 1993); Sharon Erickson Nepstead, *Nonviolent Revolutions* (Oxford: Oxford University Press, 2011); Adam Roberts, ed., *The Strategy of Civilian Defence: Non-violent Resistance to Aggression* (London: Faber and Faber, 1967); Kurt Schock, *Unarmed Insurrections: People Power Movements in Nondemocracies* (Minneapolis: University of Minnesota Press, 2004).

[26] Véronique Dudouet, "Dynamics and Factors of Transition from Violence to Nonviolent Resistance," webinar at the International Center on Nonviolent Conflict (2014); Véronique Dudouet, *Civil Resistance and Conflict Transformation: Transitions from Armed to Nonviolent Struggle* (New York: Routledge, 2015); Jason MacLeod, "From the Mountains and Jungles to the Villages and Streets: Transitions from Violent to Nonviolent Resistance in West Papua," in *Civil Resistance*

For instance, Wendy Pearlman has argued that activist groups can sometimes build cohesion and discipline to remain nonviolent, despite intensifying political pressure and even violence from actors with more influence or firepower.[27]

As broad as the bodies of literature on subnational conflicts and on resource conflicts have become, each field and the spaces between them remain incomplete in important ways. Specifically, at least one of the following issues applies to extant works.

First, selection bias predominates. Studies of large and explosive conflicts abound, but they tell us little about more common cases, where conflict has been managed and even mutually transformed. In addition to the tendency to only study large-scale, widely publicized, and unrepresentative cases (such as the Conga mining project in Peru), research on resource conflicts typically focus on protestors and the state. Insofar as they ignore the agency and repertoires of mining companies in dealing with local populations, their conceptual and theoretical frameworks are too narrow. This study attends to both of these types of selection bias by focusing on more 'ordinary' cases as well as by analyzing the behavior of all stakeholders in parallel, including company actors. I gained extensive access to contacts in two of the mining companies I studied (and limited access in the other two), ranging from executive officers in Lima to provincial managers and employees in the mining districts. Interviews and participant observation conducted with these contacts help to illuminate the complex perspectives

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and Conflict Transformation: Transitions from Armed to Nonviolent Struggle, ed. Véronique Dudouet (New York: Routledge, 2015).

[27] Wendy Pearlman, "Precluding Nonviolence, Propelling Violence: The Effect of Internal Fragmentation on Movement Protest," *Studies in Comparative International Development* 47, no. 1 (2012): 23-46. The factors that attract people to civil resistance are clearly embedded in systems of symbolic meaning, encompassing identities, ideologies, commitments, and justifications.

and practices of actors in different corners of the industry. As one might say, they help to "see like a mining company."[28] Far from uniform, the behavior and views of industry actors are vastly diverse; systematically understanding their understudied agency is crucial to this research.

Second, strategic choice is unexplained. Existing studies tend to take conflict for granted, without unpacking the choices of tactics available to stakeholders as forms of negotiation. Protesters' choices have been studied in other contexts, such as struggles against authoritarian regimes, but not within resource conflicts.[29] Theories linking violence to 'resource rents' have focused on groups that seek to loot resources in order to fund civil wars,[30] which does not account for social movements contesting extractive projects. Also, studies of mining firms' community relations strategies center, critically or optimistically, on forms of 'corporate social responsibility.' Therefore, we lack an account of actors' full range of strategic repertoires.

Questions of tactical efficiency and ethics, framing, the costs of escalation, and the balance between short-term and long-term goals are at the center of activists' deliberation and planning. Likewise, conversations on negotiation tactics and strategies are common—formally and informally—among mining company actors, both within a

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[28] Adapted from James Ferguson, "Seeing Like an Oil Company: Space, Security, and Global Capital in Neoliberal Africa," *American Anthropologist* 107, no. 3 (2005): 377-382.

[29] One study considered company-community conflicts, but not specifically within conflicts over natural resources. See Erica Chenoweth and Tricia Olsen, "Civil Resistance and Corporate Behavior: Mapping Trends and Assessing Impact" (Washington, DC: U.S. Agency for International Development, 2016).

[30] Ian Bannon and Paul Collier, *Natural Resources and Violent Conflict* (Washington: World Bank, 2003).

given company and between different firms in the industry. However, we know very little about these strategic and ethical choices within resource conflicts. More critically, we lack a contextualized understanding of how the legacies of armed conflicts—such as Peru's civil war between the state and insurgent groups (formally between 1980-2000)—give currency to terms like 'violence' and play into these choices and deliberations. A rich and growing body of research has become increasingly rigorous in arguing for the strategic and moral value of nonviolent means of waging conflict—not only on ethical grounds, but also because of its strategic efficacy;[31] however, this underscores a central puzzle: if nonviolent negotiation is not only morally, but also strategically, a superior method, then why do some actors continue to use violence? And when do they not?

Third, outsiders' roles are portrayed too simplistically. While the importance of outside attention to resistance was already prominent in Gandhi's writings on Indian emancipation, it remains a nascent area in the study of resource conflicts.[32] This is the case even as the levels of interaction, connectivity, diffusion of ideas, and coordination with transnational actors are higher than ever—indeed, activists in the global South are increasingly "marketing" their plight to supporters in the global North.[33] Literatures on transnational activism provide analytical leverage in examining the strategic choices of

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[31] See Erica Chenoweth and Maria J. Stephan, *Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict* (New York: Columbia University Press, 2011).

[32] However, see Vanessa Joan Gray, "Nonviolence and Sustainable Resource Use with External Support," *Latin American Perspectives* 39, no. 1 (2012): 43-60; and Maritza Paredes, "El Caso de Tambogrande."

[33] Clifford Bob, *The Marketing of Rebellion: Insurgents, Media, and International Activism* (Cambridge: Cambridge University Press, 2005).

actors involved.[34] However, the interests of locals often do not align with those of their distant 'allies,' such as non-governmental organizations (NGOs).[35] Also, whereas the literature focuses on NGO-community alliances, I found that companies also work with many NGOs in a number of capacities, previously unaddressed in studies like this one.

Finally, discursive contention is overlooked as a site of violence. Interviewees and advisors for this study have analyzed the role of communication and discourse in Peru's resource conflicts.[36] Like them, I believe there is a hegemonic—although highly contested—pro-mining discourse in Peru's established media and public debates.[37] Such discourses may drive conflict escalation and erode resolution efforts, given their dismissive and polarizing tones. State officials and media pundits (such as Jaime de Althaus, Mariella Balbi, Phillip Butters, and Aldo Mariátegui, to name a few) often

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[34] E.g., Jonathan Fox, "Unpacking Transnational Citizenship," *Annual Review of Political Science* 8 (May 2005); Margaret Keck and Kathryn Sikkink, *Activists Beyond Borders: Advocacy Networks in International Politics* (Ithaca: Cornell University Press, 1998).

[35] In contrast to my two previous criticisms here, much more has been written about tensions between NGOs and communities. See Amanda Murdie and Tavishi Bhasin, "Aiding and Abetting: Human Rights INGOs and Domestic Protest," *Journal of Conflict Resolution* 55, no. 2 (2011): 163-191; Patricia Widener, "Benefits and Burdens of Transnational Campaigns: A Comparison of Four Oil Struggles in Ecuador," *Mobilization* 12, no. 1 (2007): 21-36.

[36] Gerardo Damonte, "El Modelo Extractivo Peruano: Discursos, Políticas, y la Reproducción de Desigualdades Sociales," in *Extractivismo Minero en Colombia y América Latina*, eds. Barbara Göbel and Astrid Ulloa (Bogotá: Universidad Nacional de Colombia, 2014); Sandro Macassi and Jorge Acevedo, *Confrontación y Diálogo: Medios y Conflictos en Países Andinos* (Lima: Pontifícia Universidad Católica del Perú, 2015).

[37] Peru's established media, corporate public relations, and official ideology (manifested in policies, official pronouncements, and politicians' speeches) have entrenched a highly circulated rhetoric consisting of two general positions: first, that mining is central to Peru's identity, and that the country's natural endowments must be utilized to foster investment and grow its economy; and second, the thesis that Peru's infamous resource conflicts are caused by protestors who are 'anti-mining,' 'violent,' 'anti-development,' and even 'environmental terrorists'—'criminals' who, motivated by greed and ignorance, are responsible for denying their country the development it deserves. (See Chapter II for more on this.)

portray mining-related activists as violent ideologues, corrupt manipulators, or backwards, ignorant, and manipulated. This study finds that such reductive narratives not only miss the nuances of conflict (e.g., how violence is often started by people in favor of rather than opposing mining), but also exacerbate distrust and alienation.[38]

Creating peaceful and sustainable development requires building understandings, relationships, and institutions that can channel conflict nonviolently, credibly, democratically, and inclusively.[39] Toward this task, research participants stated their need for systematic analyses of the discursive, symbolic, and everyday aspects of these conflicts. This dissertation presents an ethnography of subtle forms of violence, and it explores how meaning-making practices render certain types of pain or damage noticeable and other types "invisible."[40] By excavating how everyday interactions that underlie conflicts are strategically concealed in the short-term, this research may assist in the prevention and transformation of violence over resource extraction.

To grasp the dynamics at play in these conflicts, it is of critical importance to conduct research that analyzes empirically beyond the polarizing discourses that

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[38] While significant opposition to extraction has indeed emerged, there is also widespread support for a lot of these projects. Even where opposition is strong, communities are often divided (indeed, several mining company managers interviewed in this study took credit for such divisions), and even members *within* movements are often divided about their goals. It appears that most people do not oppose extraction *per se*, but rather seek recognition and a voice in the process. And in some cases, people *in favor* of extractive projects are the ones who organize protests (see Bebbington et al., "Contention and Ambiguity," 2893). In short, the idea that protesters are "violent anti-miners" minimizes the complex relations between diverse actors in state institutions, companies, local groups, and outside organizations.

[39] Daron Acemoglu and James Robinson, *Why Nations Fail* (New York: Crown Press, 2012).

[40] While the "visibility" and "invisibilization" metaphor is useful, in the rest of this study I opt to refer to these dynamics of concealment and normalization as "the politics of attention," as I will detail below. All things considered, I believe this rephrasing can substitute for the useful language of "invisibility" but in a way that refuses to reproduce this metaphor's inherent ableism.

dominate questions of mining in Peru. At the same time, to dismiss the role of discourses would be to omit a large part of the story. It is crucial to understand, in context, the processes through which aggression escalates, is given meanings, and de-escalates. Narratives therefore must be examined as sites of conflicts. Previous explanations for political violence have attended to factors that over-predict violent behavior (such as grievances or scarcity). Instead, this research traces conflicts' different forms to previously understudied practices that frame and give meaning to minute interactions and daily relations. Moreover, its original comparative analysis demonstrates how the sequencing and combination of stakeholders' strategies matter in conflict trajectories and outcomes.

Table I: Issues and Gaps in the Literature about Peruvian Mining Conflicts

Selection Bias	Strategic Choice	Outsider Roles	Discursive Contention
Studies tend to concentrate on large, spectacular, and unrepresentative cases of conflicts, as well as on protesters and the state—not industry actors	Actors' full range of strategic and tactical choices remains under-theorized and unexplained in the context of resource conflicts	External 'allies' are treated simplistically (e.g., as uniformly beneficial to activists) and in ways that ignore the effects of outsiders on actors' tactical choices	Racialized, class-based, and gendered discourses of 'development' and 'modernization' in Peru are largely absent from studies of extractive conflicts

In these ways, the dissertation grows from and contributes to rich bodies of work studying questions of violence and resource extraction, both separately and, more rarely, together. It helps to re-conceptualize everyday, compartmentalized dimensions

and meanings of conflict in subnational contexts. Moreover, it provides analysts and practitioners the tools to understand, first of all, how, when, and why these erupt into overt violence, and secondly, the types of frames and outside attention that may entrench this cycle or dislodge it. Thus, the project builds onto debates about violence, its causes, and its alternatives. Studying the conditions that lead to actors' choices helps to understand the propensity of conflict escalation, the results of campaigns, and the prospect of finding durable solutions that channel conflict towards inclusive deliberation.

Argument: Company Strategies, Attention, and Everyday Violence

Whether they are mining company employees or supporters, opponents and activists, or ambivalent bystanders, the stakeholders variously involved in mining projects deploy fascinating and rivaling explanations for the rise of violence over mining in Peru. When asked to comment on why they thought Peru's mining conflicts often become so violent, interviewees in this study offered diverse answers, ranging from the role of local histories and politics to the importance of structural and macroeconomic changes. Some of the most commonly repeated explanations that interviewees offered included the role of outsider NGOs; according to many people interviewed, most of whom were generally sympathetic to mining, NGOs were vested in conflict in order to exist and fundraise, and thus had a material incentive to exacerbate rural conflicts. Another recurrent theme expressed by several people was that protesters understood violence as a way to force companies into offering material concessions, so that the latter could avoid any public embarrassment. Whether or not they are accurate, such answers present interesting discourses that are analyzed in detail in the chapters that follow.

To understand how worldviews are shaped and translated into practices, laws, and lived experience, this study centers and critically analyzes the narratives and discourses that people in various sides of Peru's resource conflicts used to explain violence. It also independently theorizes causal explanations for the varying levels of violence across cases of Peruvian gold mining. Although these findings form a common thread, they can be clustered among three themes: the importance of company strategies, the politics of attention, and the role of everyday violence.

First, based on ethnographic analysis of the process of conflict in four cases (the Tambo Grande, La Zanja, Lagunas Norte, and Cerro Corona gold mining projects) and a comparison of these mechanisms across the cases, this investigation's central finding is that the most accurate explanation for violent protests are the community-engagement strategies of corporate actors—whether these are persuasive and meant to pacify, such as corporate social responsibility programs, or more coercive means of silencing opposition, such as intimidation and judicial repression. Company strategies are a surprisingly overlooked factor in extant studies; however, above all competing explanations—including the role of outside attention and support, the average framing through which media covered protest, and others—variation in the types of corporate strategies across the cases is what best explains both *(a) the levels of violence adopted by social movements and local opponents* (treated here as the first 'dependent variable' or outcome to be explained), and also, in combination with the strategic choices of local opponents*, (b) the outcomes of each conflict* (the second dependent variable in this study). Table II depicts this theoretical argument, expanded below, about the causal mechanisms in each case.

Table II: Theorizing Explanations for Violent Actions and Case Outcomes

	Independent Variable 1: **Company Strategies**	***Dependent Variable 1:*** **Violent Collective Action**	***Independent Variable 2:*** **Media Attention and Framing**	***Independent Variable 3:*** **NGO Support**	***Dependent Variable 2:*** **Case Outcomes**
TG	Coercion	Arson, then a transition to nonviolence	Favorable overall	High	One-sided victory for the movement
LZ	Coercion (with persuasion)	Arson and property damage, no transition to nonviolence	Mixed (criminalizing and favorable)	Low	Routinized conflict but partly demobilized social movement
LN	Persuasion (with coercion)	Arson, property damage, and dead police, no transition to nonviolence	Criminalizing overall (except for minor activist media)	None	Routinized conflict
CC	Persuasion	None, entirely nonviolent, low-level organizing	Hardly any, but favorable when it has been present	None	One sided victory for the company

Dependent Variable I: How Company Strategies Explain Violent Protest

When the mining companies used coercion against their local opponents, this directly correlated with activists' use of tactics considered violent, like property damage. Where they used persuasion only, activists did not respond with violence—perhaps because it would have been perceived as unjustifiable. In other cases, when companies used both repression and investment in combination, this was met with mixed violent and nonviolent opposition strategies.

Table III, below, goes beyond the simplified 'persuasion-vs.-coercion' typology in Table II; it expands company strategies in each case into six categories, ranging from development-oriented investment, such as channeling funds for sustainable farming

practices, to coercive practices, like intimidation. As it shows, companies that combined persuasion and coercion as their responses to conflict created a perverse incentive that encouraged violent escalation, both because people resented being treated with repression and because escalation was a proven means to gain concessions, from powerful companies and also from the state. Thanks to its insignificant persuasive strategies, the Tambo Grande project fared worst of all, with a one-sided victory for the social movement against it; and on the other hand, the company that used no forms of coercion, Gold Fields' Cerro Corona mine, has reached the most successful outcomes.

Table III: Expanded Typology of Company Strategies

	Persuasion			**Coercion**		
	Corporate Social Responsibility		**Media Strategies**		**Repression**	
	Development Investment	*Philanthropic Compensation*	*Public Relations*	*Opponent Defamation*	*Legal Persecution*	*Private Intimidation*
TG	No	Yes	Yes	Yes	Yes	Yes
LZ	Yes	Yes	Yes	Yes	Yes	Yes
LN	Alleged	Yes	Yes	Yes	Yes	Alleged
CC	Yes	Yes	Yes	Alleged	No	No

Beyond only shaping protest, the combination of repression and investment also impacted the overall outcome of each case: namely, it locked actors into prolonged, frequently reactivating conflicts—as I detail next, it dangerously routinized conflict.

Dependent Variable II: How Company and Local Agency Explain Case Outcomes

The cases, selected for their contextual similarities, exhibited variation in their respective level of violent collective action and, ultimately, in their different conflict outcomes. During my fieldwork, I noticed four possible, mutually exclusive 'ideal types' of project outcomes. One possibility is that the mining project is cancelled and its opponents gain a unilateral victory in the long-term (as opposed to only a handful of years), as was evident in the Tambo Grande case. A second possibility is the inverse: a unilateral victory for the company and a neutralization of its opposition, through persuasion and/or coercion. The Cerro Corona case might get closest to this type. Although rare, a third possible outcome is that stakeholders reach something akin to a mutual resolution that satisfies company agents as well as their opponents. The Cerro Corona case could also be argued as having reached this outcome—although I witnessed there a sense of enduring resentment and opposition, demobilized but perhaps not satisfied. Finally, there is a fourth, unstudied outcome of extractive projects which entails a more ambiguous *routinization* of conflict. In these cases, including the La Zanja and Lagunas Norte mine, confrontations become recurrent or cyclical—normalized and even institutionalized into the relationships, rules of engagement, and daily interactions between company actors and their local opponents.

This study argues that these outcomes are mostly influenced by how companies address communities, in the short and long-term, and on how local opponents choose to respond. When companies responded to community opposition mainly with *coercion*, they exposed themselves to 'backfire' effects, galvanizing resistance as opposed to quelling it.

In one case, Tambo Grande, this ultimately led to activists' unilateral victory. When they responded to local opposition mainly with *persuasion*—via investments in local development, industry, agriculture, or philanthropy—companies pacified enough opponents to effectively quell resistance. As the Cerro Corona case shows, company operators, using a heavy investment-oriented strategy, did not merely demobilize opponents; they actually went further, generating seemingly amicable relationships with locals, including their loudest opponents. Finally, when companies responded to opposition with *coercion alongside persuasion*, they served to routinize conflict, rendering it a part of the everyday fabric of company-community relations. This study sheds fresh light on this last, understudied outcome.

Routinization might be due to the combined effects of repression, which builds resentment and perhaps prolongs conflict, and of investment, which pacifies that tension at least temporarily, but typically without addressing the underlying problems at the roots of those tensions, such as entrenched inequalities, racist discrimination, or ecological concerns.[41] Two of the four cases I studied, the La Zanja and Lagunas Norte mining projects, resulted in an ongoing pattern of social movement escalation followed by public confrontation and repression, and then conflict mediation leading to company investment promises. This may be because such promises are not kept, leading to a renewal of resentment and mobilization, and because local actors see conflict as an

[41] Systemic exclusion and denial of citizenship based on social categories, such as race, ethnicity, class, sex, and gender, are well documented aspects of Peru's colonial legacies. See Rosemary Thorp and Maritza Paredes, *Ethnicity and the Persistence of Inequality: The Case of Peru* (Basingstoke: Palgrave Macmillan, 2010); Armando Mendoza Nava, "Inequality in Peru: Reality and Risks," *Oxfam*, October 2015.

opportunity to "extract from the extractors."[42] At any rate, conflict has returned in deadly waves every couple of years in both the cases where companies used a mixed strategy.

Company strategies set conflicts on particular paths, but how protesters organize after confrontations can make the difference in the results of each case. Indeed, my study of these conflicts and how they compared uncovers other theoretical insights worth highlighting in this introduction. First, the research finds an important role played by the presence or absence of outside attention—from media, solidarity groups, supporter NGOs, the state in Lima, and the broader public—in how violence 'works.' Second, by problematizing the politics of how attention is drawn to violent events, this work contributes theory that will improve conceptual and methodological approaches to violence. Specifically, it underscores the relative importance of the everyday relationships built among and between local, company, and state actors. These two findings are summarized below by the concepts of 'everyday violence' and 'the politics of attention.'

The Politics of Attention: Ordinary Life and the Spectacle of Violence

The data I collected in the field elucidates how violence is directly tied to attention, and it identifies why this dynamic tends to impact conflict stakeholders differently depending on their structural power. First of all, whether or not they are directly involved in perpetrating it, stakeholders on all sides of conflict 'use' violence in one way or another, at least discursively. This is because violent events—and the

[42] Cecilia Perla, "Extracting from the Extractors: The Politics of Private Welfare in the Peruvian Mining Industry" (doctoral dissertation, Brown University, 2012).

heightened attention these bring to remote localities—present people with an opportunity to try and draw material and symbolic benefits. Secondly, the relationship between violence and attention is strategically important to conflict actors for completely different reasons if they support, or if they contest, mining projects. Because they are so central in my thesis, I will parse out these two points in the following paragraphs.

While only some actors directly perpetrate physical damage, this study finds that almost all actors involved *use* violence, to some extent. Most people I interviewed, across various corners of mining issues in Peru, are 'nonviolent' personally—they identify as people who reject and would not use violence. However, most actors do not think that all or any violence is unjustified. On the contrary, almost all of them could justify its use in specific circumstances, for example in situations such as self-defense, wars for independence, and others. In other words, people who explicitly stated that they opposed violence could also identify qualified instances in which they could perceive it as necessary or legitimate, even if they would not engage in it personally. This demonstrated the challenge of categorizing actors as violent or nonviolent, which is reductive and problematic, otherizing, and even criminalizing. Instead, their narratives led me to realize that people on multiple sides of conflict—even those opposed to and unwilling to engage in violence—were 'using' the phenomenon of violence, at least rhetorically, thereby endowing it with symbolic and material life.

Because explosive moments of physical violence garner attention from media, the state, and the broader public, they give people variously involved in conflict a chance to reframe debates. People use violent events to create narratives and be recognized, to frame themselves as helpless, powerless victims, and to frame their opponents as evil,

backwards, or corrupt. They hope to shape discourses that can translate into attitudes, practices, and policies that are favorable to them. They thereby shape what violence is and does, imbuing it with meanings and affecting future interactions, as well as broader worldviews, norms, habits, relationships, policies, laws, material and symbolic structures, and more. And in most cases, people do not engage in these practices naively or 'pre-politically'; they do it with strategic intention and political consciousness.

This critique of the politics of attention shows how violence can be used to discredit, but it can also be used to gain favorable attention. People tend to assume that violence will result in negative backlash; however, contrary to this conventional expectation, the cases reveal how violence can be delegitimizing as well as a political instrument for gaining legitimacy and outside support. After a violent confrontation, people attempt to, and sometimes can, credibly convince the public that they are morally justified victims, that opponents are criminally responsible and deserve punishment, and that violence is sometimes necessary. Understanding this is crucial to ascertaining the causes and effects of violence—in Peru's subnational conflicts and beyond.

Whether they sympathize with protest or are in favor of its repression, people understand that publicly violent events attract attention, so these become part of actors' calculations. However, the opportunity to reshape public debates holds more potential for people contesting mining than for its advocates. This is because, structurally, Peru's legal institutions, political speech, and established media is aggressively in favor of resource extraction as the country's main pathway toward economic development, and they discredit and silence those who disagree. When the status quo is tipped so heavily in their favor, mining supporters have less to gain from upsetting this normalcy.

The institutional and legal frameworks that structure the possibilities of interaction between companies and their opponents are so favorable to mining, and so repressive to its opponents, that the absence of outside attention to local conflicts benefits mining companies. Company supporters willing to use violence or coercion against outspoken opponents do so counting on the belief that state, NGO, and media actors will pay very little attention to what happens in what are understood as remote, isolated, rural, and presumably underdeveloped spaces. This lack of attention presents a cover and the perception that companies can act with impunity. They can thus avoid the possibility of a media scandal, or of a resulting decline in their trade stocks. Whenever they need to, companies also have greater power to shape public narratives through their access to established media outlets (especially concentrated media conglomerates such as Grupo El Comercio, whose owners have been invested in mining since its founding[43]), where mining companies portray themselves as environmentally and socially responsible, and as victims of corrupt local and external agitators who manipulate ignorant, needy peasants for economic and political self-gain. And fundamentally, company supporters almost never feel the need to act illegally, for the law works in their favor.

On the opposite side of conflicts, people who protest mining for diverse reasons believe they have more to gain from unsettling that order and that status quo, which is why some have engaged in spectacles of violence, such as the burning of company property. In other words, activists perceive the lack of attention to their cause as an

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43 "Aurelio Miró Quesada de la Guerra: El Ingeniero Periodista Que Dirigió El Comercio," *El Comercio* (Huellas Digitales), May 14, 2015; Media Ownership Monitor, "Peru: Grupo El Comercio" (Reporters Without Borders, 2018).

obstacle to attaining victories—in the form of concessions from the mining companies, interventions from state mediators, or resources and support from outside groups. As many interviewees revealed separately, they therefore believe that spectacles of violence can be used successfully to draw attention, reshape the public debate, gain allies, and pressure their opponents to offer concessions. Of course, this is not always the case, and I was skeptical of such claims—until I heard them repeated by interviewees across the board: activists, mining supporters, scholars, and more. Given their respective interest in the dynamic, and how common the claim was, I decided to investigate it empirically.

Companies and their supporters have strong public relations strategies, more resources, and far greater access to national politicians and media, thus greater control over public debates. However, protesters in at least one of the cases—Tambo Grande—used a moment of violent confrontation and property damage to actually gain attention and support. What explains this surprising outcome? Based on the comparative analysis of the case studies, this research proposes that the success or failure of these attempts—whether or not mining opponents could use favorably the heightened attention brought about by violence—depends on two particular, equally necessary factors: (a) their access to diffuse media in which they can shift the conversation, and (b) how convincing they are in reframing themselves as legitimate and, most importantly, nonviolent.

Violence, Framing, and Outside Support

Here is how the process developed in the cases. If and when it happens, a moment of violence raises attention above the local level, inviting responses from regional and central governments, media, and nongovernmental organizations, for

example. If protesters arrive at a credible and decisive transformation of tactics, marked primarily by a commitment to nonviolence and framing their opponents as responsible for violence, they may shift the debate. At the same time, committing to nonviolent tactics is insufficient; the groups protesting also need access to diffuse media in which they can share their reframing. If the coverage of the confrontation is mainly criminalizing, or it is not diffuse enough to reach broad audiences, even a credible and decisive shift to a nonviolent framing will not draw support for the protesters.

Contrasting the cases shows how, to draw support and use 'the politics of attention' in their favor, protesters needed both a credible tactical transition to nonviolence and access to media. Protesters against the Cerro Corona project remained entirely nonviolent but had no real media coverage. Protesters in La Zanja and Lagunas Norte gained some access to media, but they were unable to present themselves as committed to nonviolence. Especially in the latter, media narratives heavily criminalized the movement, except in the coverage from a regional university's news broadcast and a local radio station. Only in Tambo Grande, protesters had *both* a credible transformation to nonviolence *and* access to various media through which they could diffuse their frames; this allowed them to use attention to draw more supporters to their cause, eventually tipping the conflict in their favor.

To put it simply, coercion and provocation—which take place slowly and subtly, over time, as well as directly and openly, in a moment of confrontation—draw people to escalate violent tactics in their protest. Violence then draws attention; however, this outside attention is, surprisingly, not always or only used to portray protesters in condemning or criminalizing ways. Heightened attention from outsiders gives people

engaged in conflict, including ambivalent residents of the surrounding area, an opportunity to 'use' the violence to draw material and symbolic benefits. Indeed, activists can channel outside attention favorably, despite the violent event that brought it, depending on their media framing and access. Specifically, if they can decisively and credibly shift to a nonviolent frame, and if they have access to media in which to diffuse this framing, they can use the violent event to their favor.

These dynamics, alongside how companies respond, ultimately explain the outcome of each case. Furthermore, understanding these processes and their roles in conflict opens the pathway for a third central finding of this study: the importance of accounting for violence as a phenomenon that transcends spectacular events.

The Everyday Meanings and Presence of Violence

Problematizing attention in the process of conflict escalation presents fundamental methodological and conceptual implications for the study of violence. Such implications coalesce around two main points: First, the event-driven logic of violence reinforces the issue I refer to as 'the politics of attention' that, through different forces and dynamics, serve to exacerbate and escalate conflict. Therefore, violence must be treated as a process and everyday phenomenon, one that can be symbolic as well as material, structural as well as embodied, and must be studied in context. Attending to its origins, micro-dynamics, and how it operates beneath the surface is crucial to transforming and preventing it. These everyday affectations (such as the feeling that one's dignity has been violated through a racialized insult and through 'micro-aggressions') can make the difference between nonviolent and physical confrontations.

Discourses have understated but major consequences on Peru's resource conflicts, often in surprising ways. Specifically, I will show how people on various sides of conflicts use culturally resonant frames, for example to portray themselves as powerless victims, their opponents as "ungrievable" or beyond rescue, and violent actions as justified.[44] This may indeed contribute to an exacerbation of violence. Furthermore, maneuvering this discursive terrain of conflict may also have a disciplining effect on actors' strategies: as people learn how their opponents use frames to delegitimize them, they adjust their tactics and manicure their public image strategically.

Second, however, while violence can be found in the tone of voice, rhetoric, and attitudes with which company operators address locals—for example, in condescending or deceptive ways—reforming these practices is not enough to prevent violence. This dissertation will also argue that there is a limit to the importance of discourse in understanding the lived experience and material conditions of people involved in these conflicts. As companies learn from previous confrontations and mistakes—their own and those of others—they are increasingly dedicating resources into training their staff in human-relations strategies. Junior, medium, and large companies alike hire high-skilled sociologists and psychologists as 'social relations managers,' and they spend time and resources sending these staff to trainings and conferences to learn about conflict avoidance from others in the industry.

Companies are intelligently changing the way they address and relate to people in the places they refer to as their 'impact areas.' But changing the tone or amicability of

[44] Judith Butler, *Frames of War: When is Life Grievable?* (London: Verso Books, 2009).

everyday encounters with locals does not entirely make 'not violent' the relationships between company operators and their local hosts. Again, these overtures may backfire if they are accompanied by repression, which provides both symbolic and material incentives for conflict to become both routine and rational. More importantly, the everyday violence at play within, and exacerbated by, conflicts over resource extraction should not be mistaken for a discursive-only problem. While training for friendlier or less-condescending attitudes towards locals and opponents has helped companies depoliticize their community relations, these superficial efforts of conflict avoidance do little to resolve most of the forms of violence that result from extractive capitalism, such as underdevelopment, pollution, gendered violence such as human and sex trafficking, or the racist histories and institutions that underlie land tenure. Indeed, at least one case will show how these discourses legitimate and occlude other forms of violence. Interrogating this depoliticization is therefore necessary to meaningfully build relationships, address violence, and construct durable peace.

In summary, violence has a social life that outlives events and media snapshots, and its roles are better understood as processes than as instances. Because it is the anger, resentment, and distrust that persists and takes on different functions—often, long after and even long before the attention-grabbing event that observers refer to as 'violence'—then reframing our shared understandings of violence will assist in finding more durable forms of conflict transformation and violence prevention. Violence must be analyzed as semiotic and discursive, but with a critical eye. Altering discourses alone, but leaving broader structural inequalities intact, does not help to eradicate violence, neither in its everyday embodied forms nor in how it explodes into spectacular events.

The arguments above can be synthesized as follows. The community engagement strategies of mining company actors explain why locals contesting mining projects (for environmental and redistributive goals) resort to violent collective action, although not in determined or straightforward ways. Repression tends to provoke undisciplined reactions by protesters, as established in numerous studies, but this research also finds that repression in combination with compensation generates even higher levels of violence and helps to routinize conflict into the fabric of company-community relations.

Although their local opponents identify various everyday forms of violence related to mining projects, company actors work hard to keep scandals and negative attention at bay; they profit from inattention, which provides impunity. They therefore use investment programs and media to frame themselves as responsible, and they rely on established media's selective gatekeeping about what types of violence are worth any public attention—a selectivity guided by racist and classist discourses, shaped by deeply ingrained cultural biases, that otherize, pathologize, and delegitimize local opponents.

Two things result when outside attention is drawn to violent conflict: first, locals might gain an opportunity to frame their causes favorably and to solicit support—including from NGOs, mediators, and the state; second, meanwhile, companies enter into crisis-management and promise solutions. This often creates a pattern by which conflict escalation, mediation, and resentment become a cycle sewn into the fabric of company-community relations. By pacifying and concealing tensions in the short term through investments or public relations strategies, all while simultaneously sowing conflict through arrogance toward local concerns and through repression of their opposition, companies effectively encourage and routinize violent escalation.

Protesters use a range of nonviolent methods to voice grievances, organize communities, and make demands. However, theories of civil resistance and nonviolent activism show that public attention is crucial for these dynamics to galvanize support and succeed. The paradox is that violent protest is more successful at drawing attention than most forms of nonviolence—despite the latter's moral appeal and the risk of delegitimization that comes with the former. The question becomes: what kinds of resistance can draw both attention *and* favorable framing? In part, the answer requires an interrogation of what is framed as violence or nonviolence, by whom, and to what effect. Beyond questioning these binary logics, local agency is also key to unlock this puzzle: with different results, activists sometimes worked to transform their tactics, access friendly and diffuse media, narrate their own stories, and gain support. In one case, they did this so successfully that they fully stopped a major, state-sponsored mining project.

This dissertation is a critical interrogation of violence—as a concept, dynamic, discourse, and social process, particularly within the context of mining conflicts in Peru. It argues that everyday violence and the politics of attention explain why people, including those organized to contest mining projects as well as mining company actors and mining supporters, adopt coercion and different levels of violence. In turn, the strategies of these various and amorphous 'sides' explain the shifting processes and the outcomes of each case.

Research Design, Methodology, and Methods

More than ever, it is critical to understand resource conflicts and the dynamics that lead them to escalate. A primary challenge in doing this is that violence is a difficult

concept to study, especially from a distance. Explanations for political violence must account for its contexts, its construction, and the relationships, networks, and legacies it generates.[45] To excavate such contingent factors, it is necessary to conduct 'thick,' in-depth analysis that can trace these processes, dynamics, and causal mechanisms in a grounded way.[46] However, Peru's numerous resource conflicts demonstrate common patterns that deserve inspection. To draw theories useful more broadly, comparison across cases is needed. Therefore, to arrive at the findings outlined above, this study merged ethnographic within-case analysis with a controlled comparison of cases.

I used a controlled comparison based on John Stuart Mill's method of difference.[47] First, by restricting the scope of the study for one particular industry (mining), one specific mining sector (gold), a sub-region of a singular country (the north of Peru), and a specific time frame (conflicts between 2000-2015), I could arrive as closely as possible to holding constant the variation among other factors that may drive case outcomes. Second, I chose cases that shared similar conditions but had different results along the factor to be explained: the levels of violence each project reached. This setup allows me to identify, trace, and analyze the dynamics that explain how similar cases can lead to contrasting outcomes—insights that may apply in other contexts.

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[45] Donatella della Porta, *Clandestine Political Violence* (Cambridge: Cambridge University Press, 2013); Michel Wieviorka, *Violence: A New Approach* (London: SAGE Publications, 2009).

[46] Andrew Bennett and Colin Elman, "Qualitative Research: Recent Developments in Case Study Materials," *Annual Review of Political Science* 9 (2006): 455-476; David Collier, "Understanding Process Tracing," *PS: Political Science* 44, no. 4 (2011): 823-30.

[47] See Arend Lijphart, "Comparative Politics and the Comparative Method," *American Political Science Review* 65, no. 3 (1971): 682-693; Todd Landman, *Issues and Methods in Comparative Politics: An Introduction* (New York: Routledge, 2008).

I selected four 'paradigmatic' cases that best reflected the range of escalation in Peru's gold mining conflicts: Tambo Grande, La Zanja, Lagunas Norte, and Cerro Corona. Despite their contextual similarities, a crucial factor that varies across the cases is how corporations responded to local pressures, and their processes of learning about these relations; ultimately, these differences shaped the cases' divergent outcomes.

Data for this study was collected during two fieldwork periods. First, I visited Lima to establish contacts and narrow my case selection in July-September 2014. I then lived in Peru for just over 13 months between August 2015 and September 2016. I spent most of my time living in mining areas in the north of the country, and made several trips to Lima. Through this immersion I conducted more than 230 interviews, collected and coded more than 900 archives (including stakeholders' publications, media clippings, and official documents), and participated in or observed dozens of processes with actors involved variously in mining conflicts.[48]

Critical discourse analysis of these sources, assisted by several layers of qualitative coding, provides a "thick description" of the cases.[49] This helps to weave a complex story and trace the processes by which people perceive events, make choices, frame their perspectives, and shape the outcomes of cases. Then, controlled comparison of cases

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[48] Interviewees include mining area residents, in various occupations; movement leaders and participants; mining employees, managers, and executives; members of local, national, and international organizations; municipal, regional, and national government officials, in various related offices; and journalists and academics based near the cases as well as in Lima. The study treats participants with nuance and as partners, whose concerns and questions are centered in my analysis. Participants provided informed consent for this research, which was approved by a full IRB protocol. For more on my data collection and analysis methods, see Chapter III of this dissertation as well as the annexed notes on methodology.

[49] Clifford Geertz, *The Interpretation of Culture* (New York: Basic Books, 1973).

helps to build theory about conflict mechanisms and the prospects of resolution efforts. Adopting a carefully reflexive, immersive, participatory, and systematic research design, this in-depth comparison of four gold mines in northern Peru contributes original insights about the processes through which conflicts become violent, as well as those that lead actors to eschew violent means of waging conflict.

Roadmap

This dissertation is divided into three parts. First, the present chapter introduces the study and summarizes the comparative analysis of actors' strategies across the cases, including their different processes, trajectories, and outcomes. Next, Chapter II situates the research questions in their theoretical, legal, and cultural terrains. I survey the literature and the political context that may help to answer why some of Peru's resource conflicts become more violent and how violent conflicts are managed, transformed, and resolved. That chapter concludes by suggesting a framework that may answer to the most important shortcomings and criticisms of extant studies, and Chapter III then presents a careful detailing of my research design as a way to enact that framework through this Ph.D. research. The latter explains the logics and ethics of the analysis, describing and justifying how my research design and case selection are necessary to build onto the gaps in available literature. For example, I detail why I chose gold, mining, and Peru, and what that means for the study. Moreover, I discuss my position, research ethics, and intentions, and how they are reflected in all these choices—for example, my choice to scrutinize actors in the mining industry, as opposed to only social movements, is informed both by the lack of attention to them in extant studies and by my position as

a white-skinned, non-Peruvian male, which granted me unprecedented access to interviews with numerous players in the corporate sector.

In the second part, the four gold mining cases are described in detail in separate chapters. The first of these empirical chapters, a case study of the Tambo Grande mine, focuses on the mechanisms by which the locals organizing against mining were able to turn a violent confrontation and arson into a successful nonviolent struggle. Because of this transformation, and with help from activist media and outside supporters from Lima and beyond Peru, including Oxfam International, the movements there stopped the Manhattan Minerals Corporation's proposed project. In the La Zanja case I explore the interaction between different kinds of strategies adopted by the company, including investment projects termed 'corporate social responsibility' and different types of repressive actions against local opponents, both in the exploration face and since the construction of the mine. Next, the Lagunas Norte case study elaborates these themes, although through slightly different dynamics. Barrick Gold, the company there, used mainly investment strategies and some repression, and yet this combination reached similar results as in La Zanja: they locked the contenders into routinized conflict.

In the fourth empirical chapter, I demonstrate how companies such as Gold Fields are increasingly sophisticating their community relations strategies, namely by refusing to use repression and by intentionally countering the condescension that often marks interactions between locals and company officials. These practices have effects on the level and tone of conflicts faced by these companies, but the Cerro Corona mine also demonstrates the limited potential of such superficial changes to eradicate the many forms and meanings of violence that manifest in the relationships between wealthy

transnational companies and rural, typically low-income actors. While minor changes have depoliticized interactions between locals and company officials, who boasted in interviews about their need to conceal their privilege from locals and 'blend in,' such changes ultimately do little to alter everyday forms of violence. That case builds on the previous chapters by analyzing what 'dialogue' means to the different actors involved; specifically, it inspects the intentions, processes, and effects through which different spaces for dialogue are crafted or demanded by the state, companies, and civil society.

Finally, the chapter in part three summarizes the study's key implications within and beyond Peru, discusses its limitations, and offers some proposals for action to help contain and prevent the different forms of violence—selectively noticed and unnoticed—that commonly envelop conflicts over resource extraction.

Many people have died over resource extraction and in resource conflicts, inside and well outside Peru. In Peru especially, but perhaps also in similar contexts, biased mainstream commentators often accuse these victims of being backwards, "anti-development," and even "terrorists." In framing protesters as enemies of their country's prosperity, these dominant narratives serve to justify people's deaths as an inevitable part of a broader project of 'modernity' and 'development.'[50] Because the victims are often

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[50] For a similar critique, see Marco Avilés, "No Soy Tu Cholo," *Ojo Público*, April 9, 2017. For an example, see Mariella Balbi's interview with Alberto Pizango on her Canal N television show, in the period leading up to the June 5, 2009 massacre in Bagua. In the interview, the pundit aggressively questioned and constantly interrupted a surprisingly calm Pizango, elected leader and spokesperson for the native communities protesting in Amazonas region in 2009. Balbi charges, "Realize that you are putting this whole country at risk!" Balbi later reiterates, "the country cannot be halted for you [*ustedes*]… I am not going to lose electricity because you people do not want to dialogue." For a recording of this televised interview, see *When Two Worlds Collide*, documentary film directed by Heidi Brandenburg Sierralta and Matthew Orzel (2016; Lima, Peru: Yachaywasi Films), DVD.

dark-skinned or indigenous, and especially women, one cannot abstract these discourses from the white supremacist and misogynistic legacies of colonialism that have marked the meanings of development, and for whom, in these landscapes for longer than five centuries. Thus, such commentators are not only uncritical of, but also partly responsible for, how extractive capitalism intersects with various forms of state and corporate violence—components of 'development' as a neocolonial, unevenly beneficial and burdensome, and whitening project.

Companies' social and environmental responsibility is endlessly touted in official speech, everyday conversations, online social networks, broadcast media, and propagandist journalism. Meanwhile, the political formation of movements in response to resource extraction in Peru has been typically *ignored* (when confrontations are treated as 'spontaneous events'), *pathologized* (or treated as 'culturally backward,' 'criminal,' or 'violent'), and *repressed* (where the former two responses help to justify state and corporate violence, land theft, and systemic exclusion) by mainstream representations found in media, state, and even scholarly discourses.

This dissertation will demonstrate how, contrary to these gendered tropes, classist assumptions, and racist representations, local movements in Peru's rural contexts are explicitly working to promote sustainable development and to stop various types of violence. Indeed, this is a concept they are theorizing, expanding, and responding to with much greater nuance and sophistication than is typically acknowledged in detached, un-reflexive, and hegemonic analyses. Highlighting and analyzing their ideas, theorizing, and actions can help to build more enduring forms of peace.

Chapter II
Everyday Life, Mining, and Conflict in Peru

> [Mining companies] leave us the taxes they paid, which for us is too much, because we are poor, but they also leave us the pollution. Legally, they do it, but it is pollution. In fact, it is several types of contamination. The cost of everything increases: it is *economic pollution*. Second, there is *moral pollution*: where there is an influx of mining or a mining camp, there is prostitution. Some are sex workers, but most are part of a modern slavery. And we do not see it. We condone people and allow the abuse. There is corruption of authorities, officials, and leaders. They have successfully distorted laws and elections. [The gold company] Barrick has funded four different candidates in Otuzco. For what? They do not want us to choose for ourselves. That is pollution as well: *political pollution*. When they come, alcoholism and violence increase. *Social pollution*. Then there's *environmental pollution*. They jeopardize the quality and quantity of water. They discredit us: they say that our work is worthless. They do it in local and national media. It's good to be denigrated. It would be bad if they endorsed our work! They distort laws, and have lobbies like the "Peru-Can Project," which is only meant to alter environmental law. They try to divide the social organizations that oppose them. They bring parallel organizations like a 'new' Ronda [peasant patrol] to discredit and replace local authorities. They distort how we organize, and they accuse us of being anti-mining terrorists. That is another damage: criminalization. Meanwhile, they do not comply with the agreements that they sign. We are not anti-miners. What we want is spaces of justice to exist. And that they stop pursuing those who defend the rights of people. Justice, peace, prosperity, and respect. We must start a process of land use planning, and to organize ourselves. We must stop applauding with a single finger.[51]

Introduction: A Life of Gold

Gold is a site of struggle. On the one hand, the treasured metal is a valuable commodity; a symbol of fortune, luxury, and status; a metaphor for victory, success, and prosperity. The mineral element is malleable and enduring, and its utility ranges from that of a

[51] Anonymous environmental leader, speaking to a workshop in La Libertad, on November 19, 2015. The majority of interviewees are anonymized in this study, except as requested by them.

superconductor, present in electronic devices that are in growing global demand, to even serving as an edible food garnish for the affluent and extravagant. On the other hand, its glitter conceals an ugly truth.

Gold is a conflict mineral, a storied reason for bloodshed across much of the world for longer than, but especially in, the last five centuries. Pillaging precious commodities like gold motivates colonial exploration, conquest, subjugation, exploitation, and ongoing dependency.[52] Lust for gold is mainly what brought Francisco Pizarro and his conquistadores to Cajamarca, Peru, in 1532, and keeps Cajamarca, now home to South America's largest gold mine, as Peru's main gold producing region. Today, in mining areas within and beyond Cajamarca, authorities and residents report severe pollution, water scarcity, lead and arsenic in locals' blood, and other problems, such as the mass deaths of river fish.[53] Meanwhile, gold's scarcity and historically high market value continues to lure exploration and exploitation, causing displacement, pollution, corruption, human and economic underdevelopment, and violent conflict along its global paths—from the sites where it is extracted to where it is retailed, consumed, used, stored, and wasted.[54]

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[52] Eduardo Galeano, *Las Venas Abiertas de America Latina* (Mexico, DF: Siglo XXI Editores, 1971).

[53] The mass deaths of trout have been reported numerous times in Cajamarca. In fact, this has happened on the same river at least three times, in 2002, 2006, and 2012. On the most recent case, see "Acusan a Minera Yanacocha por Muerte de Truchas en Río Llaucano," *Servicios de Comunicación Intercultural*, accessed January 18, 2018. https://www.servindi.org/actualidad/75647. In another case, according to its own website, Yanacocha "never denied its responsibility" and promised safety guards would be installed after 36,000 trout died in Porcón in 2002. See "Flora y Fauna," Yanacocha, accessed January 18, 2018. http://www.yanacocha.com/flora-y-fauna/.

[54] The price of gold per troy ounce in the global market rose from $272.65 at the close of 2000 to $1,420.25 in 2010. "200 Years of Gold Prices," Only Gold, accessed January 18, 2018. http://onlygold.com/m/Prices/Prices200Years.asp/.

According to the World Gold Council, just over half of all gold produced becomes jewelry, one quarter is kept by private investors, 12 percent ends up in central banks and state vaults, and about 10 percent of all gold demand is created by the electronics industry.[55] Less than 30 percent of this demand is satisfied by recycled gold, which means that over 70 percent of the gold produced each year is extracted from the subsoil, feeding a mining boom during the past two decades. Thanks to high demand for technological gadgets from Western and other rapidly growing markets—including affluent populations in India and China, which together account for 50 percent of global demand—mining exploration budgets more than doubled between 2009 and 2011. One quarter of the industry's total exploration budget in 2011 went to Latin America.[56]

Latin America produces more than one-fifth of the world's gold, with Peru and Mexico as the region's largest gold producers (first and second, respectively).[57] Most medium-to-large gold mines there use open-pit, mountain-top removal to blast through rock and gather earth, creating large holes that, from a bird's-eye view, appear as concentric. Fleets of diesel-powered industrial trucks then each carry about 180 tons of mined rocks and dirt, along with roughly 8.5 ounces of gold, to where it is processed. To

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[55] "Interactive Market Chart," World Gold Council, accessed January 18, 2018. www.gold.org/data/gold-supply-and-demand/gold-market-chart. An estimated 12 percent of all gold is contained in electronic devices such as tablets and computers, and is therefore unrecoverable unless those devices are carefully recycled. Hass McCook, "Under the Microscope: The True Costs of Gold Production," *Coin Desk*, accessed January 15, 2018. https://www.coindesk.com/microscope-true-costs-gold-production/.

[56] Codi Yeager-Kozacek, "Global Gold Rush: The Price of Mining Pursuits on the Water Supply," Circle of Blue, June 15, 2012. http://www.circleofblue.org/2012/world/global-gold-rush-the-price-of-mining-pursuits-on-water-supply/.

[57] "Observatory of Economic Complexity," Massachusetts Institute of Technology.

separate the gold from rock and earth, the most common and cost-effective method is cyanide heap-leaching. Machines crush and pulverize the soil and rocks, which are then spread onto water-tight and artificial ponds; there, the materials are flattened and sprayed with a cyanide-and-water solution meant to dissolve and drain the gold. Engineers then mix the gold and cyanide with carbon, which bonds with the gold particles, and in turn, another acidic solution (typically, hydrochloric acid) is used to separate the carbon. The liquid gold-and-acid solution is then poured onto electrified steel, which attracts the metal. Once gold-plated, the steel is exposed to temperatures high enough to melt the gold, which is then drained, isolated at last, and usually smelted into iron bars for transportation.

The cyanide pools leftover in tailings dams can be reused limitedly, but a small mine still consumes thousands-to-millions of gallons of water each day. This water cannot be recovered, as it is mixed with the more than 1,900 tons of cyanide that an average large gold mine uses yearly.[58] If they are not deliberately dumped into soil or water, tailings are dumped by the end of a mine's lifecycle—typically two to three decades long.[59] (In 2012, investigators revealed that nine of the world's largest mining companies dump their tailings into rivers, lakes, or the ocean, including companies that operate in Peru such as Barrick, Newmont, Vale, Rio Tinto, and Xstrata.[60])

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[58] Payal Sampat, "Fact Sheet: The True Cost of Valentine's Day Jewelry" (Washington, DC: Earthworks, 2015).

[59] "Vital Waste Graphics," United Nations Environmental Programme, 2004, accessed January 13, 2018. http://www.grid.unep.ch/waste/html_file/44-45_conclusion.html.

[60] Earthworks and Mining Watch Canada, "Troubled Waters: How Mine Waste Dumping is Poisoning Our Oceans, Rivers, and Lakes" (Washington, DC: Earthworks, 2012).

Along the way, the process generates additional forms of pollution: the mountain-top removal process exposes sulfides in rocks to air and water, creating sulfuric acid and releasing it into the atmosphere. Highly toxic chemical agents such as cyanide often spill or leak from their containers, which are usually uncovered and susceptible to heavy rain and flooding. Similarly, other poisonous substances contained in rock, such as arsenic, cobalt, copper, cadmium, lead, silver, and zinc, get washed away with rainwater and artificially leached water, and are thus carried downstream, where trace amounts are hugely dangerous to aquatic life, wildlife, broader ecosystems, human health, and local economies. Furthermore, mercury and other hazardous heavy metals are a common bi-product of refinement. And according to the U.S. Department of Energy, nearly 80 percent of the materials used in the process become toxic and irrecoverable.[61]

Water usage depends on the ore grade (or concentration of minerals in the soil) at each site, which varies immensely, and on the type of processes the miners use. Also, each observers' methods of measurement may also vary, so it is useful to study estimates across various peer-reviewed research; one such comparison of these estimates found that efficient mines require an average of 260 metric tons of water and 200 gigajoules of energy for every 32 ounces of gold they produce; in addition, each 32 ounces of gold produced generate 18 metric tons of greenhouse gases such as carbon dioxide and 1,270 metric tons of waste solids.[62] To put these figures differently, producing a single half-

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[61] Ben Hallman and Roxana Olivera, "How the World Bank is Financing Environmental Destruction," *The Huffington Post*, April 15, 2015.

[62] Gavin Mudd, "Resource Consumption Intensity and the Sustainability of Gold Mining" (presentation, 2nd International Conference on Sustainability Engineering & Science, Auckland,

ounce, 18-carat gold ring requires mining over five metric tons of earth, burning more than 833,333 watt hours of electricity, and permanently contaminating more than 1,000 gallons of fresh water—the planet's most important resource.

Although seemingly disconnected, wider structures, actors, and dynamics are linked across geographical boundaries by these conflicts. The mass extraction and production of minerals for global consumption require water, land, electricity, workers, policing, infrastructure, roads, processing plants, transcontinental transport, increasingly globalized networks, and more. Furthermore, the environmental and human risks of mining are only part of its hidden costs. Tensions arise much before production begins, as mines tend to require the displacement of people living on the surface land, above the discovered concentrations of metallic deposits. Those residents may be self-sustenance or small-scale farmers, indigenous peoples, and people who hold religious or cultural attachments to their land. Thus, in addition to being resource-intensive operations, mining becomes entangled in complex social contexts, histories, and politics.

This research argues that, despite cases' heterogeneity and contingencies, the most significant causal explanation for the escalation of Peru's gold mining conflicts

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NZ, February 20-23, 2007); Terry Norgate and Nawshad Haque, "Using Life Cycle Assessment to Evaluate Some Environmental Impacts of Gold Production," *Journal of Cleaner Production* 29, vol. 30 (2012): 53-63. See also Benedicte Bull and Mariel Aguilar-Støen, *Environmental Politics in Latin America: Elite Dynamics, the Left Tide, and Sustainable Development* (New York: Routledge, 2015). Again, this regards the largest and most efficient operations, owned by companies that utilize the most common techniques for gold exploitation available. Less efficient sites, ore sources, and processes require substantially more resources and produce even more waste, and some formal, corporate-owned mines consume much more water. For example, Rio Tinto's Argyle Diamond mine in Australia consumed 3,500 mega-liters of water in 2005; see Perrine Toledano and Clara Roorda, "Leveraging Mining Investments in Water Infrastructure for Broad Economic Development: Models, Opportunities and Challenges," Policy Paper, *Columbia Center on Sustainable Investment*, March 2014.

rests on the agency of company actors. Their strategies (and lack thereof) for approaching and responding to communities and local opponents are, in contrast to alternative explanations, the factor that best helps to understand why locals undertake tactics beyond the realm of what is typically considered 'nonviolence,' such as arsons, temporary detainment, and physical violence against people.

Previous studies of resource conflicts have downplayed or altogether ignored this factor. In Peru particularly, the ombuds office, Defensoría del Pueblo, finds that conflicts are more likely against large companies, and when the project is surrounded by economically poor or disadvantaged communities.[63] Besides the environmental and social grievances people in extractive sites may have (about the uneven distribution of benefits and harms of mining activity), studies specifically analyzing mining conflicts in Peru center around three types of explanations: (1) organizations and individuals stir up trouble for economic self-interest, and manipulate local ignorance for political gain (a position adopted by many mining supporters); (2) low institutional capacity and poor institutional design lead to a lack of coordination among conflict-response entities, and a business-influenced or 'captured' state is unwilling to respect the right of local populations to consultation and consent before development projects that will impact them are constructed; and (3) there is generally poor communication between actors.

More broadly, beyond Peruvian mining, Marta Conde, Jonathan Gamu, and Philippe Le Billon have reviewed the literature on 'resource wars' and provided the most

[63] Defensoría del Pueblo, "Violencia en los Conflictos Sociales"; "Reporte Mensual - Enero 2017."

exhaustive summary of the causes of such conflicts.[64] In their opinion, these causes can be summarized into the categories of structural (economic, cultural, and historical), contextual (institutional and political), and proximate (perceptions, livelihood, lack of participation, benefit distribution, and distrust, and poor communication). This study takes up and builds onto the latter especially.

As I will argue below, previous studies of company communication and community-engagement strategies have focused on the rising importance of 'corporate social responsibility' (CSR) practices, but they have fallen short in understanding the specific shape and character of conflict (i.e., estimating why conflict may develop violently versus in other ways), they have ignored how CSR interacts with other forms of corporate-community relations (such as the reliance on state repression and private coercion), and they have largely ignored the roles of discourse, specifically how it interacts with race and other structural forms of oppression. All of these ignored explanatory factors deserve to be unpacked, as this chapter and dissertation intend.

My dissertation considers these different factors, as well as others, and provides an original analysis of how discursive forms of power interact with company strategies and everyday life. Combined, these factors have the strongest explanatory potential. Far beyond just a lack of understanding, it is important to theorize the sources of distrust, discontent, and resentment that lead to violent escalation. This study therefore builds on previous insights to go deeper in understanding how insincerity (of promises,

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[64] Marta Conde, Jonathan Gamu, and Philippe Le Billon, "The Rise in Conflicts Associated with Extractive Sector Projects – What Lies Beneath?" Canadian International Resources and Development Institute, 2017.

agreements, land-sale valuation, and false dialogue as pacification), lack of transparency, arrogance and impunity, and coercive tactics are the factors that can lead to violence—and more importantly, can be addressed in order to prevent it.

This chapter details the theoretical, cultural, and legal terrain of the study. It surveys both the literature and the political context that may help to answer why some of Peru's resource conflicts become more violent, and how violent conflicts transform away from violence. To develop a strong background understanding of these matters, this chapter reviews and summarizes previous answers to three particular questions: What explains violent conflict? What explains resource conflicts? And what explains conflicts in Peru? Then, it closes with a synthesis of what is useful and absent from these respective frameworks in answering a composite, to-date-unanswered question: What explains violence in Peru's resource conflicts? After reviewing literature from within as well as from outside of Peru, I argue that an analytical framework that seeks to answer this question must integrate critical, qualitative approaches to violence, nonviolent agency, and resource conflicts in their respective contexts, taking account of actors' relationships, choices, and the institutions and structures that may shape those choices.

Human Conflict and the Social Life of Violence

> The kind of strategy people adopt to resist the onslaught of global capital is quite often not an ideological choice, but a tactical choice dependent on the landscape in which those battles are being fought.
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> –Arundathi Roy[65]

[65] Arundathi Roy, "We Call This Progress," *Guernica Magazine*, December 17, 2012.

Concepts are malleable objects, constructs perpetually in motion across times and spaces, and contested sites of power.[66] The same concept is articulated and positioned within the logic of widely diverse ideologies and worldviews. From general understandings to situation-specific uses, their performances—that is, how they act through the meanings imparted onto, perceived from, and mis-transmitted by them—richly vary, even within the same cultural and historical context.[67]

Perhaps no concept is more morally and emotionally confusing than the label 'violence' and its cognates.[68] Such confusion is conceptual, ethical, and quite common—

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[66] Reinhart Koselleck, "The Modern Concept of Revolution as a Historical Category," *Studium Generale* 22, no. 8 (1969): 825-838; David Harvey, "Militant Particularism and Global Ambition: The Conceptual Politics of Place, Space, and Environment in the Work of Raymond Williams," *Social Text* 42 (Spring 1995): 69-98; Raymond Williams, *Keywords: A Vocabulary of Culture and Society* (Oxford: Oxford University Press, 1985).

[67] Stuart Hall, "Racist Ideologies and the Media," in *Media Studies: A Reader*, eds. Paul Marris and Sue Thornham (New York: New York University Press, 2000). For example, 'freedom' means different things to members of the same group of investment bankers, and their interpretations also differ from those of a member of the Wet'suwet'en nation. Likewise, 'sustainability' and even the discourse of 'peace' are often appropriated by neo-colonial actors who hope to promote their so-called 'universal' values through the same process of domination that interrupted local visions and understandings of sustainable peace; Victoria Fontan, *Decolonizing Peace* (Lake Oswego, OR: Dignity Press, 2012).

[68] Charles Tilly, "Violent and Nonviolent Trajectories in Contentious Politics" (presentation, Symposium on States in Transition and the Challenge of Ethnic Conflict, Columbia University, New York, December 29, 2010). I do not believe that there is a single, unitary definition of violence or even political violence. In my view, all violence is political, from macro-level "structural violence" such as racism or poverty to direct physical damage to living things, and this applies even in micro-level aggressions. Particularly within Peace Studies literatures, many scholars see almost-any affront to dignity as a form of violence, since it creates the conditions that prevent human development or happiness. Raymond Williams, who warns that "the emotional power of the word can be very confusing," identifies at least seven senses: (a) physical assault, (b) use of physical force, and (c) the sense of portrayal, as in 'violence on television,' which "can include the reporting of physical events but indicates mainly the dramatic portrayal of such events" (Williams, *Keywords,* 329). It becomes more difficult when we speak of (d) violence as threat, (e) violence as unruly behavior, (f) violence as a way to denote intensity (as in

perhaps understandably, given the politicized nature of a term such as violence, which sells so well, entertains so easily, and can mean so many things. The categorization of events as violent is often used to delegitimize certain groups, practices, and actions. On the other hand, the use of the label can help to bring attention, moral outrage, and action against violations of human dignity. Therefore, towards the goal of transforming and preventing violence, there is an important use of the term, for in order to correct an injustice, societies must have the language to recognize it.

Despite its politicized nature, it holds important analytical and juridical utility. To retrieve and reanimate this utility, it is necessary to disentangle the concept, take as few things for granted as possible, and critically assess its "social life."[69] In this section I want to point out the key strengths and weaknesses I find in extant studies of violent conflict; additionally, I seek to develop a framework that can counteract these deficiencies.

As I summarized in the previous chapter, explanations of violence cluster around either macro-structural or idiosyncratic factors. Among literature that has explained patterns of human violence in diverse settings and through multiple approaches, the strongest explanations treat violence with skepticism, rather than assuming universal interpretations of the category. These works attend to the contextualized, contingent ways in which the category is constructed and deployed, as well as to the political, economic, and social relations that it generates.[70] However, such studies are a small

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'violently in love'), and (g) something that wrenches meaning or significance from another thing (330).

[69] Gabriela Torres, "Imagining Social Justice amidst Guatemala's Post-Conflict Violence," *Studies in Social Justice* 2, no. 1 (2008): 1-11.

[70] della Porta, *Clandestine Political Violence*; Wieviorka, *Violence: A New Approach*.

minority within the literature. What dominates instead is a detached, mainstream, objectivist approach to violence—a paradigm that is either intentionally or unconsciously problematic, for at least a couple of reasons. First, one issue with some of these foci is over-determination. For example, while attention to peoples' grievances is useful, these have existed in much of the world, at various times, but they have rarely led people to violence.[71] Second, most of these kinds of works mistakenly conceive of conflict as equivalent with violence, and thus ignore how resource conflicts might escalate and intensify in nonviolent ways.[72]

A third and more fundamental problem in dominant studies that they see violence from the sterile and detached lens of positivism.[73] As researchers have argued previously—especially from within the fields of feminist and critical ethnic studies—social science is never a politically neutral practice.[74] Power and politics are reflected

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[71] In contrast to this overly deterministic perspective, scholars such as della Porta have provided path-breaking, contextualized insights into the role of friendship and kinship groups in violent activism, noting that young militants are radicalized by group pressures, social status, and personal significance. Donatella della Porta, *It Was Like a Fever: Storytelling and Protest in Politics* (University of Chicago Press, 2006).

[72] See Andrew Dey, Javier Garate, Subhash Kattel, Christine Schweitzer, and Joanne Sheehan, *Handbook for Nonviolent Campaigns* (New York: War Resisters League, 2014). It is unfortunately common to confuse conflict with violence, perhaps because their causes are often attributed to the same phenomena: unequal patters of access to wealth, resources, and power, polarization, ideology, religion, and others. E.g., see Andrés Solimano, *Political Violence and Economic Development in Latin America: Issues and Evidence* (Santiago, Chile: United Nations Economic Commission for Latin America and the Caribbean, 2004).

[73] Bannon and Collier, *Natural Resources and Violent Conflict*; James Fearon, "Primary Commodity Exports and Civil War," *Journal of Conflict Resolution* 49, issue 4 (2005): 483-507; Ross, "Review: The Political Economy of the Resource Curse"; Jeffrey Sachs and Andrew M. Warner, "Natural Resource Abundance and Economic Growth" (Cambridge, MA: National Bureau of Economic Research, 1997). See also the 'Correlates of War' and 'Political Terror Scale' databases.

[74] See, e.g., Keisha-Khan Y. Perry, *Black Women Against the Land Grab: The Fight for Racial Justice in Brazil* (Ithaca: Cornell University Press, 2013), xiii.

along every step of the research process: who the researcher is, where and when her training and field sites are located, what her choice of themes and concepts becomes, the traditions and literatures upon which she situates her work, how she collects and analyzes evidence, whose voices are prominent and whose are left out, and so on—regardless of how apolitical the subject matter may appear to be. Research, including the positions of the researcher vis-à-vis the researched, embodies structural power relations, which are constructed over centuries through phenomena like colonialism and state formation; these ongoing processes are economic, political, and military, as well as intellectual projects.[75]

When studying something so intensely political as human violence, the pretense of objectivity can be not only naïve, but also problematic. To name something 'violent' is to condemn it, and the act of classification depends on, or at least activates, a moral boundary.[76] Violence is a process, not an event, and as such its boundaries are subjective; its beginning and end depend on the observer. Moreover, because there are many, overlapping 'types' of violence—structural, gendered, racist, economic, ecological, physical, indirect, and symbolic—the very choice to focus on one narrow definition of violence, and ignore the other forms of violence that may be at play, has a concealing effect. For example, representations of violent protest, insofar as they ignore the structural conditions in which it exists, serve to legitimize various forms of repression, understood as attempts to punish political opposition through overt and subvert means.

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[75] See, e.g., Edward Said, *Orientalism* (New York: Vintage Books, 1979).

[76] Charles Tilly, "Violent and Nonviolent Trajectories in Contentious Politics."

A similar issue that stems from a positivist epistemological stance is the preference for detachment, as opposed to commitment to the people and life under scientists' microscopes. Positivist researchers are not only a majority, but also a hegemonic force within the social sciences, capable of influencing what works and types of knowledge merit funding or publication. They ignore the institutional, practical, epistemological, and historical constraints that have shaped both the researcher's position vis-à-vis 'the others' and more broadly, the what constitutes 'valid' and 'unreliable' knowledge. Lack of positional awareness between the researcher and the researched is not merely an oversight, but actually considered valuable.[77] Attachments and commitments to those studied are treated as obstacles, for the observer must remain an impartial 'outsider' for their knowledge to be reliable.[78] The result is an approach to violence that privileges official sources of information as if they were impartial or

[77] For an example of problematic perspectives such as this, see Paul Collier and Anke Hoeffler, "Greed and Grievance in Civil War," *Oxford Economic Papers* 56 (2004): 563-595; Robert Hackett, "Objectivity in Reporting," *The International Encyclopedia of Communication I* (New York: Wiley, 2008); Mick Hume, *Whose War is it Anyway? The Dangers of the Journalism of Attachment* (London: Living Marxism Special, InformInc., 1997); Wilhelm Kempf, "Conflict Coverage and Conflict Escalation," in *Journalism and the New World Order, Vol. 2: Studying War and the Media*, eds. Wilhelm Kempf and Heikki Luostarien (Göteburg: Nordicom, 2002); Philip Knightly, *The First Casualty* (Baltimore: The John Hopkins University Press, 2002); David Loyn, "Good Journalism or Peace Journalism?" *Conflict and Communication Online* 6, no. 2; Philomen Schönhagen, *Unparteilichkeit im Journalismus. Tradition Einer Qualitätsnorm* (Tübingen: Niemeyer, 1998); Philomen Schönhagen, "Der Journalist als Unbeteiligter Beobachter," *Publizistik* 44, no. 3 (1999): 271–287. For a similar critique of this, see Donna Haraway, "Situated Knowledges: The Science Question in Feminism and the Privilege of Partial Perspective," *Feminist Studies* 14, no. 3 (1998): 575-599.

[78] For a critique of the insider-outsider binary, see Deianira Ganga and Sam Scott, "Cultural 'Insiders' and the Issue of Positionality in Qualitative Migration Research: Moving 'Across' and Moving 'Along' Researcher-Participant Divides," *Forum: Qualitative Social Research* 7, no. 3 (2006). For a critique of the objective/subjective split, see Deborah E. Reed-Danahay, "Introduction," in *Auto/Ethnography: Rewriting the Self and the Social*, ed. Deborah E. Reed-Danahay (New York: Berg Publishers, 1997).

unproblematic, is unreflexive, and raises the chances that its representations will act in problematic, often criminalizing ways.

These problems prevent the potential to analyze, let alone to transform and prevent, violent conflict. In fact, they may exacerbate it, by providing the logical and structural mechanisms by which violence becomes justifiable: by the state against its people, by non-state private actors against their opponents, and by people disaffected by political institutions. Framing people as violent serves to justify state violence against people.[79] Mainstream media does this cynically, but beyond openly biased and sensationalized media representations, it is even more important to notice that scholarly literature on violence has also tended to pathologize non-state actors, which has the effect—contrary to their alleged intentions—of foreclosing the possibility to better understand and prevent violent conflict. By failing to critically reflect on how that their own representations can obstruct social justice and legitimize specific forms of violence, such as violent policing and repression, scholars reify the power imbalances that will lead to future violence, and they end up reproducing the very thing they purportedly oppose.

These potential issues do not mean that the term 'violence' is any less useful, or that studying it is any less important; rather, they challenge us to realize that, through serious reflection about the construction of violence in both its material and discursive manifestations, we may develop greater leverage against these obstacles to social justice and sustainable peace. Although undervalued and discounted in mainstream social science, careful and reflexive analysis may be far more productive than obsessing about

[79] Nancy Lee Peluso and Michael Watts, *Violent Environments* (Ithaca: Cornell University Press, 2001).

treating every argument as if it had an equally valid counter-position. Alongside requiring a complex conceptualization of violence, these alternatives call for positional and engaged methods, rather than distant and statistical coding. More than simply a matter of choice, this critical and reflexive framework may provide greater analytical and practical tools to understand and dismantle various forms of violence.

Despite the richness of academic literature on violence, over-prediction, narrow conceptualizations, and detached analyses prevent the potential of studies to understand, transform, and prevent it. As I will detail in the next chapter, interviewees shared with me a complex picture of what violence meant in different contexts and to different people, which requires a re-theorization and reconceptualization of what violence is and does. To understand violence, it is important to ask not only where it originates but also what it *does*. How do people experience, perceive, and give meanings to it? How do its various forms shape their broader practices and their rules of conflict engagement? Knowing how it manifests symbolically and materially can help develop new tools to prevent it from flaring, well in advance of its eruption.

Contested Ecologies: Natural Resources and The Promise of Development

> Those on the frontlines of these struggles are often not environmentalists–they are communities defending their livelihoods, the right to participate in decision-making and recognition of their life projects. Nor is this, as governments and companies try to paint it, about a balance between development and conservation. It is rather about the meaning of development itself, who is sacrificed in the name of development and who decides. Pollution is not democratic, nor is it colour blind.

–Leah Temper[80]

The demands of international trade, an expanding global consumer class, and the adoption of neoliberal policies over the past two decades have caused the prices of primary commodities to boom. This has encouraged many countries, especially those with a history of export-led economies, to adopt aggressive forms of resource extraction (in the form of drilling, mining, processing, damming, and harvesting) as their main engine for growth. Lucrative opportunities for multinational corporations, the spread of new technologies that increase the scale and reduce the costs of resource extraction, and financial speculation on commodities markets are sustaining a trend for export-led growth and a dramatic rise of extractive activities.[81] These are noticeable worldwide, but foreign direct investment and states dependent on it are expanding the frontier of resource exploration into more remote, resource-rich areas of the global South. For instance, while labor and environmental regulations in the European Union make extraction expensive, states like Peru and Brazil deliberately weaken their own regulations, speed up the approval of extraction projects, and deploy their security forces to protect investments.

Extractive industries are known to introduce a number of complex changes to rural areas. Locals and governments welcome many of these changes with open arms, as indeed these represent the very promise of extractive industries: increased economic

[80] Leah Temper, "Mapping the Global Battle to Protect Our Planet," *The Guardian*, March 3, 2015.

[81] Bebbington et al., "Contention and Ambiguity."

activity; an injection of cash into the local economy; jobs; higher revenues for local service providers, such as restaurants, hotels, transportation workers, and other businesses; and not least, higher resources for governments at the local, regional, and national levels, which may translate into greater investment into human development goals, such as education and healthcare. For communities in many subnational regions, extraction may seem to be the only possible revenue-generating economic activity available. However, unchecked extractivism can lead to severe problems.

Environmental degradation, including resource depletion and contamination, is accompanied by negative social effects.[82] These commonly include dislocation of local economies; displacement and acculturation of indigenous peoples, which threatens the extinction of languages, traditions, and whole cultures; integration of people into urbanized lifestyles and the global cash economy, where they may not succeed, causing them to end on the streets (especially if they sold their land for what, as people often realize later, was too small a price); rupture of local social bonds, loyalties, and patronage schemes; decay of traditional norms and structures; rise of local corruption, alcoholism, crime, sex trafficking, and drug trafficking; negative health indicators, such as higher child mortality rates, malnutrition, and lower educational attainment; heavy burdens on local infrastructure; and more idiosyncratic effects—for example, how controlled explosions at mining sites sometimes damage homes and other buildings nearby.[83]

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[82] Piers M. Blaikie, *The Political Economy of Soil Erosion in Developing Countries* (New York: Longman, 1985); Piers Blaikie and Harold Brookfield, *Land Degradation and Society* (London: Routledge, 1987).

[83] Javier Auyero and Debora Alejandra Swistun, *Flammable: Environmental Suffering in an Argentine Shantytown* (Oxford: Oxford University Press, 2009); Victoria Sweet, "Extracting More than Natural Resources: Human Security and Arctic Indigenous Women," *Seattle University Law Review*

The intrusion of extractive industries may jeopardize locals' survival in a number of interrelated ways: *economically*, if they farm for trade and self-sustenance; *biologically*, because they need clean water for this and anything else; and in some cases, *culturally*, if their identities, symbolic systems, and languages are attached to specific aspects of their environment—such as burial sites, bodies of water, or mountains considered to be sacred—that will be jeopardized or destroyed by extractive industries. Furthermore, locals frequently complain that companies reap massive gains from mining investment, but they ignore consultation with locals, offer few employment opportunities, and pay back minimal taxes. In so doing, they set the stage for discontent and conflict, especially among populations that surround the resources in question.

At the heart of conflicts over resource management today are different ideas about what constitutes progress and development. The hegemonic, dominant perspective on this matter—promoted and indeed taken for granted by public officials, international financial institutions, economists, and media spokespeople—is the Western, enlightenment idea that nature is for human use. People who defend this, or do not question their economistic bias, believe that all material and even intangible things can be *commodified*. This means, for example, that the worthiness of the environment and its components (including human bodies and their labor, non-human animals, plant species, non-sentient material, and even social phenomena such as education) depends on their

37, no. 4 (2014): 1157-1178; Heather Turcotte, "Petro-Sexual Politics: Petroleum, Gender Violence, and Transnational Justice" (presentation, Annual Meeting of the American Political Science Association, 2011); Shelly Whitman, "Sexual Violence, Coltan, and the Democratic Republic of Congo," in *Natural Resources and Social Conflict: Towards Critical Environmental Security*, eds. Matthew A. Schnurr and Larry A. Swatuk (New York: Palgrave McMillan, 2012).

price as regulated by market forces at any point in time. In this view, nature is valued according to its potential to render economic profits and material benefits.[84]

The undeniable negative impacts of extractive industry put in question the value and credibility of the dominant views of capitalist extractivism and its model of development. Various combinations of feminist, indigenous, anticolonial, antiracist, and ecological principles have emerged outside and in opposition to this economistic and extractivist view of development. Two significant principles often link these perspectives across various contexts: First, they tend to focus on not only how the benefits and burdens of extractive activity are unevenly distributed, but also among whom. The benefits of capitalist extractivism are concentrated among people who are white, affluent, male, urban, and based in the global North. Meanwhile, the negative impacts disproportionately affect poor people, women, people of color, indigenous peoples, global South peoples, gender and sexuality non-conformers, self-sustenance farmers, low-income workers, and the disabled.[85] Second, these perspectives overlap in their

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[84] David Harvey, *The New Imperialism* (New York: Oxford University Press, 2003). It should be noted that the economic valuation of nature might also lend itself towards the conservation of resources rather than their extraction and processing, as in the case of the eco-tourism industry. However, even in these cases, the impetus is still the potential profits that these resources may generate. Like resource extraction, eco-tourism involves land- and resource-intensive practices, such as the illegal destruction of mangroves to make room for transnational hotel companies. Moreover, eco-tourism tends to reinforce different social inequalities—for instance, via the exploitation of underpaid local workers, especially females—and often leads to conflicts: over land ownership, and locals' economic dislocation (and sometimes their incorporation into the service economy), and violent policing to enforce their displacement. See Angele Berland, "Uncovering Spring Break's Hidden Underbelly," Wild Angle Productions, accessed March 10, 2015. www.journeyman.tv/68198/short-films/cancun-cancer-hd.html.

[85] See Rocío Silva Saniesteban, "Asesinadas, Golpeadas, Encarcelads: El Impacto de los Conflictos Sociales Ecoterritoriales en los Cuerpos de las Mujeres Peruanas," *Revista Pueblos*, January 27, 2015.

alternative views of development, where ecological and humanitarian concerns take primacy over economic ones. These approaches consider living things as mutually dependent and reliant on a delicate balance with non-living things, including natural processes such as the water and nitrogen cycles. That is to say, they measure progress not by the scale of economic transactions but by the wellbeing of life.

Cursed by Wealth

Natural resources are a frequent and increasing source of conflicts across the world. According to the United Nations Environment Programme, "there is significant potential for conflicts over natural resources to intensify in the coming decades." Corroborating this, the Heidelberg Institute for International Conflict Research suggested that natural resources were the second-most frequent cause of conflict around the world in 2010, and the most frequent cause of conflicts in Latin America in 2013.[86] Given the frequency of such conflicts, and in order to channel and resolve them nonviolently, it is necessary to understand their recurring patterns.

Studies of resource conflicts have tended to focus on the state as a rent-seeking actor willing to loot resources, and also to repress the population if necessary.[87] States' interest in generating tax revenues from extractive projects, and their will to use state

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[86] Richard Matthew, Oli Brown, and David Jensen, *From Conflict to Peacebuilding: The Role of Natural Resources and the Environment* (Geneva: United Nations Environmental Programme, 2009); Heidelberg Institute for International Conflict Research, "Conflict Barometer 2014" (Heidelberg: HIIIK, 2014).

[87] Robert Bates, *Markets and States in Tropical Africa* (Berkeley, CA: University of California Press, 1981); Hazem Beblawi and Giacomo Luciani, *The Rentier State* (London: Croom Helm, 1987); Collier and Hoeffler, "Greed and Grievance in Civil War."

violence to do so, may indeed induce grievances. However, this line of arguments runs into two major problems. First, if repression is understood as a strategy to contain opposition, then it cannot be the singular explanation for that opposition also. Repression emerges during conflicts as one of their possible effects, but not as their cause—even if it may be a factor that exacerbates them. Secondly, these types of grievances are noticeable in many places where conflict does not manifest, at least openly, so they are inefficient explanations for conflicts—and they are even worse at explaining the shapes and dynamics of those conflicts, whenever they do occur.

Third, in contexts marked by neoliberalism—an ideology for economics, politics, and society based on the primacy of market forces, and which espouses principles of austerity, privatization, and the downsizing of the state—the state is not the singular agent, and perhaps not even the main one, involved in subnational conflicts. Because starting in the 1980s, "governments all over the world were forced to provide more attractive conditions for capitalists," the state is now rarely perceived as a credible and impartial mediator of the tensions, leading communities to believe that they will have to make their claims extra-institutionally.[88] Furthermore, neoliberalism has also marked the retreat of the state from the provision of social services in underserved areas under its legal and technical control, services that communities often now look to mining and other extractive companies to provide.

Because of its erasure of the liberal notion of a social contract, wherein the state is responsible for the wellbeing of its inhabitants, neoliberalization in general has been

[88] Jeffry A. Frieden, "Invested Interests: The Politics of National Economic Policies in a World of International Finance," *International Organization* 45, no. 4 (1991): 434.

associated with increasing social instability.[89] Rapid economic change of any kind, if it threatens to dislocate local economies and force people to alter their ways of living, might explain anxiety about, and resistance to, extractive projects. Neoliberalism is furthermore known to concentrate wealth, which exacerbates social inequalities and tensions.[90] In Latin America particularly, "injustices rooted in class and market relations are the main sources of contemporary conflict."[91] Poverty, inequality, and economic disruption are considered by the IPCC as primary "factors known to instigate conflict";[92] all of these factors are aggravated by resource extraction—ironically, perhaps, given the promise of development.[93]

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[89] Stephen D. Krasner, "State Power and the Structure of International Trade," *World Politics* 28, no. 3 (1976): 317-347; see also Moisés Arce, *La Extracción de Recursos Naturales y la Protesta Social en el Perú* (Lima, Peru: Fondo Editorial PUCP, 2015).

[90] Particularly in the developing world, this type of dislocation is becoming more frequent; see William Ascher and Natalia S. Mirovitskaya, *Economic Development Strategies and the Evolution of Violence in Latin America* (New York: Palgrave Macmillan, 2012): 240-241. See also Neil Adger, "Social Capital, Collective Action, and Adaptation to Climate Change," *Economic Geography* 79, no. 4 (2003): 387–404; Raymond L. Bryant, "Power, Knowledge and Political Ecology in the Third World: A Review," *Progress in Physical Geography* 22, no. 1 (1998): 79–94; Raymond Bryant and Sinead Bailey, *Third World Political Ecology* (London: Routledge, 1997); Ronald La Due Lake and Robert Huckfeldt, "Social Capital, Social Networks, and Political Participation," *Political Psychology* 19, no. 3 (1998): 567-584; Silvia Walby, "Globalization and Multiple Inequalities," *Advances in Gender Research* 15 (2011): 17-33.

[91] Susan Eckstein, *Power and Popular Protest: Latin American Social Movements* (Berkeley, CA: University of California Press, 2001), 23.

[92] Intercontinental Panel on Climate Change, "Fifth Assessment Report" (New York: United Nations, 2014). Numerous scholars have contended that the causes of conflict are frequently found in underlying inequalities and perceptions of relative difference—either of access to material resources or to institutions. See Frances Stewart, *Horizontal Inequalities and Conflict: Understanding Group Violence in Multiethnic Societies* (New York: Palgrave Macmillan, 2010); Yvan Guichaoua, *Understanding Collective Political Violence* (New York: Palgrave Macmillan, 2011). The character and extent of inequality are not only causes of, but also the targets of political conflict: social mobilization powerful enough to threaten regimes can contest and transform the unequal control of resources—material and symbolic; see Charles Tilly, *Contentious Performances* (Cambridge: Cambridge University Press, 1998), 222.

[93] Bebbington et al., "Contention and Ambiguity," 887-888.

One explanation for conflicts related to extractive industries may be underdevelopment. A rich literature has sought to explain why many areas or countries that are richly endowed with natural resources, especially minerals and hydrocarbons, tend to exhibit such negative outcomes in terms of persistent poverty and underdevelopment and increasing inequality. As they argue, the abundance of profitable natural resources might contribute to a sequence of economic and political distortions,[94] such as patronage or clientelism, that undermine the contributions of extraction to wider development, especially in the context of weak institutions and post-colonial states.[95] In other words, the abundance of resource wealth may create incentives for state actors to disregard the public and engage in corruption, thus eroding trust, democracy, and wellbeing.

The "resource curse," as this phenomenon is known, affects national governments as well as their subnational units. For example, in one of the most relevant and effective studies on this matter, Javier Arellano-Yanguas compiled and compared quantitative data from mining and non-mining districts in Peru. The results of the study

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[94] These distortions are accompanied by the vulnerability to which economies become exposed when they become dependent on a smaller range of commodities, the prices of which tend to fluctuate. Exposure to boom and bust cycles, itself the result of neoliberal institutional frameworks that have favored the concentration of investment in extractive sectors, enhances the negative effects of the resource curse. See Scott Pegg, "Mining and Poverty Reduction, Transforming Rhetoric into Reality," *Journal of Cleaner Production* 14, no. 3 (2006): 376-87.

[95] Javier Arellano-Yanguas, "A Thoroughly Modern Resource Curse? The New Natural Resource Policy Agenda and the Mining Revival in Peru." *The Institute of Development Studies* 300 (2008): 5-51; Bannon and Collier, *Natural Resources and Violent Conflict*; Philippe Le Billon, "The Geopolitical Economy or 'Resource Wars'," *Geopolitics* 9, no. 1 (2004): 1-28; Ross, "Review: The Political Economy of the Resource Curse"; Sachs and Warner, "Natural Resource Abundance and Economic Growth"; Karl, *The Paradox of Plenty*:; Fiorella Triscritti, "Mining, Development, and Corporate-Community Relations in Peru," *Community Development Journal* 48, no. 3 (2013): 437-450.

argued that, despite companies' considerable efforts to invest into voluntary philanthropic schemes and 'corporate social responsibility' strategies, areas with mining activity performed worse than non-mining areas. Not only had mining areas failed to improve on indicators of social and economic development over time (such as the poverty rate and the percentage of people with access to education, sanitation, and water), but worse, they actually had experienced a downturn. The study also used qualitative evidence of links between company investment and conflict, local clientelism, and political corruption. And damningly, the contrast between mining and non-mining regions showed that mining as a percentage of regional GDP had no statistical effect on regions' economic wellbeing, contrary to the propaganda, promises, and rhetoric of its supporters, and to local expectations.[96]

The various roles of economic interests in these conflicts cannot be overstated. Sometimes, miners themselves participate in conflicts, for economic reasons; for example, they may do so to reject the closing of mines, if they feel threatened by environmentalist challenges, or to prevent their displacement if they are small-scale or artisanal miners whose activities are deemed illegal and subsequently overtaken by corporations.[97] Also, economic discontent might trigger conflicts due to (a) the prices paid for locals' relocation, (b) inadequate compensation for their labor, (c) undue pressure to sell their land, (d) unmet expectations or broken promises about the

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[96] Javier Arellano-Yanguas, *Minería sin Fronteras? Conflicto y Desarrollo en Regiones Mineras del Perú* (Lima: Instituto de Estudios Peruanos, 2011), 196.

[97] Petra Tschakert, "Digging Deep for Justice: A Radical Re-imagination of the Artisanal Mining Sector in Ghana," *Antipode* 41, no. 4 (2009): 706-740; Petra Tschakert and Kamini Singha, "Contaminated Identities: Mercury and Marginalization in the Artisanal Mining Sector of Ghana," *Geoforum* 38, no. 6 (2007): 1304-1321.

economic growth that would accrue to the community as a result of outside investment (for instance, when instead of feeding the local economies, extractive projects create 'enclave economies' by contracting all their necessary services from outside firms), or (e) the inflationary effects of extractive projects in local markets, including changes to the price of land and food.[98]

Other reasons for conflicts are more political in nature. These include concerns about workers and miners' rights, about companies' lackluster employment offer to locals, and about broader insufficient or unfulfilled promises.[99] Localized resource conflicts may also be instigated by competition between political factions at different levels and branches of the state. Sometimes mayors take advantage of conflicts to build their reputation, or they demand higher tax revenues from mining companies to satisfy personal goals and campaign promises. In other cases, regional courts may suspend projects approved by the central government.[100] Furthermore, local and structural cleavages may underlie conflict and cause its escalation; this is especially noticeable, for example, when the environmental and social damage that results from resource extraction is portrayed as acceptable because it mainly affects poor people, people of color, indigenous or tribal peoples, or rural communities, whereas the benefits are

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[98] Bebbington et al., "Contention and Ambiguity," 891; see also Anthony Bebbington et al., "Mining and Social Movements: Struggles Over Livelihood and Rural Territorial Development in the Andes," *World Development* 36, no. 12 (2008): 2895.

[99] This type of complaint was much more common before the 1970s. Since then, the discourses of people who contest resource extraction have become increasingly sensitized to global currents in environmentalism, human rights, social justice, and self-determination.

[100] Arellano-Yanguas, *Minería sin Fronteras?*

concentrated among the urban (and perhaps Northern) upper class.[101] Finally, conflicts may also erupt due to disparities in bargaining power, or because actors perceive political institutions to be discredited, slanted, or ineffective.

The benefits and burdens of extractive activity, especially that which is so resource-intensive and which creates as much toxic waste as gold mining does, are unevenly distributed between the many stakeholders involved: area residents, mine workers, state officials, company managers, owners, and shareholders, retailers, consumers, etc. Such inequities, in addition to the dispossession of locals from their territories and the risks of water and soil pollution, have unsurprisingly provoked various reactions from farmers, indigenous peoples, and civil society more broadly. However, grievances do not always manifest into conflicts, nor do they determine the shape of those conflicts. A key debility in the resource conflicts literature is that, in explaining conflict, the extent to which it will be violent—and in what ways—is taken for granted. Violence is treated as one possible outcome, but the question of when conflict unfolds in different forms, including in nonviolent ways, remains under-theorized. Therein lies a puzzle that may help to understand how to channel conflict productively, democratically, and sustainably. Further details are therefore needed to contextualize and explain the emergence of conflict, and its varying internal dynamics.

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[101] Helle Munk Ravnborg and Maria del Pilar Guerrero, "Collective Action and Watershed Management—Experiences from the Andean Hillsides," *Agriculture and Human Values* 16, no. 3 (1999): 257-266. A clear example is the La Oroya mineral processing plant in Peru; while its owner lives in a mansion in the Hamptons, children living near La Oroya are evacuated from their hometown daily, due to the air quality during the plant's operating hours; see Bebbington et al., "Contention and Ambiguity."

Neoliberal Extractivism in Peru's Post-Conflict Context

This section presents a framework to consider contentious politics over natural resources in Peru—including how different people perceive and then act upon them. I review key traits in Peru's cultural, legal, and political context that set a particular stage for these dynamics. This context may hold particular clues about why conflicts over natural resources become violent. It consists mainly of four relevant and interrelated factors: Peru has one of the most extractive industry-friendly legislative frameworks in Latin America. Its post-conflict scenario is marked by authoritarian legacies. Judicial authorities have license to inflict harsh punishment on protest activities. And Peru's media, politics, and economics have generated an industry-friendly hegemonic discourse. Each of these factors and their possible effects deserve brief elaboration.

Peru's Extractive Framework. The mining sector has been deeply important to Peru's economic development over the past several centuries, as well as to its rapid economic growth over the past three decades.[102] As is clear from its concentration of the world's mining investment, Peru has adopted one of Latin America's most neoliberal, no-holds-barred approaches to regulate resource extraction. Mining law existed and has been reformed several times since before Peru's independence from Spain, but the 1990s mark a profound shift in Peru's institutional design to accommodate mining

[102] In 2015, minerals represented roughly 65% of Peru's export income. Gold alone represented 16%, making it the second largest mineral source of Peru's income, after copper (23.5%). Peru, which has been the region's largest gold producer for more than a decade, had the fastest growing economy in South America between 2013-2017 (27.4%, which dwarfed the region's usual top performers, Chile and Brazil, which grew by 24.2% and 22.3% respectively). See the Observatory of Economic Complexity, 2017.

investment.[103] Alberto Fujimori's despotic administration (1990-2000) enacted a series of liberalizing reforms meant to attract investment and reduce the regulations seen as a "barrier" to it.[104] In addition to changes in the tax and customs codes, such as through "tax stability" contracts meant to protect miners from future tax changes (expanded by subsequent governments), legislative decrees 662, 664, and 818 created a framework for private, largely foreign investment in natural resource exports. His government privatized more than 200 mining operations, and by 1995 also legalized the expropriation of communal land for mining purposes. Most forcefully, perhaps, Legislative Decree 708 in 1991 established mining as an activity of "national interest," and modified a wide range of labor, land, and environmental regulations to fast-track mining concessions, construction, and expansions.[105]

The world price of metals steadily climbed during this time, reaching record highs by 2013, all along creating a powerful incentive for the state and mining companies to pursue and expand operations. In turn, subsequent governments have maintained,

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[103] José Miguel Morales and Africa Morante, "Aciertos y Debilidades de la Legislación Minera Actual," *Círculos de Derecho Administrativo, PUCP* 8 (2009): 137-147.

[104] A common word for these regulations nowadays is "*trabas*," which literally means obstructions.

[105] Jeffrey Bury "Neoliberalismo, Minería, y Cambios Sociales en Cajamarca," in *Minería, Movimientos Sociales, y Respuestas Campesinas*, ed. Anthony Bebbington (Lima: Instituto de Estudios Peruanos, 2007); Kent Eaton, *Territory and Ideology in Latin America: Policy Conflicts between National and Subnational Governments* (Oxford: Oxford University Press, 2017); Mary Thorp and Graciela Zevallos, "Las Políticas Económicas del Régimen de Fujimori: ¿Un Retorno al Pasado?" *Economía: Revista del Departamento de Economía de la PUCP* 24, no. 47 (2001): 9-42. Production boomed and the value of Peru's mineral exports grew by 6,000% during the 90s; see Gerardo Damonte, "Dinámicas Rentistas: Transformaciones Institucionales en Contextos de Proyectos de Gran Minería," in *Desarrollo Rural y Recursos Naturales* (Lima: GRADE, 2012). From 1990 to 2011, over 300 foreign mining firms established a base in Peru; see Alfredo Gurmendi, "The Mineral Industry of Peru," *Minerals Yearbook* (United States Geological Survey, 2011).

expanded, and mildly modified these codes.[106] Alan García's government (2006-2011) altered forestry laws and indigenous land rights in a series of reforms that became the central concern of the 2009 protests in the Amazonian province of Bagua, where indigenous-led protesters occupied roads and an oil duct. That particular conflict resulted in 33 deaths in only one day.[107] Later on, the quintessential example of these kinds of legal changes under Ollanta Humala's presidency (2011-2016) is a series of reform "packages" criticized as anti-environmental, and approved in 2014.[108] Among other things, these allow the executive to dispose of protected reservoirs and communal lands.

Besides the broader macroeconomic and political forces driving these reforms, scholars such as Francisco Durand have demonstrated how Peru's extractivist and neoliberal legal framework has been influenced, to some extent, by mining firms as agents in pursuit of interests. One key example is Reflexión Democrática, a powerful lobby in the country founded in 2004 by Alberto Benavides Ganoza, founder and then-CEO at Buenaventura—one of Peru's oldest and largest mining firms, and a partial owner of Yanacocha, La Zanja, and Cerro Verde. On his retirement, Benavides Ganoza

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[106] Javier Arellano-Yanguas, "Mining Policies in Humala's Peru: A Patchwork of Improvised Nationalism and Corporate Interests," in *The Political Economy of Natural Resources and Development: From Neoliberalism to Resource Nationalism*, eds. Paul Haslam and Pablo Heidrich (London: Routledge, 2016).

[107] Defensoría del Pueblo, "Defensoría del Pueblo Dio a Conocer Relación de Acciones Humanitarias Realizadas Ante los Lamentables Sucesos Ocurridos en Bagua" (Lima, Defensoría del Pueblo, 2009).

[108] Critics refer pejoratively to these cluster reforms as "*paquetazos ambientales*," which could be blandly translated as "environmental packages," but the term connotes, because of the *-azos* suffix, both magnitude and the action of striking or hitting (e.g., as in *latigazos*, which means "lashes from a whip").

was replaced as Buenaventura executive by his eldest son, Roque Benavides, who was also the 1999-2000 president of Peru's largest corporate lobby, Confiep.

Extractive interests have captured the state across Peru's fractured political party system. Lobby firms draft legislation and persuade lawmakers on behalf of clients, but Durand elucidates other means for private firms to influence the state and the public—including via image consultants, non-profit organizations, and policy think tanks. For example, the Instituto Peruano de Economía (IPE) is "Peru's most influential think tank on economic and labor policy"; it was founded in 1994 with a World Bank donation, and since then is funded by companies including Buenaventura, Las Bambas, Cerro Verde, and the Southern Perú Copper Corporation. The IPE's work was instrumental in the anti-environment structural reforms passed in 2014.[109]

Authoritarian Legacies of Conflict. Peru has only recently emerged from a period of internal armed conflict, during which many people directly and indirectly experienced some form of political violence from the state or from armed groups.[110] Three legacies of this recent conflict are of crucial importance: one is that words such as 'violence' and 'terrorism' are loaded concepts that have a resonance with recent memory, carry a certain cultural weight, and hold a lot of power to remove public legitimacy. Second, as Cynthia Arnson has argued, internal armed conflict and state responses to guerilla insurgencies

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[109] Francisco Durand, "Cuando El Poder Extractivo Captura el Estado: Lobbies, Puertas Giratorias, Y Paquetazo Ambiental En Perú" (Lima: Oxfam International, 2016). The reforms passed on 2014 are by no means the last of their kind: new environmental deregulation has been approved as of early 2018.

[110] At least 69,280 people died as a result of this conflict, and countless people were injured and otherwise affected by it. For a thorough review, see the Truth and Reconciliation Commission's final report: "Informe Final," 2003, accessed November 12, 2016. http://cverdad.org.pe/ifinal/.

have decisive, detrimental impacts on the quality and possibilities of democratic governance in Latin America.[111] Peru's security forces, especially older generations and the people in positions of leadership, are trained as counterinsurgency operators—people highly trained by the state (and in some cases also by foreign militaries) to readily use intimidation, torture, and other tactics to neutralize internal enemies (from dissidents to guerrillas and terrorists). Third, in addition to these authoritarian legacies, the state's counterterrorism apparatus is increasingly at the disposal of private companies. Research has found that in Peru's post-war context—marked by a large, unregulated, and demobilized military apparatus existing alongside weak state capacity in the countryside—high demand from powerful extractive firms makes private security contracts a lucrative business for current and former members of the state's armed forces.[112] This threatens to blur the line between security forces' public duty and their responsibility to companies that contract them.

Instrumentalizing Law and Punishing Protest. The extractivist reforms outlined above not only resulted in a vast expansion of mining investment, but also were succeeded by an explosion of socio-environmental conflicts in the country. In 2004, when the total value of mining investment in Peru was about 1 billion USD, Peru was beset by less than 50 socio-environmental conflicts. Six years later, when mining investment amounted to 4 billion USD, the ombudsperson registered about 120 socio-

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111 Cynthia J. Arnson, "Introduction: Conflict, Democratization, and the State," in *In the Wake of War: Democratization and Internal Armed Conflict in Latin America*, ed. Cynthia J. Arnson (Washington, DC: Woodrow Wilson Center Press and Stanford University Press, 2012).

112 Maiah Jaskoski, "Private Financing of the Military: A Local Political Economy Approach," *Studies in Comparative International Development* 48, no. 2 (Summer 2013): 172-195.

environmental conflicts.[113] Successive governments adopted slow and uneven responses to these conflicts. One positive step was the creation of a dialogue and conflict resolution agency, created under Humala. However, Humala's approach to protests remained heavy-handed. While carrying a discourse of dialogue, his government reacted to rising levels of conflict by expanding police and courts' authority to punish and repress dissidents. In the words of a human rights attorney, the penal code was "instrumentalized" to prosecute protestors, delegitimize movement leaders, and facilitate police repression.[114]

A key example of this was the 2013 law 30151, known as the 'license to kill' law, which gave police the right to kill protesters. Separately, many activists detained by the armed forces alleged that they were tortured while in custody.[115] But the less publicized forms of repression through courts, rather than through police violence in the streets, are equally problematic. Whereas the criminalization of protest under the Fujimori regime was already heavy-handed, and often excused under a context of the internal

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[113] Damonte, "Dinámicas Rentistas," 110.

[114] "CIDH Expresa su Preocupación por Criminalización de la Protesta Social," Coordinadora Nacional de Derechos Humanos, November 10, 2014, accessed November 21, 2016. https://derechoshumanos.pe/2014/11/cidh-expresa-su-preocupacion-por-criminalizacion-de-la-protesta-social/.

[115] Key cases of these allegations of police-inflicted torture on detained protesters include those of Marco Arana, congressperson since 2016 and, prior to that, a key leader of the protests against Yanacocha in Cajamarca, and of Antonio Coasaca, a farmer detained during a protest against the Tía María mine. Coasaca was beaten under police custody, as well as subject to an attempt by national police to plant weapons on him, incriminate him, and frame him as a violent protestor—all with the full complicity of the nationwide daily *Correo*; see "Video: Habla Antonio Coasaca, Agricultor que Fue 'Sembrado' por la Policía." *El Búho*, April 28, 2015; "Grave Denuncia sobre la Actuación de la DINOES en el Valle del Campo," Coordinadora Nacional de Derechos Humanos, April 24, 2015, accessed May 15, 2017. http://derechoshumanos.pe/2015/04/grave-denuncia-sobre-la-actuacion-de-la-dinoes-en-el-valle-del-tambo/.

armed conflict against terrorist groups (roughly 1980-2000), this was deepened by the García and even more the Humala administrations.[116] García's judiciary added qualifiers to the penal code such as "extortion" and "hostile groups," both of which were used to crush resistance movements such as the Bagua indigenous-led protests.[117] Despite promises to the contrary, García's successor, Ollanta Humala escalated the government's repressive approach to mining protests. As of March 2016, as he prepared to leave office, in the Cajamarca region alone more than 300 activists were criminally processed on charges ranging from disturbing the peace to support for terrorism.[118]

Media Bias and Hegemonic Discourses. A fourth factor that makes Peru a particularly contentious context is the insufficient regulation of corporate media.

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116 Fiorella Triscritti, "The Criminalization of Anti-Mining Social Protest in Peru," *State of the Planet: Blogs from the Earth Institute*, Columbia University, September 10, 2012, accessed April 20, 2015. http://blogs.ei.columbia.edu/2012/09/10/peru-mining/. According to officials from the National Dialogue and Sustainability Office, García's approach towards mining protests borrowed heavily from the state's approach in dealing with the Sendero Luminoso terrorist group. The state's militarized response to internal insurgent groups, infamous for its scant regard for human rights, directly shaped the response to mining conflicts. I would like to thank Kent Eaton for this insight.

117 Mirtha Vásquez, "Criminalización de la Protesta en su Máxima Expresión," *Revista Voces*, September 2012.

118 Mirtha Vásquez (human rights and environmental rights attorney), personal interview, March 12, 2016. That these charges are often trumped up to dissuade other protestors is apparent in cases where members of the Rondas Campesinas—rural vigilante groups whose authority and jurisdiction are recognized by the Peruvian constitution—are being tried for "kidnapping" when they arguably have a legitimate right to detain suspects and turn them over to police. Examples include 16 Ronderos from Celendín and Sorochuco provinces who had organized a meeting to be heard by their government representatives, but because those officials claim that they were at the meeting against their will, the Ronderos are being charged with kidnapping. Another couple of Ronderos from the area once detained two suspects who were attempting to purchase lands from neighbors; for questioning these men, despite not using force, they too are charged with kidnapping. Similar charges are trumped up is the case of Dina Mendoza, a well-known social organizer and community leader who participated in a water march and was condemned to four years in jail (although she was given a suspended sentence) and a fine of 3,000 soles (about 1,000 USD) for obstructing public roads.

Namely, the Peruvian state has permitted the concentration of media into monopolies such as Grupo El Comercio, which controls about 78% of print newspapers as well as a large share of other broadcast media.[119] This allows the big players in the corporate sector to corner and dominate the public debate over politically salient issues, such as mining-related conflicts. To put it one way, Peruvian corporate media are *concentrated*, economically *entangled* (because they belong to conglomerates that often have direct investments in mining), *bought* (because they receive advertisement revenues from mining companies), and *ideological* (almost uniformly pro-business).

Scholars who have analyzed the role of communication and media in Peru's resource conflicts recognize that there is a hegemonic—although highly contested—pro-mining discourse in Peru's mainstream media and public debate.[120] Peru's established media, corporate public relations, and official ideology (manifested in policies, official pronouncements, and politicians' speeches) have entrenched a highly circulated rhetoric consisting of two general positions: first, that mining is central to Peru's identity and that the country's natural endowments must be utilized to foster investment and grow its economy; and second, that Peru's infamous resource conflicts are caused by shady protestors who are 'anti-mining,' 'violent,' 'anti-development,' and even 'environmental terrorists'—'criminals' who, motivated by greed and ignorance, are denying their country and its people the development they rightly deserve.[121]

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[119] Jacqueline Fowks, "Preocupación en Perú por el Nivel de Concentración de Prensa," *El País,* September 10, 2013.

[120] Damonte, "El Modelo Extractivo Peruano"; Macassi and Acevedo, *Confrontación y Diálogo.*

[121] Out of many examples of this, a recent and exemplary case is the rhetoric adopted by the rightwing economist Hernando de Soto. In mid-2016, de Soto publicized the notion of mining-related activism as being a "*Sendero Verde*" or a 'green' version of the Shining Path guerrilla. In his

In short, concentrated, economically entangled, and ideological media have reinforced the importance of mining for development and discredited its opponents. In political speeches, news media, networking websites, and public discussions, extractive capitalism is touted as beneficial and advantageous to 'the nation' as a whole. Such narratives are contested, especially by left-wing politicians, activist groups, ecological organizations, and alternative media. However, these opponents' access to media pales in comparison with that of mining advocates, as can be measured through both large-scale public opinion polls and more specific speech events and interactions. Whether one analyzes everyday conversations, online commentary, or mass surveys, the prevalence of a pro-mining discourse becomes quickly apparent. These contested discourses may drive conflict escalation and erode resolution efforts, especially the dismissive and polarizing tones with which state officials and media pundits portray mining-related activists as violent ideologues, corrupt manipulators, or ignorant and manipulated. Their narratives not only miss the nuances of conflict, but also exacerbate distrust and alienation.[122]

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words, "they are former terrorists who have fulfilled their sentences. They are not armed. They are all ecologists." This same rhetoric has since been adopted by other media observers; see José de Echave, "Hernando de Soto Habla de un 'Sendero Verde' Sin Ningún Sustento," *La República*, May 12, 2016. Hernando de Soto, a respected commentator and Peruvian economist with a pulpit on the mainstream press, has also often promoted the notion that there are two Perus: the pre-industrial country of Andean peasants and indigenous peoples, and the industrial Peru, of the urbanized middle-class and of corporations, where the former belongs in the past and is economically untenable, unable to develop new capital, and the latter represents the future. See "El Comercio Censura a… ¿Martha Meier Miró Quesada?" *La Mula*, February 7, 2015.

[122] In my experience and my lecture, the vast majority of protesters are not anti-miners. During my 14 months of fieldwork between 2014-2016, I heard repeatedly that people do not oppose extraction, but rather seek fair treatment. And in some cases, people *in favor* of extractive projects are the ones who organize protests; see Bebbington et al., "Mining and Social Movements," 2008. To summarize, the idea that protesters are "violent anti-miners", working knowingly or ignorantly for some "NGO conspiracy" against the country's heroic impresarios, might be easy to digest and to sell. However, it reduces and harms the complex relations between diverse actors in state institutions, companies, local groups, and outside organizations. On the other hand,

Pro-mining discourses pit those who would criticize extractive projects as standing against the country and its people. Protesters become obstacles to the right of all Peruvians to progress and embrace modernity. Seen as *enemies*, they can be treated as "second-class" (as Alan García referred to the indigenous protesters at Bagua) and as "ungrievable" or undeserving of empathy.[123] This *otherizing* power has repercussions, blatant and subtle: it helps to justify repression, both through police violence and court sentences; but it also leads commentators to—strategically and sometimes unthinkingly—adopt blasé criminalizing tones (e.g., referring to protestors as violent and guilty before a court formulates a decision). Such effects are harsh in Peru, where the recent and divisive experience of internal armed conflict gives terms like 'violence' and 'terrorism' a particular cultural resonance. Alas, due to ideological bias and economic interest in selling 'violence' as spectacle, media have ignored this danger, and they have exaggerated the violent aspects of these conflicts while erasing their nonviolent aspects.

Beyond accusations and the physical punishment that they justify, the cases I studied demonstrate how discourses also influence the choices made by conflict stakeholders. Indeed, interviewees demonstrated how criminalization in media and in the public debate shaped how they organized, particularly in order to avoid this negative framing. To be sure, contested and mainstreamed narratives, ideas, and discourses are central—but in uneven, not perfectly straightforward ways—to Peru's social conflicts, and perhaps especially its natural resource conflicts. Because of their varying levels of

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many interviewees, some even from the mining sector, recognized these problems of adopting conspiratorial, demeaning, and polarizing discourses.

[123] Butler, *Frames of War*.

violence and the multiplicity of contested narratives that have emerged around them, Peru's resource conflicts have generated unique patterns in the links between discourse and material circumstances. The complexity of these conflicts cannot be captured if they are not analytically situated within Peru's post-conflict political context, economic model, institutional and legal framework, and public discourses.

One key aspect of Peru's political, cultural, and institutional context is the hegemonic influence of mining interests. Industrial-managerial groups, lobbies, and conferences are only some of the sites in which Peru's extractive economic model is reinforced as unquestionable. The state is not an individual or rational actor, but clearly most state officials have largely internalized this model as a sort of official ideology that cuts across the country's main political parties. Peru is not the only Latin American country to have adopted an extractive economy, but its reliance on it has been critical, as is clear from the low tolerance it shows toward dissent to extraction.

Both the legacies of recent conflict, on one hand, and the hegemonic power of mining interests over legislation and public discourse, on the other, have vast repercussions on Peru's political institutions and everyday life. The former has granted Peru's governments the license to slowly expand the counter-insurgency state apparatus, under the guise of persecuting enemies to national security, prosperity, and order. The latter has shaped Peru's economic model and institutional framework to accommodate mining investment (at the expense of alternative industries and of local concerns about water, for example). Together, they create a political, legal, and cultural environment that is favorable to the extractive economy, and unfavorable to anyone who may oppose extractive projects.

Conclusions: Situating Conflict in the Everyday

> In the past we could hear the frogs every night. They were beautiful and happy! Now the river is poisoned, and you cannot hear them anymore.[124]

An extensive body of research has theorized the reasons behind the adoption of violent escalation in other contexts. However, an outstanding issue is that most of these studies focus on protesters as the source of violence, ignoring how other actors in these conflicts operate. Perhaps a substantive difference can be made by reframing research questions, from "what causes violent protest?" to "what makes conflicts violent?" More profound problems entail the way research intervenes in recreating power relationships, oppression, criminalization, and exploitation. As this review has shown, it is important for analyses of these conflicts to be be relational, participatory, intentional, reflexive, positional, and contextualized in depth, not distant.

In a context wherein 'violence' as a discourse is so blatantly politicized and deployed, to adopt the term uncritically would be a fatal mistake for any study of conflicts. Indeed, various ways of framing violence can themselves make violence; however, while there is "something mysterious about violence, which is never reducible to the explanations that the market of ideas" has offered, this does not mean one should shy from studying it.[125] Rather, the best way to study a difficult-to-tame concept is to

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[124] Anonymous female resident near the La Zanja mine, personal communication, March 25, 2016.

[125] Wieviorka, *Violence*, 3.

attend to what it does, how it performs and is performed, how it is narrated, deployed, and perceived, and the everyday conditions it shapes.

The political, economic, institutional, and cultural context of post-conflict Peru is crucial to understand the strategic choices that people involved in mining conflicts have made. At the same time, localized conflicts over natural resource extraction are currently active in every continent, and studying them in depth holds the potential to unlock wider debates, relevant across the globe, about democratization, the role of the market, the viability of dominant models of social and economic organization, and the future of the planet. Although pitched as the most sensible route to economic development, extractive projects everywhere threaten human rights and ecological sustainability. While their benefits are concentrated, their promise remains unfulfilled for the majority of people around sites of extraction. Their immediate and long-term environmental problems—including the contamination of water and soil— generate or exacerbate other human security issues, including droughts, famine, mass migration, and conflicts of different scales. Thus, in addition to their relevance in preventing physical violence in their particular contexts, resource conflicts also call to question the meanings of development, progress, and sustainability—critical matters as societies globalize and world temperatures rise. More than ever, understanding conflicts related to resource extraction is of immense importance to the interdependent goals of human rights, sustainable development, and peace with justice.

Chapter III
Research as Witnessing: Experience, Interpretation, and Reflexivity

Agitated by what they considered to be unauthorized intruders, about one dozen area residents approached a team of mining company geologists drilling exploratory holes into the ground near their coastal town. "Get the hell out of here," the locals demanded, "you have no permission to be drilling here." The geologists panicked—they were from out of town, untrained in community relations, and generally unequipped to deescalate conflict—and they quickly called the company's regional manager, who was stationed at the region's capital city about a half-hour away. As one of the geologists told me, their regional manager arrived in town shortly thereafter, his truck spreading dust onto the scene. His white collar shirt, lizard-skin boots, gold watch, and gold belt buckle over blue jeans imposed a remarkable contrast against the worn shoes and dust-covered clothes on the farmers, some of whom had brought tools like pitchforks.[126]

The manager could have reminded the locals about the state's permission for the company to explore the area. He could have apologized for the misunderstanding. Instead, his response was to deny the locals and seemingly to pick a fight. Speaking with a cosmopolitan, urban, coastal accent, he said, "You are nobodies. You are all shit," and began rolling the sleeves on his shirt. "It was as if he was ready to fight all of them," said Martín, the geologist who first told me this story, chuckling as his memory returned to that once-tense experience. That evening, local activists went to the drill site and set fire

[126] 'Martín' (pseudonym), former Manhattan Minerals geologist, personal interview, September 16, 2015.

to the company's perforation machinery.[127] According to Liliana Alzamora, one of the leaders of the social movement against the mine, moments such as this encounter sealed the fate of the Manhattan Minerals Corporation's gold mining project in Tambogrande—and indeed, sealed the fate of the Vancouver-based firm.[128] However, interactions like it remain an unexplored aspect of conflict escalation and resolution.

It is perhaps understandable that discursive, symbolic, micro-foundations of conflict, such as the ones my interviewees described and I witnessed during my fieldwork, are difficult to study and to grasp, let alone to intuit how they relate to physical, explosive, "spectacular" violence.[129] When analysts, state agencies, civil society organizations, and donors alike seek information about conflict, many tend to unconsciously crave broad conclusions almost impulsively, such as *research shows Latin America is the world's most dangerous region for environmental defenders.*[130]

Just as the public wants stories that represent a general phenomenon, it tends to seek large numbers. Depending on one's priorities, these may be statistics of bodies counted (*at least 270 people were killed and 4,614 people were injured in Peru's social conflicts*

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[127] Maritza Paredes, "El Caso de Tambogrande," in *Defendiendo Derechos y Promoviendo Cambios*, ed. Martin Scurrah (Lima: Instituto de Estudios Peruanos, 2008), 283.

[128] Liliana Alzamora (teacher and local movement leader), personal interview, September 19, 2015.

[129] Brad Evans and Henry A. Giroux, *Disposable Futures: The Seduction of Violence in the Age of Spectacle* (San Francisco: City Lights, 2015); Wendy S. Hesford, *Spectacular Rhetorics: Human Rights Visions, Recognitions, Feminisms* (Durham, NC: Duke University Press, 2011).

[130] Global Witness, "Deadly Environments: The Dramatic Rise in Killings of Environmental and Land Defenders 1/1/2002-31/12/2013" (London: Global Witness Limited, 2014); Global Witness, "On Dangerous Ground."

between 2006 and 2016),[131] of currently active conflicts (*since peaking at 306 cases attended in 2009, the number of conflicts registered in Peru has remained stably above 200, and consistently, a large majority are about mining projects*),[132] or of jeopardized investment (*according to one conservative observer, the toll of "obstructing" mining investment could be higher than $70 billion USD*).[133] Likewise, many draw on official statements and media reports, which react to public outbursts of conflict but rarely cover the tensions that boil under the surface in daily life. But if we share the objective of people working to mediate conflicts in Peru—to develop participatory institutions that channel conflict inclusively, foster mutual resolutions, and prevent violence—then we must pay closer attention to how violence is given meaning. We must critically inspect how structural inequalities are reinforced, normalized, and transformed through ordinary, minute interactions.

Whereas this dissertation is a critical interrogation of violence—as a concept, dynamic, discourse, and social process, particularly within the context of mining conflicts in Peru—in this chapter I approach it critically as a subject of study. The pages that follow unfold in four sections. In the first part, I draw on my research and anchor the chapter on epistemological and conceptual reflections about the study of violence, and I offer some critiques of traditional approaches. In part two, I question my position and ethics as a researcher, an 'outsider' in Peru, and a student of conflict in other peoples'

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131 Defensoría del Pueblo, "Violencia en los Conflictos Sociales"; Magali Zevallos, "Perú: Represión y Muertes en Conflictos Mineros"; Observatorio de Conflictos Mineros en el Perú, "20º Informe del OCM."

132 Defensoría del Pueblo, "Violencia en los Conflictos Sociales"; Defensoría del Pueblo, "Reporte Mensual – Enero 2017."

133 "De Soto: 'Hay US$70 Mil Millones de Inversión Minera Paralizada,'" *El Comercio*, May 7, 2015.

lives. Departing from this discussion, in the third part of the chapter I propose a qualitative and participatory logic that may guide this and future inquiries, and that may hold greater transformative potential in its approach. In a nutshell, the methodology I propose consists of a balance between, on the one hand, an in-depth, specific, and thick understanding of cases, and on the other, a comparative and explanatory look at patterns beyond one site. Then I zoom in to specify the methods by which I collected the data for this study and the methods I used to analyze it systematically. The final section summarizes the analytical advantages of this methodology, and it provides some closing remarks on the social, ethical, and humanitarian commitments generated by these epistemological choices.

Enacting Violence: Epistemological, Conceptual, and Ethical Considerations

This research is motivated by the scale and deadliness of conflicts related to mining in Peru, as well as by my broader interests in political ecology issues and Latin America. What leads people to take up physical aggression against one another, and why do actors entangled in violence choose to eschew or forego violent means of waging and resolving conflict? In my search for answers to these questions—through my own experiences in activism, my reading, and then in my conversations with study participants—I came to understand violence as much more than an event of physical damage. Again and again, interviewees spoke to me about facing "ideological violence by

the state,"[134] discussed pollution as "environmental terrorism,"[135] and decried the stinging yet "subtle violence" of everyday encounters.[136] They presented conceptualizations of violence as material damage and as a discourse—as living conditions and as a framework to interpret reality. Because of this, it was necessary, and indeed most productive, to critically interrogate the very practices, physical and discursive, by which actors—including myself—articulated, perceived, assigned meaning to, and recreated violence.

As a concept, violence defies definition. Any perspective of it is inherently politicized, filtered by worldviews, shaped by conscious choices as well as unconscious biases or assumptions. Meanings are imparted onto it, transmitted, and misinterpreted through everyday practices and attitudes that may, or may not, be considered violent in some instances, but at other times are framed as such. Violence therefore is difficult to operationalize and understand, unless one can maintain a critical lens to the very ways in which it is given meaning. Studies of violence tend to ignore these questions, cloaking unchecked biases or assumptions under a pretense of objectivity. A reflexive and critical analysis of violence, accounting for how it operates more broadly, makes clear the importance of conceptualizing it as an everyday phenomenon and a social process.

Contrary to the popular perception that violence is an anomaly or an aberration from the norm, violence is quotidian, everywhere, and "hidden in plain sight."[137] It is in

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134 Anonymous (radio journalist in Piura), personal interview, September 21, 2015.

135 Anonymous (journalist in Cajamarca), personal interview, July 8, 2016.

136 Wilfredo Saavedra (attorney and leading activist in Cajamarca), personal interview, July 9, 2016.

137 See Timothy Pachirat, *Every Twelve Seconds: Industrialized Slaughter and The Politics of Sight* (New Haven: Yale University Press, 2012). In this dissertation, I borrow the concept of 'the everyday' as operationalized by feminist and postcolonial scholars, where it is an explicit attempt to denote

interactions as well as in structures—environmental, economic, racialized, gendered, and unequally distributed mainly to the poor.[138] Violence is relational, constructed, lived, co-created, and experienced materially as well as symbolically. It exists in memory, emotion, pain, and physical trauma, as well as in economics, the configuration of institutions, and the ideologies that drive state control. And most importantly, it cannot be extricated from its structural and historical contexts, which are, in the case of Peruvian mining conflicts, marked by the systematic exclusion and exploitation of non-white people and of their territories, their ecological surroundings. These processes, while associated with long histories, are ongoing presently as living legacies of the colonial period. Dominant state, corporate, and media discourses offer new brandings and a flavors of legitimacy to these legacies, but their effects continue to manifest in the dispossession of poor people.

For people living in precarious or vulnerable conditions—for example, subsistence farmers whose land is coveted by powerful corporations, or women in places where femicide is common—everyday life is anything *but* 'nonviolent.' What constitutes violence includes not only the images of flames engulfing company equipment in the front page of a newspaper, but also the results of blood samples in mining areas, proving that a majority of the population carries heavy metals in their blood at levels surpassing the standard levels of medically accepted risk.[139]

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the personal immediacy of political conditions; see, e.g., Nancy Scheper-Hughes, *Death Without Weeping: The Violence of Everyday Life in Brazil* (Berkeley: University of California Press, 1992).

138 One well-documented example of these gendered and unequally distributed dynamics is how mining activities tend to greatly exacerbate the income gap between males and females.

139 "Funcionarios Ocultaron Contaminación de Población de Hualgayoc, en Cajamarca," *Servicio de Comunicación Intercultural*, May 14, 2015; Wilfredo Cholán, "Hualgayoc: Existen Niveles de Plomo en la Sangre por Encima de los Límites Permisibles," *Noticias SER*, May 13, 2015.

Although less attended than a brawl between protesters and police, violence is the suffering of a low-income family whose child was born with unexplained spots in her skin, likely because of their exposure to pollution through the sources of water they use on their skin, teeth, crops, animals, and so on. Water pollution and depletion are certainly physical forms of violence, especially when potentially hundreds of thousands of people and ecosystems downstream will be affected. Insecurity is a condition lived in everyday experience, but most of its forms rarely receive public attention—they go unnoticed by sensationalist and inflammatory definitions of violence. But violence is not absent from society until the moment a crowd sets company property on fire; the status quo is constructed upon, and relies for its existence on, a wide range of structural violence and historical injustice, characterized by authoritarianism, systemic exclusion and oppression of 'otherized' populations, and accumulation by dispossession.[140]

Consequently, concealing these forms of violence and inconvenient realities is also a necessary aspect of the modernization project. This is what Henri Lefebvre referred to as a dual production of space and reality, where social norms are built to systematically highlight the wanted and conceal the undesired.[141] A strict control over narratives is required to keep consumers shopping, markets expanding, and profits flowing (for a few). It is partly because these practices are largely unperceived that actors with little access to institutional power seek to draw attention by engaging in spectacular violence, such as property destruction, looting, and arson. Although these explosive

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[140] Harvey, *The New Imperialism*.

[141] Henri Lefebvre, *The Production of Space* (Cambridge, MA: Blackwell, 1991).

moments get noticed by the broader public, events of physical confrontation encompass neither the full manifestations and understandings of violence that study participants articulated, nor the tremendous local organizing and political efforts—the vast majority of which are nonviolent, and indeed antiviolent—of rural communities contesting mining projects. In other words, the dominant, event-driven logic of violence tends to reinforce what I problematize in this study as the politics of attention, in its selectivity about what is noticed and concealed.

More than a mere conceptual clarification, this understanding is of major methodological import. That these types of violence go overwhelmingly ignored reflects not only media bias, but also a core debility of academic studies about violence—and of practical efforts to confront it. If violence exists in these diverse forms, then it cannot be fully grasped from a distance. It can be found in experiences lived but not reported. It is in systemic discrimination, unnecessary aggressions, one-upping, masculinisms, classist arrogance, and structural exclusion. It is palpable, as one interview said, when locals who got jobs for the mining company rev their company engines when they see 'anti-miners' walking by, pressing hard on their vehicles' gas pedals to make noise or dust, simply to annoy or intimidate them—for example, at late-night or early-morning hours. And it is present or felt in moments such as when someone refuses to conceding to someone, when it would cost little other than pride, as it happened during one 'dialogue table' the state set up to mediate negotiations after a violent conflict between Barrick Gold and local farmers in La Libertad. There, company operators prevented negotiators from offering substantial concessions, and pressure on social movement leaders prevented them from reaching a temporary settlement.

Violence is more than physical and more than an event; it is structural and embodied, symbolic and material, and rational as well as emotional; for these reasons, it must be treated as contingent and contextualized. It is the gasoline in the atmosphere, and it can be sparked by spontaneous decision-making, long-term planning, unclear or un-cohesive commitment to nonviolent discipline, guttural reactions to provocation, and feelings of anger and hopelessness. Indeed, the exchange of blows between police and protesters is sometimes triggered by one side hurling racialized and classist insults at the other, as it happened for example on the most violent day of the Conga protests in Cajamarca city; four people were killed that day in July 2012.[142] These examples crystalize the interaction between structural inequalities, desperation or a sense of one's dignity being violated, and the outbreak of physical confrontation; they thus suggest the importance, however relative, of feelings like disrespect, and of language more generally. Within contexts of asymmetric conflict and inequality, everyday factors such as insulting words can make the difference between a peaceful protest and violent confrontation.

Violence is a discourse that gives meaning to experiences, a concept that can confer and wrest legitimacy. It can be found in the attitudes, rhetoric, and behavior of people on various sides of conflict—in their various animosities, resentments, distrust, and conspiratorial thinking. For example, mining supporters and company actors often repeated their notion that a web of environmental NGOs was responsible for Peru's violent resource conflicts. Similarly, some mining opponents gratuitously blamed mining

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[142] As captured in videos of the confrontation in downtown Cajamarca, a woman protesting pleads to police, "Why are you like this? Why do you speak to us like this? Why do you mistreat us?" To this, one riot police officer audibly replies, "because you are dogs, *concha de su madre*!" See *The Devil Operation*, directed by Stephanie Boyd, (2010; Lima, Peru: Guarango Films), DVD.

companies for most of their social problems. Clearly, the various forms of violence that occur within and surrounding Peru's resource conflicts are mediated by discourses. These help people to interpret experience, to justify actions such as state-sanctioned corporate land grabbing, and to organize societies. And most importantly, these discourses and interpretations help people shape their material and symbolic realities.

For example, before president Alan García ordered military police to shoot indigenous protesters in the northern Amazonas region of Peru in 2009, he used his pulpit to refer to the protesters as "not first-class citizens" whose backward views would not be allowed to dictate the fate, and stall the progress of, millions of Peruvians. Among other venues, García articulated these notions in an open letter to *El Comercio*, in which he framed Peruvian natives as unproductive obstacles to their country, and as "manger dogs." In such statements, García—like many others whose similar views are diffused through media and dominate public debates—drew an offensive line between Peru's citizenry and the "anti-development" protesters, leaving the latter as 'enemies' outside that line. In the aftermath of the confrontations, during which 10 indigenous people and 23 police were killed, and many more were injured and hospitalized, the police funerals became a national spectacle, attended by high-level politicians and covered widely in the media, in honor of the "fallen heroes," victims of a "genocide of police," in president García's own words.[143] This contrasted to the criminalizing and racist language with which the protesters and their cause were condemned, as they buried their dead quietly.

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[143] See Alan García, "El Síndrome del Perro del Hortelano," *El Comercio*, October 27, 2007; "Alan García Afirma que Existió un 'Genocidio de Policías' en Bagua," *El Comercio,* June 12 2009.

Vulnerability and Ethics in Ethnographic Research

To understand violence as a material and symbolic construct within Peru's mining sector, I had to resist the impulse for numeric and detached analyses, and to notice the relationships of power that violence generates, whether or not they grabbed the attention of those that set the record. To put it one way, it was necessary to take note of what is left unnoticed, what is left out of conflict accounts. I would have to examine what is concealed or highlighted, brought to light or shoved under the rug—and what effects these practices may have. Such matters could not fully be understood from a distance nor by probabilistic studies of large numeric data. Any potential to generate a more productive and transformative understanding of violence required immersion: I had to witness the stories and experiences of people "living with violence,"[144] and to hear from as many people with a stake in these conflicts as I possibly could. Accordingly, developing these epistemological commitments led me to adopt an ethnographic approach, in which who I am, and what authority I had to speak, would be suspect rather than assumed or unacknowledged.[145]

My positionality is that of an activist, a University of California researcher, a white-skinned, male Latin American in diaspora, and, significantly, a non-Peruvian. This position presented crucial limitations, as well as surprising and useful opportunities. For some scholars, especially those aligned with positivist epistemologies and attitudes

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[144] Roma Chatterji and Deepak Mehta, *Living with Violence: An Anthropology of Events and Everyday Life* (London: Routledge, 2007).

[145] James Clifford, "On Ethnographic Authority," *Representations* 2 (Spring, 1983): 118-146.

towards research, being an outsider and removed from the contexts I was studying ensured I would be less partial or biased, and more objective in my understandings. On the contrary, for others such as Donna Haraway, it is preferable to emphasize "the partial" perspective and the voices of those whose subjectivity is directly shaped by the events under study.[146] The task then is to do so with humility and self-criticism, without appropriating or romanticizing the views of these insiders, without reducing the category of 'insiders' itself, and without using categories such as 'Peruvian' uncritically. As I argued earlier, I align this study closer to the second perspective. Although it is perhaps more challenging and does not have the same elevated status as positivism in the globalized academic hierarchy, its potential to better understand and confront violence is worth the risk.

My outsider status was betrayed whenever I was slow to translate words from English to Spanish during my conversations, or when I misspelled in my correspondence, especially in the first weeks of my fieldwork. My first language is Spanish, but I have lived most of the second half of my life in English-speaking countries, and my theoretical reading and training has been dominated by this second language. Consequently, returning to Spanish feels as if it were my first *and third* language. But beyond the clumsiness I may have displayed as a result of this, being a non-Peruvian entailed more important obstacles for this study. A crucial one, constantly in the forefront of my mind, was that I could enter a place and question people about violence, with the option of leaving, of returning, most likely unscathed, to a more

[146] Donna Haraway, "Situated Knowledges," 583-584.

fortunate and comfortable life in California. I could spend several months drinking, showering, brushing my teeth, and eating plants and animals that were raised with water that descended from the nearby mines; and while at first this was an uncomfortable realization, it was never lost on me that, unlike the people in the communities I would study, I could eventually leave this temporary risk behind.

On the other hand, I do not interpret my privileged position as a reason to ignore what happens in places to which I am a 'stranger.' It would be an essentialist and problematic assertion to demand that anyone should only study what is closest to their identities, both because identities are not fixed nor singular, and because this may serve as an excuse for people to not care about conflicts and violence in which they are complicit, even indirectly, as members of global societies, as affluent consumers within a transnational political economy, and as co-inhabitants in the global ecology. In actuality, instead of factoring in as a reason to ignore what happens in Peru, my position presented me with privileged access to a population that is consciously secretive and traditionally difficult-to-access: mining company actors. Whereas actors in the mining industry might be reluctant to grant an interview to someone with an indigenous last name and dark skin, my University of California credentials, pale skin, Scottish last name, and Mexico City accent opened doors to me, in many cases, in unprecedented ways. I therefore used my activist-scholar training and my privileged identity to access understudied populations, and to study power from above.

This access is methodologically as well as a theoretically significant: too many scholars spend their time uncovering social movement strategies, networks, and forms of mobilization. However, following the Baconian theme that "knowledge is power," it is

easy to see how copious studies of social movements may help activists find effective strategies, but they may also be helping those who would want to understand social movements to outmaneuver and silence them. If knowledge is power, then focusing on the organizing strategies of social movements and subaltern peoples is a service to the state and to companies that wish to better *know* them in order to *control* them. Activists and the oppressed may have less need for studies about their shortcomings to be published in the global North, and more for how economic and political elites operate. Thanks to my positionality, this study can help to fill that void. Because I was a male, white, foreign, and accredited by a U.S. university, I could access interviews in mining company headquarters and the presidential palace in Lima, and these interviews would further open doors to me in the mining provinces I visited. Because of their superficial ascriptions about who I was, people in positions of power provided candid and revealing interviews, including confessions of nefarious tactics to repress their local opponents. Thus, my intersecting privileges and outsider position could be used to access, uncover, subvert, and alter power inequalities.

To make the most out of my outsider position and the privileges this entails, to maximize the potential of this study, and to address the distances constructed between researcher and researched, it would be necessary to conduct this study with careful reflexivity about the politics of research, and of this research particularly. If this exercise was to be useful to those who shared their time and thoughts with me, and not just to my scholarly career, the dominant model of detached and hierarchical research would need to be abandoned and critically reversed. I would have to adopt an immersive, participatory, and collaborative approach, as opposed to assuming the authority to

commodify people's stories for self-serving purposes.[147] Likewise, it was of outmost importance for me to recognize the limits of my experience, and to not overstate the potential of my immersion to 'fully' understand Peruvian culture and politics.

Immersion would force me to be more accountable.[148] Through fieldwork, experience, and participant observation, I would not only develop a more complex and finer understanding of violence as a social process, but more importantly, I would also forge connections and relationships that would make me more engaged, more aware of the effects (and limits) of my work, and more conscientious about my choices and representations. My aim to make the research reciprocal and useful to participants required forming relationships with them as partners in a collective inquiry. My main priority was to listen and learn, rather than to impose my assumptions or needs. For example, in interviews, I asked participants to share their own questions and concerns, which I then sought to answer as the central concerns of my overall effort. Ultimately, participants co-created the research throughout: from conceptualization, through the refining of its questions and methods, to the interpretation of its findings. Furthermore, I offered and carried out translation services, paid for interviewee's lunches, helped or accompanied people during events, sought opportunities to work with study participants,

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147 Gaile S. Canella and Michelle S. Perez, "Power-Shifting at the Speed of Light: Critical Qualitative Research Post-Disaster," in *Qualitative Inquiry and Social Justice* (Walnut Creek, CA: Leftcoast Press, 2009); Gaile S. Canella and Yvonna S. Lincoln, "Deploying Qualitative Methods for Critical Social Purposes," in *Qualitative Inquiry and Social Justice* (Walnut Creek, CA: Leftcoast Press, 2009); Chela Sandoval, *Methodology of the Oppressed* (Minneapolis, MN: University of Minnesota Press, 2000); Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed Books, 2009).

148 Keisha-Khan Y. Perry, personal communication, Nov. 20, 2017.

and formed friendships with many of them—as opposed to merely extracting information from them.

Given my stance as an activist-scholar, my training, and my objective of uncovering power relations, a key guiding principle in this study is to seek and highlight the voices of people who are seldom heard studies and reports of this kind, including women, indigenous people, Afro-Peruvians, people of color, gender non-conformers, the poor, and the disabled. The challenge was to do this while simultaneously being critical of, rather than reifying, socially constructed categories. The study treats people with nuance, rather than as monolithic or determined by their affiliations.

In addition to valorizing the voices traditionally discounted in studies such as this one, field immersion also meant reading local knowledge producers and historians, and to prioritize the contributions of Peruvian thinkers. Diving deep into different texts of Peruvian history was necessary to understand the country's contemporary politics.[149] This meant learning about pre-Columbian cultures and reading critically into the European arrival in search of wealth to plunder, without reducing my own narrative to a superficial critique of neocolonialism. I would need to read extensively to understand and map out Peru's regimes, social movements, political organizations, international relations, and key actors, such as Tupac Amarú, Victoria Santa Cruz, María Alvarado, Dora Mayer de Zulén, Magda Portal, and Hugo Blanco (although I only learned Hugo Blanco's life of fighting for indigenous emancipation in Peru after I first met him).

[149] E.g., see María Rostworowski, *La Mujer en el Perú Prehispánico* (Lima: Instituto de Estudios Peruanos, 1995); Santiago Roncagliolo, *Abril Rojo* (Lima: Alfaguara, 2006).

As 2016 was an election year, I also became immersed in contemporary politics; this required understanding including the Fujimori coup of 1992, and considering its corrosive effects on political institutions and public trust.[150] One of the most salient legacies of his decade in power is distrust in media, given Fujimori's practice of bribing and censoring reporters, editors, and entire newspapers and broadcast outlets.[151] I would slowly learn, for instance, what happened when the Movimiento Revolucionario Tupac Amarú took the Japanese ambassadorial residence and hostages therein between December 1996 and April 1997, and how the state and media orchestrated a spectacle around the militarized repression that ended it. What could be the broader, heterogeneous effects of the administration's brazen media manipulation, or its of death squads? How did its use of emotions, like fear, influence political culture and actors' strategies?

Similarly, this work required me to learn of the collusion and support Fujimori received from other governments and economic elites, and about the favors received by massive domestic and transnational corporations (including Yanacocha[152]) during his corrupt administration. To understand violence called for knowing the numbers of

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150 Carlos Basombrío Iglesias, "Peace in Peru, but Unresolved Tasks," in *In the Wake of War: Democratization and Internal Armed Conflict in Latin America*, ed. Cynthia J. Arnson (Washington, DC: Woodrow Wilson Center Press and Stanford University Press, 2012).

151 Raymundo Casas Navarro, "La Prensa Chicha: Un Análisis Cognitivo," *Letras* 80, vol. 115 (2009): 63-8; Jacqueline Fowks, *Chichapolitik: La Prensa con Fujimori* (Lima: Fundación Friedrich Ebert, 2015).

152 According to the *New York Times*, "Newmont gained undisputed control of Yanacocha in 2000 after years of back-room legal wrangling. Behind the scenes, Newmont and its adversaries […] reached into the upper levels of the American, French and Peruvian governments, employing a cast of former and active intelligence officials, including Peru's ruthless secret police chief, Vladimiro Montesinos." Jane Perez and Lowell Bergman, "Tangled Strands in Fight Over Peru Gold Mine," *New York Times*, June 14, 2010.

people disappeared by state forces, and of people killed by the state and guerrillas during the internal armed conflict, facts which strongly shape contemporary discourses of violence and terrorism.[153] I would have to know about the anguish of 200,000 indigenous women forcibly sterilized, thanks to Fujimori's racist and classist population control policies.[154] And I needed to gain a complicated understanding of why the political power of Fujimorismo endures today, when it is the dominant party in Peru's legislature.

It is no longer the 1990s, and even then the experiences of everyone living in Peru could not be reduced to accounts of fear, authoritarianism, and media manipulation. These are merely some examples of the cultural experiences, knowledge, and commitments I lacked as an outsider. I opted to consider, acknowledge, and remain constantly critical of these limits, instead of taking them for granted or assuming that my fieldwork would overcome all of them.

In preparation for, during, and since my fieldwork, I have kept up with both mainstream news and alternative, online media sources that are popular in Peru. Indeed, this study committed me to become familiar with the people who generate mainstream discourses of mining in Peru, the venues through which their frames travel, and the people who are contesting these. (For example, one of the narratives which I heard repeatedly was about "state incapacity" to attend to people's grievances to resolve them

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153 Although inconclusive in the eyes of many observers, Peru's internal armed conflict spanned roughly between 1980-2000. An estimated 69,280 people were killed as a result, and countless others were injured and affected by it. Throughout the conflict, Peruvians endured violence, corruption, and authoritarianism from different sides, including the state, insurgent groups, and terrorists. For a thorough review, see the Truth and Reconciliation Commission's final report: Comisión de la Verdad y Reconciliación, "Informe Final."

154 "Fujimori Ordenó la Estirilización Forzosa de 200,000 Mujeres Indígenas en Perú," *El País*, July 25, 2002.

nonviolently. However, instead of explaining the country's high level of conflicts, this rhetoric turns out to be a trope and an excuse, when one considers how much state capacity there actually is whenever it comes to policing.)

To summarize, being an outsider could allow me to contemplate cultural particularities that Peruvians might take for granted, such as everyday customs or dominant discourses that are not prevalent elsewhere, and indeed it provided me with unprecedented access to the halls of power. At the same time, it also required me to recognize my privileged position as a researcher, my limited knowledge as an outsider, and my responsibility to 'catch up' and do background work.

Ethnographic fieldwork meant not only doing interviews, participant observation, and archival research, but also reading deeply into Flora Tristán and José Mariátegui's works, developing a nuanced view of political economy and state developmentalism under military regimes, learning about the country's media panorama, and appreciating the details and intricacies of recent political developments—for example, what 'the Montesinos method' of blackmail entailed. Moreover, I would study and become acquainted with Peruvian and sub-regional slang (such as "*chapar*," which can mean to "catch" something, like a thief, or to "score" something, like a new set of kitchenware) as well as with the uniquely Peruvian and sometimes racialized connotations of words and phrases, which cannot be directly translatable into, in my case, Mexican Spanish.

These are some examples of the uniquely positioned knowledge of people living Peruvian culture, to whom I would listen carefully, critically, and empathetically, since my intention for this dissertation was to produce knowledge that would be meaningful,

transformative, and useful to them. By critically contemplating the role of research as a political process, I forced myself to attend to the different tensions and power relations at play at various moments of the research.[155]

Methodology and Methods

Clearly, violence is a difficult concept to study, especially from a distance. If they are to move beyond event-driven foci, towards a process-based analysis, studies of this complicated phenomenon must account for its contexts, its construction, and for the relationships, networks, and legacies it generates, none of which should be taken for granted.[156] It is therefore necessary to conduct immersive, "thick," and in-depth analyses that can trace these processes and dynamics in a grounded way.[157] However, the sheer number of active resource conflicts in Latin America and the rest of the world demonstrate common patterns that deserve inspection. Comparison across cases can be helpful in drawing generalizable insights and causal explanations. This study therefore merges ethnographic within-case analysis with a controlled comparison of four cases, as I will detail in this section.

One-third of the world's mining investment concentrates in Latin America. For Peru, where mineral commodities represent about 65% of the country's export income, the global mining boom and the influx of foreign investment have transformed it into

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155 See Mariana Mora, *Kuxlejal Politics: Indigenous Autonomy, Race, and Decolonizing Research in Zapatista Communities* (Austin, TX: University of Texas Press, 2017), 68.

156 della Porta, *Clandestine Political Violence*; Wieviorka, *Violence: A New Approach*.

157 Bennett and Elman, "Qualitative Research: Recent Developments in Case Study Materials."

one of the world's fastest growing economies. Given the large number and variation of Peru's mining conflicts, it is a prime context in which to study these issues, especially at the subnational level.[158]

As a result of two processes that Peru and many Latin American countries have adopted (to different extents) in recent decades, liberalization and decentralization, subnational politics are of increasing importance. The slow devolution of power to Peru's municipal and regional governments means they have growing autonomy to administer local needs and budgets, attract foreign investment, and respond to local conflicts. And in addition to their growing political importance, subnational units offer unique strengths methodologically: to borrow a term from Richard Snyder, "scaling down" to local levels promises a more grounded and accurate analysis, which can produce finer inferences about their complex causal mechanisms and processes.[159]

A comparison that is not guided by careful case selection will fall short of its potential. I used a controlled comparison based on John Stuart Mill's 'method of difference.'[160] To narrow the case selection, I began by focusing on conflicts over gold extraction in the north of Peru, and on conflicts that were active between 2000, when

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158 See the Observatory of Economic Complexity, "Peru." In the 1990s, Alberto Fujimori's administration cemented the importance of mining in Peru by declaring it a 'national interest' activity and enacting a number of liberal mining reforms, which have been expanded by subsequent regimes. Experts on Latin America argue that Peru has modified its regulatory framework to adopt one of the most neoliberal, no-holds-barred approaches to extraction in the region. Since 1990, more than 300 foreign mining companies have established a base in Peru. Gurmendi, "The Mineral Industry of Peru."

159 Richard Snyder, "Scaling Down: The Subnational Comparative Method," *Studies in Comparative International Development* 36, no. 1 (2001): 93–110.

160 See Lijphart, "Comparative Politics and the Comparative Method"; Landman, *Issues and Methods in Comparative Politics*; Giovanni Sartori, "Comparing and Miscomparing," *Journal of Theoretical Politics* 3, 3 (1991): 243-257.

Alberto Fujimori's authoritarian regime unraveled and Peru began transitioning to democracy, and 2015, the year when I began my fieldwork. These choices helped to control for a number of factors and center my attention on the key mechanisms driving these conflicts' different outcomes. For instance, conflicts dynamics that have taken place since the return to democracy might have been different under authoritarianism. Also, there is good reason to believe that conflicts over dams do not develop in the same ways or through similar mechanisms as conflicts over logging, natural gas, or mining, all of which, although related (e.g., dams are often built to provide electricity for nearby mines), are governed by different legal regimes, discourses, cultural values, and often, state agencies.[161] Finally, none of the cases are located within communities explicitly identified as indigenous (nor recognized by the state as such, a struggle for which would entail another layer of complexity and contestation); the selection of cases in indigenous communities would also entail different rights regimes such as the International Labor Organization's Convention 169 on 'free, prior, and informed consent,' ratified by Peru in 2011.[162] All of these potential differences would be further amplified across different legal, cultural, and temporal contexts, which would be nearly inevitable through a cross-national comparison.

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[161] See, e.g., John Andrew McNeish, "Resource Extraction and Conflict in Latin America," *Colombia Internacional* 93 (2018): 3-16. The problems described here apply to comparisons across sectors and localities; however, interesting comparisons of various forms of extractivism in one particular site are fruitful, as they include similar controls. See, e.g., Flora Lu, Gabriela Valdivia, and Néstor L. Silva, "Neoextractivism and its Contestation in Ecuador," in *Oil, Revolution, and Indigenous Citizenship in Ecuadorian Amazonia*, eds. Flora Lu, Gabriela Valdivia, and Néstor L Silva (New York: Palgrave Macmillan, 2017).

[162] On these forms of contestation, see "How Peru Excludes Indigenous Voices in its Quest to Develop the Amazon," *The Conversation*, February 8, 2018.

I specifically survey conflicts about gold given this commodity's highly contentious nature. The likelihood that gold mining projects in Peru will be socially controversial is mainly due to two factors. First is the touted importance of gold for Peru's export income and macro-economic growth. One-fifth of the country's export income derives from gold alone. Peru is the sixth largest gold producer in the world, and has been the largest gold producer in Latin America since 1996.[163] Another factor that makes gold particularly contentious is the disparity in the distribution of its benefits and burdens—for example, while gold extraction is hugely destructive to soil and water in the areas of extraction, its monetary gains are highly concentrated. Gold additionally carries a symbolic salience historically, in which it is associated with Pizarro's conquest of the Inca, and economically, as gold is associated with power, wealth, prestige, victory, luxury, treasure, holiness, purity, durability, and—literally and figuratively—brilliance. For these reasons, gold embodies an epicenter of symbolic and material contestation.

Broadly, all gold mining projects in Peru between 2000 and 2015 could be classified according to their levels of violence, as indicated by death and injury statistics (see Table IV below).[164] On one end of their full range, this includes cases that generate

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[163] Triscritti, "Mining, Development, and Corporate-Community Relations in Peru."

[164] An alternative and commonly used typology is José de Echave's distinction between "coexistence" conflicts, where contention surrounds the redistribution of mining benefits through investment, work contracts, and philanthropy, and conflicts based on "rejection," where opponents refuse mining in their districts entirely. See José de Echave et al., *Minería y Conflicto Social* (Lima: Instituto de Estudios Peruanos, 2009). While this distinction is useful, my findings suggest that in most cases, groups and individuals make claim of both rejection and redistribution. This happens even within the same case and period of the conflict; however, in other cases, the majority protesters may reject the project initially, then adopt redistributive positions once the mine begins construction and production, and then again 'reject' any plans to expand the project later on. Therefore, I have opted for a simpler typology, if only for the sake of analyzing the representativeness of cases, in order to select a handful for this comparison.

attention-grabbing, spectacular confrontations and deaths, as has occurred in cases such as the Conga mega-mine, or the plan to extract gold from beneath Tambogrande district. Such cases resulted in multiple deaths, injuries, property damage, and, in two of them, in long-term project cancellations.

Far more common, and far less studied, are cases that could be categorized as 'medium intensity,' where conflict comes in slow waves, as opposed to remaining constant as in the first group. These cases may alternate between a "latent," "in-dialogue," or "active" status in Defensoría del Pueblo's registry. They draw less national and international headlines than the first group, but these conflicts have also resulted in injuries, deaths of police and of activists, and property damage or destruction. Included in this group are the open-pit proposal in Cerro Quilish, the in-operation La Zanja mine, where activists involved in the conflict have been killed, and Barrick Gold's Lagunas Norte mine, where confrontations between police and protestors have led to injuries and property damage but not directly to deaths.

A third type of cases of mining projects rarely become overtly violent. They get the least attention from media, scholars, and the central state; and, although tensions exist, they may not even register as conflicts. Projects in this group are not necessarily small, but they are specifically conflicts in which no physical confrontations, much less any deaths or major injuries, have been reported. They include, for example, Cerro Corona, which occupies at least five times more surface space than the capital of the nearest district, Hualgayoc. Another case I assessed for this study was the Antapite mine, owned by Buenaventura in Huancavelica region, but this was not an open-pit mine.

Table IV: Intensity of Corporate Gold Mining Projects in Peru, 2000-2015

	Low (some local organizing)	**Medium** (sporadic protests, public mobilization, arrests, injuries)	**High** (mass mobilization, violent confrontations, deaths, injuries)
Projects	*Cerro Corona* Antapite TROY Las Palmeras	*Lagunas Norte* *La Zanja* Cañariaco Afrodita-Dorato Quilish Yanacocha Kimsa Orcco Sulliden	*Tambo Grande* Conga Chumbivilcas Pierina

Note: "Intensity" assessment is based on Defensoría del Pueblo's conflict database, the Environmental Justice Atlas database, and media reports. Mining projects such as Las Bambas and Tía María, which contain gold but are mainly copper deposits, are excluded from this list. (Cases selected for this study are represented in italicized typeface within the table.)

To understand how corporate-community conflicts in the gold mining industry reach different levels of violence, it was necessary to study not only explosive conflicts but also medium- and low-intensity ones. Additionally, given the proportional dominance of conflicts in the middle category, I selected two paradigmatic cases from it; this choice keeps the study representative, and it also further enables me to systematically conduct 'paired comparisons.' Through a methodical examination of two cases with similar outcomes, in contrast to two cases that differed, I can refine my observations and develop even more precise theory.[165]

[165] On paired comparisons, see Rachel M. Gisselquist, "Paired Comparison and Theory Development: Considerations for Case Selection," *PS: Political Science and Politics* 47, no. 2 (April 2014): 477-484.

The four cases I selected are the most representative of each category: Tambo Grande, owned by Vancouver-based Manhattan Minerals, proposed (but never constructed) in Piura region; La Zanja, a Buenaventura and Newmont joint venture in Cajamarca; Lagunas Norte, owned by Barrick Gold and located in La Libertad; and Cerro Corona, owned by South Africa-based Gold Fields and located in Cajamarca. Despite their shared demographic and contextual backgrounds, a crucial factor that varies across the cases is how corporations responded to pressures from their 'communities of influence', and their processes of learning about these relations; ultimately, I argue, these differences shaped the cases' divergent outcomes. These distinctions help to build and refine the insights drawn from each case. The 'most similar systems design' of this comparative analysis helps to shed new light on different theoretical puzzles, such as the effects of different types of corporate 'social responsibility' programs, and how these work in combination with other corporate strategies, such as intimidation or state repression.

By restricting the scope of the study to one particular industry (mining), one specific sector (gold), a sub-region (the north) of one country (Peru), and a specific time frame (conflicts active between 2000 and 2015), I could arrive as closely as possible to a 'controlled comparison' of cases. I further narrowed the selection by choosing four cases that, despite their categorical, scalar, and demographic similarities, had different results along the factor to be explained: the levels of violence each conflict reached.[166] This setup allows me to identify, trace, and analyze the dynamics that explain how similar

[166] Again, these cases are categorically similar in their location, regime types, extractive sector, and more.

cases can lead to contrasting outcomes—insights that, if they can be abstracted from their local specificities, may be usefully applied in other contexts.[167]

Figure I: Maps of Four Mining Sites in Northern Peru

[167] See David Collier, "Understanding Process Tracing."

The substance of this study is drawn from field-intensive research methods, namely more than 230 semi-structured interviews, participant-observations at dozens of events, and more than 900 archives collected during 14 months of fieldwork (first between August and September of 2014, and then between August 2015 and September 2016). I spent most of my time in the north of Peru, living in districts near the four mining projects, and made frequent visits to Lima.[168]

[168] Peru's subnational political units are broken down as follows: at the local level, thousands of neighborhoods (or *caseríos*) are organized into 1854 districts (or municipalities), which are spread unevenly into 196 provinces, which in turn belong to 24 regions (or departments).

Interviews cast a broad net and include: mining area residents, in various occupations; movement leaders and participants; mining employees, managers, and executives; members of local, national, and international organizations (such as Cooperacción, EarthWorks, the U.S. Agency for International Development, the World Bank's International Finance Corporation, Earth Rights International, and many others); municipal, regional, and national government officials across different government agencies and offices in each level (including at the presidential palace in Lima); journalists (e.g., from the newspaper *Gestión*); and academics based near the cases as well as in Lima. The study treats participants with nuance, rather than as 'representative' of categories; and as as research partners, whose concerns and questions are centered in my analysis.

Archived documents include stakeholder publications, signed agreements, proclamations, and more than 900 news media clippings. For secondary sources, I relied heavily on news media, especially from the most reputable national journals such as *El Comercio* and *La República*, but also including publications from activist publications and online blogs—taking all of them into account with the skepticism required for "critical discourse analysis."[169] All of these were archived into my digital document database using the free software Evernote, wherein I added initial highlights, jottings, and 'tags' or codes to all of them. I then used qualitative analysis software ATLAS.ti to code these archives, alongside scholarly literature and other relevant files.

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169 Critical discourse analysis is a well-established qualitative method in the social sciences and humanities. On this method, see Teun A. van Dijk, "Principles of Critical Discourse Analysis," *Discourse and Society* 4, no. 2: 249-283. For an example of how to apply this method, see Said, *Orientalism*.

Table V: Peru's Political Units Visited for this Field Research (2014-2016)

Regions	Provinces	Districts
Autonomous Province of Lima	Metropolitan Municipality	Barranco, Jesús María, La Molina, La Victoria, Lima, Magdalena del Mar, Miraflores, Pueblo Libre, San Borja, Rimac, Surquillo, San Isidro, San Miguel, and others
Amazonas	Bagua	Bagua
	Chachapoyas	Chachapoyas
Arequipa	Arequipa	Arequipa
Cajamarca	Cajamarca	Cajamarca
		Namora
	Santa Cruz	Santa Cruz de Succhabamba
		Pulán
	San Miguel	San Miguel de Pallaques
	Hualgayoc	Bambamarca
		Hualgayoc
	Celendín	Celendín
	Chota	Chota
La Libertad	Trujillo	Trujillo
		Huanchaco
	Santiago de Chuco	Santiago de Chuco
		Cachicadán
		Quiruvilca
	Otuzco	Otuzco
	Sánchez Carrión	Huamachuco
	Julcán	Barro Negro
Lambayeque	Chiclayo	Chiclayo
Piura	Piura	Piura
		Tambogrande
		Locuto
	Sullana	Sullana
San Martín	San Martín	Tarapoto

Critical discourse analysis of these sources, assisted by several layers of qualitative coding, provides a "thick description" of the cases.[170] The primary method of data analysis consists first of several layers of qualitative coding: (1) inductive, both big-picture and detailed; (2) deductive, driven by available theoretical frameworks; and (3) focused, driven by the data and emerging theory, and aimed at challenging as well as refining early findings.[171] Together, discourse analysis and thick, within-case process tracing help to weave a complex story and trace the processes by which people perceive events, make choices, frame their perspectives, and shape the outcomes of cases—such as movement demobilization, company concessions, and a more ambiguous normalization of conflict. Then, controlled comparison of cases helps to build theory about conflict mechanisms and the prospects of resolution efforts. Adopting a carefully reflexive, immersive, participatory, and systematic research design, this in-depth comparison of four gold mines in northern Peru contributes original insights about the processes through which conflicts become violent, as well as those that lead actors to eschew violent means of waging conflict.

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[170] Edward Said argued that discourse is supported by "institutions, vocabulary, scholarship, doctrines, and even colonial bureaucracies and colonial style." It is a constant exchange of ideas between the scholarly and popular imagination's construction of the other. But in the case of the discourses around mining in Peru, these are mainly supported, intentionally, by corporate institutions including media, which makes statements, authorize views, describe, teach, settle things, rule over them, and encourage others to take these imaginaries and then even exaggerate them. To understand the sources, effects, and political power of violence, one must study how meaning travels, generates and alters relations, and conditions material relations; in other words, one must analyze discourse, compare how people in different positions think and what they say, what they write, and the way this travels, their access to media of dissemination, etc. See Said, *Orientalism*.

[171] Coding is assisted by qualitative analysis software (ATLAS.ti), which I have used before to contribute original research. For more on my research (data collection and analysis) methods, see the notes on methodology annexed to this dissertation.

Conclusions: Position and Distance in Violence Research

> Mask no difficulties, mistakes, failures. Claim no easy victories.
> –Amílcar Cabral[172]

The logic or methodology of this study suggests that violence must be studied in depth, in context, and discursively, as opposed to from a distance or through probabilistic models. My critique of violence necessarily contains a critique of the study of violence, and it calls for a relational conceptualization of the concept, which in turn requires locating it in people's experiences and studying them in context via immersion. Furthermore, my reconceptualization centers research as an affective and relational process that intervenes in these experiences. Ethnography examines how practices of meaning-production generate political phenomena, which is especially important when studying a difficult concept such as violence. Political ethnography—insofar as it is guided by reflexivity, intentionality, and participatory approaches—can generate denser, more complex, and more accurate understandings than the statistical methods that dominate political science. More importantly, it is also more likely to build reciprocal relationships and research accountability. These strengths raise the potential of research interventions to alter and help in the demise of violence in its various senseless, brutal, subtle, and oppressive forms.

Mining in Peru has generated an alarming rate of conflict. Given the number and diversity of these conflicts, they present a prime context in which to study actors'

[172] Amílcar Cabral, *Revolution in Guinea*, trans. Richard Handyside (London: Stage 1, 1974), 70-72.

strategies in subnational politics. To build theory about why some conflicts over mining become more violent than others, this work relies on extensive ethnographic fieldwork, including unprecedented access to activist, industry, state, and media actors. Cross-case comparison, however, can generate patterns and theories that can be broadly applicable. For these reasons, this study merges ethnography with a qualitative comparison of case studies to analyze, and theorize, the critical agency of different actors, including those attempting to show an alternative, more sustainable path to development.

Chapter IV

Tambo Grande: The Manhattan Project and the Importance of Scaling Up

> The northern criminal syndicates have installed themselves—along with a FIFA referee and members of the Sagrada Familia—in Piura and Tambogrande. The fault must be of the anti-miners. A drought strikes the north of the country, the water reservoirs are historically low, and agriculture is endangered. According to the Ministry of Agriculture, between 30 and 40 percent of crops were lost in Piura. Blame the anti-miners. Illegal and informal mining has expanded across the country and in various districts in Piura. The blame belongs to the anti-miners. And if tomorrow there is a plague among fruit flies, or any other end-of-the-world plague strikes, no doubt, the anti-miners will always be to blame. Even climate change surely is because of the anti-miners, according to the commentators on Hora N [on the pro-business news media Channel N], two friends who are fortunate to have a television program where one invites the other to say, literally, whatever comes to their minds: "If mining had been allowed in Tambogrande, there would be no crime." "If mega-mining had been allowed in Tambogrande, there would be no informal miners." It doesn't matter that criminal organizations are settled throughout the whole country, in areas with and without mining. […] How lucky some can be! They can say any nonsense on television, several times a week if they want to, and they even get paid!
>
> –José De Echave[173]

This chapter describes a conflict between mining prospectors and the communities around the coastal-arid district of Tambogrande, Piura. It focuses especially on the period of intensified conflict between 1999 and 2004, when a mining concession was held by the Manhattan Minerals Corporation and the central state in Lima. The "Tambo

[173] José de Echave, "Tantas Veces Tambogrande," Cooperacción (blog), February 25, 2014, http://www.cooperaccion.org.pe/opina/43-cooperaccion-opina/1645-tantas-veces-tambogrande.

Grande" project, as the mine was dubbed, is one of the most salient mining conflicts in Peru, and perhaps in Latin America.[174]

A direct result of the structural reforms of the 1990s which opened an explosion of foreign investment to new areas, especially in the global South and most of all in Latin America, the case set the tone for subsequent mining conflicts in Piura (such as the Río Blanco mine proposal) and the rest of the country, and indeed it influenced the strategies and tactics of actors in similar conflicts beyond Peru. It is therefore an apposite case with which to begin this study into Peruvian mining conflicts. The case is particularly interesting especially because of how its history and its lessons are imagined retrospectively in contemporary accounts, whether hailed as an example or diagnosed as the cause of this or that problem. Many people now believe the case was a failure which resulted from a political conspiracy orchestrated by environmental and foreign NGOs to prevent Peruvian economic growth, while others see it as a massive success for an 'underdog' public concerned with defending its own preferred path to development.

Beyond that contested historicity, the conflict also showcased the key dynamics of external solidarity interventions, even despite a moment of violent confrontation. At the height of the conflict, riot police provoked an undisciplined response from protesters, leading to an arson and destruction of company property. The company—which relied on promises of development as well as some petty philanthropy—used an approach towards the locals that overall could be best characterized as coercive, and it exploited this confrontation to smear and criminalize its opponents, framing them as

[174] It is key to distinguish at the outset the terms used here. The two-word "Tambo Grande" is the official name of the mining project, whereas the district itself is named Tambogrande.

violent and terrorists. However, instead of abandoning the protesters, Tambogrande's allies redoubled their efforts. These outside allies lent their credibility and media access to the local movement against the mine, helping it to reframe the debate away from the accusations of 'inciting violence' and toward a smart framing in media, based on portraying the valley's lime production as a necessary aspect of Peruvian identity. Thanks to the decisive leadership of the local movement and the support of outside allies—most of whom were women[175]—their cause "scaled up," gaining more support from people who organized nonviolent disruptions and protests far beyond the district.[176] The local organizers thus drew strength from the confrontation, beat a state-backed multinational corporation, and set the stage for subsequent conflicts.

Agricultural Roots

Located one hour from the Pacific coast and less than 50 kilometers south of the Ecuadoran border, Tambogrande is a district of about 100,000 people, spread into several neighborhoods across the San Lorenzo Valley. Its natural climate is dry forest, although it used to look much more like a desert. In the mid 20th century, the area's farmers organized to demand the deviation of rivers, to contribute to their production of cotton for the international market.

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[175] Nelson Peñaherrera Castillo (activist and journalist), personal communication, April 19, 2018.

[176] Sidney Tarrow, *The New Transnational Activism* (Cambridge, UK: Cambridge University Press, 2005).

Figure II: Photograph of Tambogrande, 2015

The valley's hydraulic infrastructure was constructed between 1948 and 1959, upon local initiative, state approval, and thanks in part to a World Bank loan. Promised a small parcel of land in return for their back-breaking work, thousands of farmers flocked to the San Lorenzo Valley and built the area's reservoirs. Watering the fields with their sweat, they transformed the valley and invested their future livelihoods into agriculture. Then, from 1963 to 1979, successive governments carried out a long process of land reforms that led to the redistribution of thousands of hectares from large haciendas to small-scale producers. This created a vibrant economy and soon, the San Lorenzo Valley became a thriving agricultural center. In the 1990s, the 50,000 hectares' area had

approximately 2.6 million fruit trees, which supported about 7,000 families.[177] The valley produced almost half of Peru's limes, and was a principal producer of many more products like mangoes and rice, meant for both national consumption and export; according to a 2002 study, the valley generated up to US$20 million in mango exports yearly. Furthermore, the agricultural sector employed an estimated two-thirds of town inhabitants.[178]

The area had no memorable history of metal mining. However, thanks to the advent of satellites and magnetic-testing technologies to survey underground resources, the district would become known for sitting directly atop one of South America's richest metallic deposits—containing high concentrations of gold, copper, and zinc. Because of the minerals' location, the construction of a mine would require the relocation of at least 8,000 town residents, or half the population, and the demolition of many parts of town—not to mention the threat it posed to the region's scarce water, and therefore to the prosperous economy of export-based agricultural production.[179] These urban and productive conditions distinguished any proposal in Tambogrande from major mining projects in the north of Peru at the time, such as Yanacocha, which were usually installed in areas sparsely populated by self-sustenance farmers. Open-pit mining projects here

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[177] Karyn Keenan, José De Echave, and Ken Traynor, "Mining Rights and Community Rights: Poverty amidst Wealth," in *Reclaiming Nature: Environmental Justice and Ecological Restoration*, eds. James K. Boyce, Sunita Narain, and Elizabeth A. Stanton (London: Anthem Press, 2007), pp. 195.

[178] Håvard Haarstad, "Globalización, Narrativas y Redes: Conflictos Sobre la Actividad Minera en Tambogrande, Piura," *Espacio y Desarrollo* (December 2008): 87–107.

[179] See Robert Moran, "An Alternative Look at a Proposed Mine in Tambogrande, Peru," *Oxfam America, Mineral Policy Center, and Environmental Mining Council of British Columbia*, August 15, 2001.

would have to directly compete with both human settlements and the area's profitable (and more socially inclusive) agriculture industry, a situation that could make conflict especially acute.[180]

Over time, different companies expressed their interest in mining in Tambogrande. At the dawn of the 1980s, then-Minister of Energy and Mining Pedro Pablo Kuczynski (who would serve as President between 2016 and 2018) and Congressperson Lourdes Flores were booted out of Tambogrande after they unsuccessfully promised jobs and modernity to locals if they would relocate from their city and allow the entry of mining projects. "At that time," according to community leader Luis Riofrío Crisanto, "people did not have a great deal of technical expertise, but they had profound feelings and expert knowledge about one thing: agriculture."[181] Understanding this identity, cultural attachment, and consciousness is crucial. The French, state-owned Bureau de Recherches Géologiques y Minières (BRGM) also entered Tambogrande to prospect in the late 1970s. They were "well behaved" and "had good attitudes," according to Riofrío, and when they realized that public opposition would not allow a mining project in the district, they politely left the area. BRGM's respect for their will, as they perceived it, made farmers realize their collective power. This newfound power would be tested again soon.

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[180] Anthony Bebbington, "Social Conflict and Emergent Institutions: Hypotheses from Piura, Peru," in *Social Conflict, Economic Development and the Extractive Industry: Evidence from South America,* ed. Anthony Bebbington (New York, NY: Routledge, 2012), pp. 72.

[181] Luis Riofrío (organic mango farmer and movement leader), personal interview, September 17, 2015.

Elected in 1990, the increasingly authoritarian government of Alberto Fujimori promoted a mining boom, encouraging companies to seek concessions. The Manhattan Minerals Corporation, a junior company based in Vancouver, declared its interest in the concession as early as 1995, and it purchased the rights to the concession the next year, but the state did not approve exploration until 1999.[182] Manhattan secured investments and closed the rest of its operations in Mexico to pursue this single opportunity, promising to invest more than $400 million (US) on its open-pit mine, from where it hoped to extract $1 billion over 17 years.[183]

Manhattan dubbed its mining project "Tambo Grande," a twist on the district that would host it, and it arrived as if the Peruvian government in Lima would protect its project at all costs. Indeed, the state had retained a 25 percent stake of the project, cementing its commitment to it. And at that time, challenging the state was a dangerous thing to do. "If you opposed anything, they'd grab you, paint you as a terrorist, and throw you in jail," said Riofrío, now an elderly man and organic mango farmer. "This was a real fear—a risk" that prevented many from speaking up, but nonetheless, a grassroots movement called *Frente de Defensa del Valle de San Lorenzo y Tambogrande* was formed to oppose mining in the district once again.[184]

Rengifo and "The Manhattan Project"

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[182] "Manhattan to Resume Exploration at Montosa," *The Northern Miner*, August 7, 1995; "Manhattan Wins Approvals," *The Northern Miner*, May 24, 1999.

[183] Fabiana Li, *Unearthing Conflict: Corporate Mining, Activism, and Expertise in Peru* (Durham, NC: Duke University Press, 2015), 8.

[184] Luis Riofrío, personal interview, September 17, 2015.

The Fujimori government was so invested in the Tambo Grande mine that the president issued an executive order excepting it from the constitutional provision that prohibited mining within 50 kilometers of national borders. To see their project through, however, the government and Manhattan required the approval of the local district mayor, who at the time was Alfredo Rengifo Navarrete (1999-2002). When I spoke with Rengifo in 2015, he invited me to his house and presented me his book manuscript about what occurred at Tambogrande—an intimate collection that includes his analysis, memories, and hundreds of appended official documents from his tenure as mayor. Rather than depicting the story of a 'new conquest of Peru,' his narrative painted a far more complicated picture: one of someone deeply rooted in his town, concerned with its wellbeing, and committed to propel its social and economic development.

Development was precisely what Manhattan promised. The firm's rhetoric to justify the project was crystalized in a report it issued in 2002, where it portrayed the district's economy as impoverished and underdeveloped, largely as a result of its dependence on agriculture. The report provided statistical information on high levels of child mortality, relatively low median incomes, and low access to hygienic services; it also commented on environmental factors, such as the poor conditions of the area's irrigation canals and eroding soil. Needless to say, it proposed mining as a silver bullet solution to these socioeconomic ills, environmentally safe, and actually, inevitable. To put it simply, the report attempted to portray Tambogrande as poor and in need of mining activity.[185]

[185] Haarstad, "Globalización, Narrativas, y Redes," 95-96.

Thus, when Manhattan came knocking at his municipal office's door, Rengifo used his executive power to authorize the company's investment and exploration in the area. As a few of my contacts made apparent, he became a polemic and unpopular figure for this decision. But when it became clear that his constituents overwhelmingly opposed the project, he responded to his democratic duty—albeit silently. Rengifo felt that to stop the project, the municipality needed to come across as impartial. "My advisors warned me that I might lose the elections if I didn't speak out against the company," he told me, "but were people better served by me showing up at the rallies, or by me remaining a credible opposition separate from the grassroots?"[186] In his official correspondence, Rengifo even denounced the company on several occasions, demanding that it cease its violation of his people's dignity. In the end, Rengifo would openly call for the project to be cancelled, but to the people organizing the Frente, he needed to be replaced.

Community Organizing

One day in May 1999, neighbors woke up to find a drilling machine, the size of a semi-trailer, working on a perforation on their street. What had been their fears and suspicions, up to that moment, were now materialized directly outside their doors. This physical encounter with the project forced locals to realize its severity; these holes would extend into multiple open pits, right where their church, downtown square, and houses had stood for their whole lives.

[186] Alfredo Rengifo Navarrete, personal interview, September 18, 2015.

The *Frente de Defensa* was spearheaded by well-organized, preexisting associations of agricultural producers and water users (*juntas de riego*), but it spread through local links among neighbors, extended families, and area residents at large. Members elected Francisco Ojeda, a young professional, school director, and charismatic farmer, as its president. As Luis Riofrío told me, Ojeda was elected because he represented a radical and incorruptible commitment to stopping the mine. The Frente began by convening local organizations to meet at least weekly, where they shared stories of their anger at daily interactions with Manhattan's people. Then, they filed legal complaints against the company's incursion into their lands, and they issued formal and informal petitions to their representatives, demanding the company's withdrawal. They organized a massive rally from San Lorenzo farmers in Piura city, the provincial seat and regional capital. Within only a few months, the movement claimed that one of their petitions had gathered 28,000 signatures against mining in the district, out of 37,000 eligible voters.

At around this time, the professional, farmer, and president of the Association of Mango Producers, Godofredo García Baca, conducted an economic evaluation of the region's agricultural production. He concluded that the benefits Manhattan was promising to the town (including sewers, 300 jobs, and free repainting on houses that would not be demolished) were meager and incomparable to those the region was already producing through agriculture. García drew on his experiences opposing mining in the area since the 1980s, as well as the experiences of other communities affected by mining in Peru at the time—such as La Oroya, Cerro de Pasco, and Yanacocha. His

assessment concluded that Manhattan's water usage could not coexist with the area's agricultural economy, and in fact it would directly threaten farming.[187]

As part of their community organizing effort, the Frente set up a technical roundtable with other local leaders, the regional archbishop, and NGOs including the Piura-based Agro y Vida, Cooperacción in Lima, Oxfam America, the National Confederation of Communities Affected by Mining (CONACAMI), and Friends of the Earth. These external allies did not arrive magically; activists had taken their arguments to the Congress, drawing attention from national media; furthermore, one of the Frente's leaders had studied in Lima, and used personal networks there to invite supporters. The roundtable was tasked with understanding the potential impacts of Manhattan's mining project on the San Lorenzo valley. Each organization played on its strengths: they spread information to their national and transnational membership, provided financial support, and lent strategic and practical assistance on the ground. The deacon focused on legal assistance, CONACAMI transmitted knowledge among farmers in Peru, and Oxfam's delegates focused their attention on the technical and legal aspects of the project.

Manhattan planned to relocate 1,600 homes to construct several open pits, including one 1,000 meters long, 650 meters wide, and 250 meters deep. Among other things, the company also proposed to divert the Río Piura, the principal river in the district, and to consume much of it daily, causing concerns about the future of agriculture in the valley. However, company employees contended—in person,

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[187] Roldan Muradian, Joan Martinez-Alier, and Humberto Correa, "International Capital Versus Local Population: The Environmental Conflict of the Tambogrande Mining Project, Peru," *Society and Natural Resources* 16, no. 9 (2003): 775–792.

publications, law-mandated community workshops, and media interviews—that the environmental risks of their state-of-the-art project were insignificant. Skeptical of these claims, locals worked with their supporters to commission an independent investigation. Oxfam, the Mineral Policy Center, and the Environmental Mining Council of British Columbia sponsored a study conducted by Dr. Robert Moran, an expert on the environmental impacts of mining and hydrologist at the University of British Columbia.

In the first half of May 2001, Moran conducted a review of Manhattan's initial impact statement (its "baseline study" from July 2000), relevant publications, and interviews with Tambogrande residents and Manhattan executives. Moran concluded that this baseline impact assessment failed to meet the standards of similar companies working in the U.S. and Canada. His report provided a side-by-side comparison of Manhattan's baseline study with a comparable project in British Columbia, demonstrating the extent of the former's incompleteness and sloppy methodologies. Furthermore, it provided a sober and damning critique of the project based on the following: the conflict of interests of the state as an investor in *and* regulator of the project; the El Niño cycle, unaddressed in the study, and how its typical inundations would impact the mine's heap-leaching and tailings dam; the risk of deforestation, and subsequently, the exacerbation of desertification in a vulnerable ecosystem; and the impacts of the mine that are ignored or understated in the baseline study, including the high risk of air pollution, the contamination of ground water, and the dispersion of toxic substances over agricultural land.[188]

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[188] Gina Alvarado Merino, "Políticas Neoliberales en el Manejo de los Recursos Naturales en Perú: El Caso del Conflicto Agrominero de Tambogrande," in *Gestión Ambiental y Conflicto Social*

The Frente hosted workshops to inform locals about their technical arguments against the project. At these meetings, organizers—predominantly Godofredo García, who was a popular and charismatic leader of the community—informed locals about four main points that formed the basis of their opposition to the project: (1) the higher and more evenly dispersed economic value of agriculture, which would be threatened by its proximity to a mine reliant on mercury, arsenic, and cyanide; (2) the technical and environmental conditions that made the project inviable on its own terms (for example, the lack of available water in the area that would force the company to use the irrigation reservoirs, or also how the El Niño storms would inundate the open-pit and flood the tailings dam, dispersing its poisonous chemicals into other water bodies and onto the soil); (3) the people's right to their land, which they had fought hard to acquire and now the state threatened to take by force (although it still offered landowners a reimbursement, via a direct deposit in the state-owned bank); and (4) the unjustified and underestimated risk of harm to people's health and livelihoods, due to the contamination and deterioration of soil and water resources. As Ojeda later summarized, during an invited lecture at York University in 2002,

> This land is part of us; it has given life to our grandparents, our parents, and our children. Our life is here; our future is here. But all of this is threatened by the mining companies. […] We reject the company's plans not because we disagree with mining investment outright, but because we

en América Latina, eds. Gina Alvarado Merino et al. (Buenos Aires, Argentina: CLACSO, 2008): 67-103; Moran, "An Alternative Look," 5-18.

> understand that there are places where mining is appropriate, and places where it isn't.[189]

Still, local leaders noticed that the company was successfully purchasing loyalty from some of their neighbors and slowly gaining ground. Threatened, the Frente decided to raise the stakes and planned their first strike and roadblock, which paralyzed the town for 24 hours. The female members of the Frente were tasked with preparing the food for these events, and even to stand at the frontlines between protestors and police sent to disperse them, in hope that police would not strike against a female. Refusing to be relegated as *de facto* cooks for protest activities, a group headed by Hermelinda Castro formed the Tambogrande District Women's Association (ADIMTA, in Spanish); among other work, their organization began by going around door-to-door—as the company had been doing, to gather support—explaining to their neighbors why approving the project would be a mistake.[190] One mother's testimony exemplifies their rhetoric:

> I worked during all my pregnancies. At that time, we didn't give birth lying down–we crouched, hugging a cushion. Quickly, one, two, three pushes and the child is out. That's why I'm not going to hand this over to someone else, who comes and meddles in my papayas, in my farm, my fruit, my land. No, because I love my plants as though they were my children. I love my children. I have raised them alone. When they don't have anything, if I have one sol or two soles I say, "take it son and work like me, so you'll have bread and life for your children. That's how I raised you." We'll struggle and struggle until god says, "Now your fight is finished." For my children and their spouses and my grandchildren. If I die the land will be there for my grandchildren, their children and so on, and that's something that lasts forever. Plants die, but they grow again.

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[189] Francisco Ojeda, "Tambogrande: A Community in Defence of Its Rights," in *Community Rights and Corporate Responsibility: Canadian Mining and Oil Companies in Latin America*, eds. Liisa North, Timothy David Clark, and Viviana Patroni (Toronto, Canada: Between the Lines, 2006), 60-61.

[190] Anonymous activist, personal interview, September 17, 2015.

–Isabel Morales[191]

The social movement shifted from its origins in male-driven agricultural organizations to include a complex network of local women, the church, outside allies, and technical arguments.

Company Strategies

As the movement did, Manhattan Minerals also evolved during the course of the conflict. Its ways of dealing with locals and opponents moved through at least three discernable stages.

At first, it entered the town with an attitude of supremacy, arrogance, and impunity, according to "Martín"—a geologist who worked on its exploration team, who agreed to be cited on condition of anonymity. Martín believes that mining is rural Peru's best shot for development, but he regretted the way in which company representatives addressed locals in their first few interactions, which set the tone for what would come. Indeed, he noted that part of the problem was that his team of explorers was not a trained corporate-community relations team, but as the only people representing the company 'on the ground,' they had no choice but to act as such. Martín's team worked in Tambogrande almost every day, and between May of 1999 and May of 2000 they drilled more than 400 exploration and feasibility holes.[192]

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[191] Isabel Morales (small-scale farmer), cited in *Tambogrande: Mangoes Murder, Mining*, documentary film directed by Stephanie Boyd and Ernesto Cabellos (Lima: Guarango Films 2006).

[192] Moran, "An Alternative Look," 9.

Martín recalls how he and his team were drilling for samples in the north side of town, a large crowd arrived to demand that they stop and withdraw from the area. (This anecdote appears in expanded form in the introduction to Chapter III.) Feeling the pressure, Martín called the company's social relations director, Ricardo Samanez. Martín describes Samanez as someone who would show up in a town like Tambogrande wearing an expensive watch and new boots. When he arrived, Samanez demanded that the crowd dispersed, argued with them, and even "rolled his sleeves up as if he were ready to fight all of them," Martín laughs. That night, after Martín and his team of geologists left the worksite, a crowd of locals set fire to the perforator.[193]

When the conflict escalated and its opposition mounted, Manhattan's strategy entered a second stage, when it wielded its economic power to influence the public debate through media. It paid a local tabloid newspaper to promote its agenda, began producing its own publication, and formed an organization of supporters in town. Its rhetoric was not only based on promoting the project, but also on discrediting its opposition. For example, Manhattan's supporters took to the airwaves to accuse activists of receiving salaries from outsider groups. Company officers assured investors and media that only a handful of people conspired against the mine, whereas the population overwhelmingly supported it, and they falsified statements in favor of the mine.[194]

Manhattan also opened legal cases against several of the local leaders, accusing them of obstruction, trespassing, and property damage. When the crowd set fire to its

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[193] 'Martín' (former Manhattan geologist and explorer), personal interview, September 16, 2015.
[194] Liliana Alzamora, personal interview, September 19, 2015.

perforator, it exploited this to frame locals as violent and terrorists, to discredit and delegitimize them. Even journalists who worked for Radio Cutivalú, the only outlet for the Frente in broadcast media, were targeted and framed as supporters of the Maoist guerrilla Sendero Luminoso.[195] Still, area residents could not be fooled—the accused were well known and respected. The spread of what they saw as lies only made them more resentful and distrustful of the company, not least because the firm's tactics were reminiscent of the Fujimori government, which was collapsing at the time.

In a third stage, the company ramped up its philanthropy, orchestrating a strong effort to purchase support with medicine and even doctors, hired to do domestic visits in town. For example, Manhattan paid for municipal festivals and handed out kitchen and school supplies in the town square. Additionally, Manhattan offered locals work, as night guards of their perforation machines, thereby investing them in its agenda; and its operators offered money under the table to whomever would promise to publicly support their project. In this way, they bought off leaders and divided neighbors against one another. "They were going around offering money," said a member of ADIMTA and the Frente. "A widow with five children would have been very vulnerable to that."[196] Again, these small overtures were short-term and petty gifts, none of them oriented towards boosting local development, and they could not overshadow the company's predominant strategy of coercion and criminalization.

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[195] Anonymous journalist, personal interview, September 21, 2015.

[196] Anonymous member of ADIMTA, personal interview, September 15, 2015.

Around this time, Manhattan changed leadership and made public attempts to promote dialogue with the locals, setting up workshops. "But this was a double discourse because they were still trying to purchase people with gifts and cash," said a former mayor of a nearby district. "It was obvious that they were only holding workshops because they thought it might help their cause, rather than because they were interested in hearing people's opinions. So things got heated."[197] When people boycotted their workshops around the district's localities, company workers allegedly transported their few supporters from other towns to each meeting they held.

Manhattan's operators also decided to show the town what their new homes would look like if they agreed to its relocation plan, and built several model houses inside their brick-fenced compound in Tambogrande. They believed that seeing and visiting these would make many in their opposition change their minds in a heartbeat—but it was too late. According to Frente member Mariano Fiestas Chunga, "people already saw the company as their mortal enemy."[198]

Escalation and Confrontation

By this point Manhattan's presence in Tambogrande was characterized by heavy police presence. When the Frente organized its second strike in February 27 and 28 of 2001. The strike began before dawn, drawing thousands of people. At around noon, there was a rally and a march. Thousands of people marched from Tambogrande to

[197] Anonymous former mayor of a nearby district, personal interview, September 12, 2015.
[198] Mariano Fiestas, personal interview, September 17, 2015.

Locuto on the same road where Manhattan's field operations were headquartered. Manhattan requested state protection, and 600 police were dispatched to surround its campsite. It is unclear if they acted on orders from company managers, but these officers made "a fatal mistake," in the words of an organizer. "Had they let us pass, we would have gone down to Locuto peacefully, and then returned again, peacefully, on our way homes in the evening. But they didn't," he told me.[199]

Drawing only on the selective memory of actors involved makes it difficult to reconstruct the sequence of the confrontation. Thankfully, filmmakers Stephanie Boyd and Ernesto Cabellos were present to document the events, and their footage is useful to cross-examine and triangulate other sources.[200] Overhead, a helicopter carrying police chiefs and Manhattan's country manager flew over several thousand protesters. As the protest converged outside of Manhattan's fenced headquarters, police took three protesters into custody within the company's compound, which provoked and infuriated the crowd. Police standing near the compound entrance fired tear gas across the moat, at the people who filled the streets. Frente leader Liliana Alzamora collected one of the exhausted canisters, and took it to the police chiefs at the compound's gate. "You are throwing these in an exaggerated form, right? And so this could be considered a form of provocation," Alzamora tried to reason with the police in charge. "As leaders, we do not want things to escalate further," she suggested. Tensions were high, and her request went unheeded.

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[199] Mariano Fiestas, personal interview, September 17, 2015.

[200] Boyd and Cabellos, *Tambogrande*.

After negotiations with Frente leaders inside the compound, the police released the detained, under the condition that both sides sign an agreement, which essentially would end the strike. Agitated and angry, the crowd refused the proposal and demanded that Ojeda not sign it. Police then attempted to disperse the crowd with more tear gas, which agitated younger protesters into throwing the canisters and rocks back at the police. The police's shields and the compound's brick walls were an insufficient defense, and company supporters fled. By the afternoon, the protesters had broken holes through the compound walls, and once inside, they burned down several of the model houses for relocated families, as well as offices and vehicles.

That evening, speaking to thousands meeting in the town square, Ojeda said,

> We told you to go in good faith. People are indignant, frustrated, and when this happens they will react. Sometimes they react by harming themselves, sometimes they react against another person, and sometimes they react against objects. That has been the people's reaction today; they have overreacted against Manhattan's things. The population lost their nerve because there is no longer a way to be understood, we no longer have anyone who will listen.

When he finished, the crowd cheered and chanted, "Only through struggle will people be heard!"

Manhattan Minerals pressed its lawsuits against more than 60 social leaders, but it left Tambogrande for three months. Meanwhile, its media partners (with which it had established publicity contracts) such as *Diario Correo* disseminated criminalizing accounts of the events. *Correo* asked its readers, "Who burned the mining company's compound? Who organized the pro-terrorist violent protest [*la asonada pro terrorista*] of February 27 and 28?" Its article is worth citing at length, at least for a different perspective:

PRELUDE TO TERROR. Some 600 brigadiers of the Frente marched toward the miners' compound, which was being guarded by police under PNP Colonel Antonio Cabrera Sánchez. There the first arrests occurred, and the first scuffles between authority and the hooded vandals that attacked to rescue their detained.

The confrontation was prolonged through the entire day, with resulting injuries on both sides, who could not be evacuated to hospitals due to the city's state of siege. By nightfall, there began rumors of taking the compound.

Dialogue and mediation were useless. The Sullana police chief, the district attorney, and the deacon's lawyers were unheeded. The vandals attacked property and persons they believed were linked to the mining company. Several mango processing plants suffered this fate as well, and even the district attorney had to hide to avoid being lynched. The reporter for the *Correo*, Oliver Guerra, was attacked by the mob [*turba*], which destroyed his photographic equipment and material.

A TAKE IN BLOOD AND FIRE. The second day of the strike, the robbery, the sacking, and the violence multiplied in the entire city. Hoodlums [*encapuchados*] destroyed with incendiary bombs the Manhattan offices on Lima Street. Furniture near the church was set ablaze, and the population, pressed with terror, had to flee toward the river. That night, the place where the company projected its social relations was burned.

By morning, Tambogrande awoke in a state of generalized terror. After noon, the violence concentrated in the Manhattan compound, defended by about 300 police. It was assaulted and taken also, after blowing through the brick and concrete fence, reduce [sic] the agents and making them run or taking them hostage.

When they entered, they grabbed what they could and set fire to what they could not. Thus they destroyed six "pilot homes" built by the miners as a proposal for a probable relocation of city dwellers during the mine exploitation phase. The same fate was given to machines owned by the company Hermanos Britto, Diamantina exploration equipment, and other property of the Canadian contractor.[201]

[201] "Tambogrande, Una Década de Impunidad," *Diario Correo* (Lima), October 11, 2010.

Amidst these kinds of accusations against them, leaders felt their movement slipping out of control, and took time to regroup. The following month, on march 31st, as Godofredo García of the Frente drove to his farm with his adult son, Ulises, a gunman jumped in front of their truck and shot him in the chest. The masked man made sure he had killed Godofredo, but let Ulises go. The conflict had reached a peak of intensity: one of the most significant leaders of the resistance had been murdered. The assailant was later apprehended, but he never revealed his motive. Now serving a maximum sentence, the shooter is a former sergeant of the air force's secret service.

Three months after García's murder, armed thugs abducted Ojeda's daughter from her university and dumped her in the street, the day before Ojeda was to scheduled for a public debate with Manhattan. When Ojeda was invited to speak to a conference on Canadian Mining in the UK, his daughter received threats of being tortured, chopped to bits, and thrown in the streets if her father did not quit.[202] The movement read Godofredo García's death and other intimidation attempts as provocations, hoping to frighten or elicit a violent reaction from them. These events, alongside the accusations of terrorism and legal processes leveled against its members, forced the Frente to reassess its positions. After deliberation, activist leaders committed themselves to a different framing—one that could leave no doubt about who was creating all of this violence.

Despite the unrelenting media rhetoric aimed at smearing them as violent "anti-miners," their coalition expanded to include students and faculty at the regional university, youth in Lima, and other supporters from a variety of backgrounds, and their

[202] Francisco Ojeda, "Tambogrande," 62.

resistance grew. Together, their broad coalition created a public relations campaign that would resonate with almost every Peruvian. Their slogan was simple: "Without limes, there is no ceviche [*sin limón no hay ceviche*]," and it seemed to resonate culturally. Ceviche is the national staple dish, a source of pride central to its increasingly globalized cuisine. The ingenious frame drew on Peruvian identity and juxtaposed it against short-term corporate profits. Posters with different takes on this threat to limes and ceviche were hung in Tambogrande, Piura, Lima, and many other cities.

Figure III: Poster Against Mining Exploration in Tambogrande

Image borrowed from the NGO EarthWorks under Creative Commons license.

In subsequent months, the protests in their region and in Lima were marked by young people playing instruments and dancing in lime and mango costumes, and by farmers wielding agricultural products instead of torches and machetes—a sign of the movement's efforts to contest the criminalizing frames explicitly. The movement's public rhetoric now frequently emphasized that their struggle was peaceful, and leaders often referred to their martyr, García, for guidance.

Conflict Transformation

One cannot overstate the agency of locals such as Nelson Peñaherrera, a journalist and a movement supporter, who used his English skills and the internet to reach out to Peruvian and international media companies like CNN, Telemundo, Univision, America TV, and the BBC. While not every one of them responded, or followed-up by sending journalists, some did. Peñaherrera believes that Hannah Hennessy's BBC report from December 2003 was "deadly for Manhattan Minerals," as it recorded the preponderance of local opposition to the mine.[203]

Capitalizing on their unprecedented international attention, the movement opted for a final gamble: they organized a referendum to weigh public support for the mining project. They announced their plans at a rally in the town square. Rengifo, who was still mayor, supported the referendum. However, the national electoral commission refused to approve the process, which was needed for the vote to be binding. The company also stated it would not recognize it. "It's quite surprising that the Tambogrande Defence

[203] Nelson Peñaherrera Castillo, personal communication, April 19, 2018. See also Hannah Hennessy, "Gold Mine Fails to Glitter in Peru," *BBC*, December 3, 2003.

would support a referendum prior to the availability of a study on the environment and the socio-economic impact of the project," Manhattan's CEO Lawrence Glasser told the UK newspaper *The Globe and Mail* in May 2002.[204] Manhattan's president in Peru, Roberto Obrodovich, also shared his distrust in the process:

> In other countries, there is [sic] very high levels of culture, levels of education among the population that are quite high, and probably in those developed countries a model of this type could be applied, more or less. However, in our country, where the population is so easily manipulated, I believe—personally—that if these kinds of referenda were to take place all over the country, I think the country would be paralyzed.[205]

Regardless, leaders of the Frente vowed to respect the wishes of the majority—even if it meant approval of the project. International observers and scholars were brought in to monitor the consultation process, which became highly formal: state IDs, thumbprints, sealed ballot boxes, and electorate lists were used to validate each vote. On the day of the vote, in June 2nd, 2002, more than 27,000 people rode buses, the back of pickup trucks, and even floating devices on the river to cast their decision. Turnout was overwhelming for a non-mandatory election, with an estimated 78 percent of eligible voters taking part.[206] Valley residents wore their best suits to form long lines, where mothers breastfed as they waited and organizers distributed snacks to keep people

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[204] Allan Robinson, "Manhattan Gold Mine in Peru Faces Vote," *The Globe and Mail*, May 10, 2002.

[205] Boyd and Cabellos, *Tambogrande*.

[206] Almut Schilling-Vacaflor and Riccarda Flemmer, "Conflict Transformation through Prior Consultation? Lessons from Peru," *Journal of Latin American Studies* 47, no. 4 (2015): 818.

energized. When all votes were counted, nearly 94 percent were cast against mining activity, seemingly sealing the fate of the project.

Manhattan's shares in the Toronto Stock Exchange fell by 28 percent during the following day alone.[207] Adding to its victorious mood, the Frente was delivered another electoral victory before 2002 ended; this time, its president easily climbed into the mayoral seat in Peru's regional and municipal elections, in November. (Ojeda served as mayor again in 2011-2014.) However, Manhattan and the state proceeded as if nothing had occurred. The firm finally released its environmental impact assessment, or EIA—a multi-volume, jargon-riddled, 4,500-page document. Manhattan had delayed the EIA's release repeatedly, circumventing legislation that required it and gaining extensions for this via executive orders from president Fujimori himself.[208] Legally, the last obstacle to the mine's approval was presenting their EIA at open meetings in the capital city of each level of government: municipal, regional, and national. Even though citizen's ultimate approval is not a mandatory aspect of these presentations, this legal requirement to hold multiple meetings gave social movements a lot of latitude, particularly as it offered a venue to flex their distant networks, which were stronger than ever by this point.[209]

The Frente de Defensa organized its third and final strike, this time of 72 hours, for the days in which the meetings were scheduled in November of 2003. In Lima, Luis Riofrío, students, NGOs, and Tambogrande supporters held a musical vigil with so

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[207] Keenan, De Echave, and Traynor, "Mining Rights and Community Rights," 196.

[208] Moran, "An Alternative Look," *v*.

[209] Maiah Jaskoski makes a similar point about the opportunity created by these EIA audiences in other contexts. See Maiah Jaskoski, "Environmental Licensing and Conflict in Peru's Mining Sector: A Path-Dependent Analysis," *World Development* 64 (December): 873-883.

many supporters that Manhattan was forced to cancel its meeting. In the regional capital of Piura, ten thousand people arrived at national university's auditorium; outside, their discipline was on display when everyone raised their arms to stop the chants so their leader could speak, and Ojeda reaffirmed their commitment against violent escalation. Their chanting as they entered the auditorium scared the company representatives, who exited through the backdoor before the EIA could be presented. In Tambogrande, the protests and chants began before sunrise; a general strike paralyzed the town completely, and roads were blocked for everyone except for ambulances and the press. Manhattan was unable to realize of its token encounters, and protests turned to celebration.[210]

On December 10, 2003, Centromin, the state agency partnered with Manhattan for the concession, dissolved Manhattan's contract. The state claimed the company had stalled on the EIA for too long and that certain conditions in its contract had not been met, including the construction of a treatment plant and an equity investment of US$100 million; however, opponents of the Tambo Grande mine read this as the state's acquiescing to the public will. "We are very surprised by this decision," the company's chairperson and president Paul Glasser stated in a press release. "Manhattan presented a carefully prepared and thorough submission that would ensure, subject to community

[210] For a movement that had already scaled up, preventing these formalities was easy through mass protest, physical blockades, and legal obstruction. After Tambogrande, lawmakers rescinded the law requiring companies to present their EIA in the local, regional, and national capitals. Peru's mining law now requires, rather nebulously, "formal instances of diffusion and community participation" and "informal instances that applicants must encourage, to incorporate during the environmental impact assessment the perceptions and opinion of the population to be potentially affected or benefitted." See Ministerio del Ambiente, "Ley del Sistema Nacional de Impacto Ambiental y Su Reglamento" (Lima, Peru: Ministerio del Ambiente, Gobierno del Peru, 2011).

approval, the responsible development of the Tambogrande Project," he said.[211] Manhattan launched an arbitration process against the ruling, but in one day alone during that December, it lost 41 percent of its value on the Toronto stock exchange.

By the same time the next year, Manhattan's luck had not changed. The company's new president and CEO, Peter Guest, threatened to sue Peru for damages, arguing to the international business press that his company had incurred a US$60 million loss. However, after five years of opposition, the company finally announced it was liquidating its Peruvian assets in February 2005. It withdrew from the country indefinitely and changed its legal name. Guest vowed resentfully that Manhattan would never invest in Peru again, but that it would consider other South American countries and "more mining-friendly" Turkey for future investments.[212]

Among environmental and social justice activists, the case is remembered an example; it encouraged movements against extraction to demand popular consultation processes in Esquel, Argentina in 2003, in Sipacapa, Guatemala in 2005, and beyond. In Guatemala, Godofredo's son Ulises García supported the consultation process in person. However, in Tambogrande, the struggle may have upended one mining project, but the district is still not clear from exploration. Since Manhattan was disbanded, mining companies such as Buenaventura and Arasi have overtly sought to explore the

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211 "Centromin Peru Ruling on Tambogrande Option Agreement," Manhattan Minerals Corp. press release, December 10, 2003, on the BusinessWire website, https://businesswire.com/news/home/20031210005946/en/Manhattan-Minerals-Corp-Centromin-Peru-Ruling-Tambogrande.

212 Aiden Corkery, "Manhattan Pulls out after US$60mn Tambogrande Loss," *BN Americas*, February 7, 2005; see also "Minera Manhattan Desiste de Explotar Tambogrande y Anuncia Retiro del Perú," *La República*, February 8, 2015.

area, and many others surely covet the concession and the rich deposits below town. Furthermore, informal miners prey in the valley's forest in Las Lomas, nearby. Their presence, however minor, has led people like Hernando de Soto to claim that,

> We must understand what people really want. Because in many cases, as with the Manhattan company in Piura, they rejected the mine—everyone has said, for ecological reasons—and now it is full of informal miners, who are the same locals. This means they are not against mining, but rather that they want the money going directly into their pockets.[213]

In his words is the often-repeated trope that Tambogrande rejected formal mining only to let in the informal, "criminal," and presumably more destructive types of mining enter their area. This line of rhetoric is meant to portray ecologic concerns as false pretenses, delegitimizing and discrediting locals' diverse claims—some of which are indeed environmental, and intrinsically economic, and also much more. However, de Soto arrives at an interesting conclusion, although his motivation is the desire to coopt rather than to democratize: the majority of people who protested in Tambogrande not 'anti-miners,' and they would more easily accept a project that actually benefitted them.

Conclusions: Theorizing Lessons from Tambogrande

Thinking theoretically about the case, more than ten years after its conclusion, several factors appear significant: (1) the poor organization within the company, including its lack of a coherent strategy to address local concerns other than through coercion and petty philanthropy; (2) the strength of the local networks that formed

[213] Zaraí Toledo Orozco, "Tambogrande Ayer y Hoy," *Útero*, August 7, 2015.

around a lucrative agrarian economy in the valley, where they organized a resilient base that drew on their identities, histories, and kinship; (3) the support of NGOs and transnational networks, which lent legitimacy and helped to transcend how regional and national media framed the town's struggle, and remained steadfast even after the movement's most difficult moments; (4) the movement's intelligent framing and decisive tactical transformation that followed the peak of violence in the conflict; and (5) the success of the popular consultation on mining, a democratic and nonviolent method to settle any doubts about whose interests the project represented. Many other cases of mining in Peru share some of these characteristics, but their combination in Tambogrande render it a unique case.[214]

The company's biggest error was thinking that with government support and the loyalty of some paid-off locals, it could push its project to fruition. It had imagined that any opposition against its project could be sidelined, bought, or discredited. When this did not work, it actively painted Tambogrande's farmers as ignorant, backward, and violent. Its strategic error was to cause indignation and desperation among people who refused to be ignored by an inflexible corporation and a compromised government. The arrogance of its operators set the project on a negative tone from the start, a path that was difficult to reverse even under new leadership. To be sure, not only activist but also actors within the industry learned from these mistakes.

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[214] Scholars such as Moisés Arce have taken the presence of robust and lucrative non-mining activities in the area as the factor that explains the movement's success. This factor indeed sets the case apart from the other three in this dissertation. While I agree that it is important, my effort here is to clarify the ground-level factors, proximate dynamics, and local agency that often go missing from simplistic accounts that emphasize these structural and economic factors alone.

Far more importantly, what is especially key about this case, for the purposes of this study, is the social movement's transformation—namely, after the provocation and confrontation at the company's campsite, and after Godofredo García's murder weeks later. Rather than letting themselves be provoked again, or be frightened into demobilizing, the local leaders of the social movement and their regional-to-transnational supporters moved to challenge violence itself, identifying the company's actions as one of its sources. Whereas Manhattan Minerals sought to convince the world that it was doing this town a favor, and that whoever opposed its proposal was corrupt or violent, locals were decisive in making clear that the source of the conflict was the company's greed. Their smart framing juxtaposed the company's promises against Peruvian identity itself, and their networks ensured that this frame resonated widely by organizing creative and nonviolent protests that emphasized the importance of limes and mangoes.

Finally, a key point that should not be missed from this case is the role of women in the conflict. They were key from the start in organizing neighborhoods, working across their social ties to persuade and mobilize the town. According to activists, witnesses, and journalists, ADIMTA and the female professionals such as Liliana Alzamora were also the leading actors responsible for the movement's nonviolent framing. In the words of Nelson Peñaherrera,

> I have to underline that even the NGOs' officials who were training, advising, and helping us were mostly women, injecting us another way to say 'no.' Then, we used creativity, the arts, and rational arguments to fight. The women were who really turned upside down the violent destiny of the conflict: Sister Magdalena Tagliavini and the Sisters of Notre Dame of Namur; the Sisters of Fe y Alegría; El Tiempo's journalists Margarita Rosa Vega and Teo Zavala (and director Luz María Helguero); Marita Orbegoso and all Deacon crew; then the NGOs' Rocío

> Ávila and Janneke Bruil; Noticias Aliadas' team; [the filmmaker] Stephanie Boyd; [the NGO] Labor's Doris Balbín; [professor] Liliana Alzamora, [ADIMTA's] Hermelinda Castro, the late Lola Burgos, and the list continues. Is the peace a gender issue? If so, why? […] Women's participation in Tambogrande was a key factor that led from violent to creative protest. […] Men are not good peacekeepers.[215]

Peñaherrera's arguments echo a large literature that has proposed similar arguments about the role of gender in violence, peace, and security.[216] Far beyond deterministic and pseudo-biological arguments about female empathy and male testosterone, there is an undeniable toxicity built into dominant social constructions of maleness—not least in Latin America, which holds the record for the highest number of femicides per capita in the world. Peñaherrera's reflections are worth contemplating and returning to them in subsequent chapters, as are the conflict's broader lessons.

The Tambo Grande mine proposal preceded and set the stage for a large wave of other conflicts over gold mining in the North of Peru. Given its preeminence in the national debate over mining and development, it doubtlessly influenced the behavior of the actors involved in subsequent cases. However, its lessons might not have been immediately apparent—or important—to the actors involved in the conflicts that followed. As the next three chapters show, the extents to which states, communities, and companies adopted these lessons varied significantly.

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[215] Nelson Peñaherrera Castillo, personal communication, April 19, 2018.

[216] See, e.g., Cynthia Enloe, *Globalization and Militarism: Feminists Make the Link* (Landham, MD: Rowman & Littlefield, 2007); Amina Mama, "Challenging Militarized Masculinities," *OpenDemocracy*, May 29, 2013; Laura Sjoberg *Gendering Global Conflict* (New York: Columbia University Press, 2013).

Chapter V
La Zanja: When and How Coercion Works

Political contestation around mining in Cajamarca is difficult to isolate by case. In this polarized region of northern Peru, conflicts around otherwise-distinct mines consist of similar political institutions and legal frameworks, as well as recurrent actors—even if individuals' positions may shift between state offices, civil society, social movements and political parties, firms and industry associations, media, and the broader population. These groups share information, members, and legacies from other cases in the region, the North of Peru, the country, and beyond. Regional authorities are involved in various cases, and even individual municipalities become entangled in many cases at once. For instance, in the region's province of Bambamarca, actors have participated in conflicts related to a number of distinct projects, including Yanacocha, Quilish, La Zanja, Conga, Cerro Corona, and other extractive projects beyond mining, like the Chadín II hydroelectric dam.

For some of these actors, these project cases and their overlapping factors are signs that Cajamarca's story is that of a struggle between fundamentally opposing cosmologies: one motivated by land and water defense and another by the search for profits. Given the diversity of cases, of actors involved, and of the flexibility of their affiliations and positions, it would be misguided to reduce stakeholders' views and agency in issues related to mining to a dualistic choice between 'in favor' and 'against.' Richer contextualization of cases is needed to better flesh out these dynamics, and to draw actionable insights that may improve people's everyday lived experiences.

Therefore, specific projects and localities must be studied with an emphasis on three things at least: the heterogeneity of forces and actions, their idiosyncratic traits and dynamics, and their contextualized role in the region's broader politics and in macro-structural forces. Theoretically and comparatively, the chief factors among these are actors' strategic choices.

The case detailed in this chapter, La Zanja, is one of the least studied in Peru, despite its intense levels of conflict. To reconstruct its story, I relied on primary and secondary sources, including interviews, news reports, actors' publications and statements, technical reports produced by state and industry actors (especially from the ombuds office, Defensoría del Pueblo), media from events, academic studies, ethnographic fieldwork, and participant observation.

Meaningful theoretical significance can be drawn from this case in a number of directions. For this dissertation, La Zanja is worth inspecting and highlighting for the unbelievable odds that the company overcame to install its project, despite local opposition that seemed insurmountable. As I was told by many of the executives and officers in charge of the project (including one of the company's heirs and owners), the company achieved the impossible.[217] In this sense, the case stands in sharp contrast to the case of Tambogrande discussed in the prior chapter. The case study explores and traces some of the significant dynamics leading to this distinct outcome.

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[217] Raúl Benavides (Buenaventura executive), personal interview, February 10, 2016; Jimmy Guarnizo (Buenaventura), personal interview, February 11, 2016; anonymous Buenaventura regional manager, personal interview, March 31, 2016; anonymous Buenaventura local manager, personal interview, March 3, 2016.

Mining Proposals and Small-Scale Agriculture

In the final decade of the 20th century, farmers in the Andean region of Cajamarca in northern Peru entered what would become a heated, region-wide struggle against large mines. Cajamarca was already the home to South America's largest gold mine, Minera Yanacocha, which had drawn protests since the early 1990s.[218] The companies that owned Yanacocha (Denver-based Newmont and Lima-based Buenaventura) began exploratory drilling in the provinces of Santa Cruz and San Miguel in 2000 and produced a baseline study in January 2001.[219] The mine would be located in an Andean cloud forest, 3,200 to 3,600 meters above sea level, and removed from the regional capital by about 102 kilometers by road, which is only partly paved. Under the name Minera La Zanja, the joint-venture purchased lands and installed a compound atop a mountain headwater—a water source for communities extending to the Pacific coast,

[218] Yanacocha grew exponentially in its first decade of production; in 1993 it produced 81,000 ounces of gold, but in 2004 it produced 3 million ounces. See "Big Mining and its Increasingly Radical Opponents," *The Economist*, February 3, 2005. In the 1990s, early protests decried the low prices the company paid for land; for example, as early as 1993, local farmers denounced the intimidation attempts that Yanacocha's employees made to pressure them to sell their lands.

[219] Newmont owns 51.35% of Yanacocha, Buenaventura has 43.65%, and the World Bank's International Finance Corporation owned 5% (until 2018). Before Yanacocha, the Peruvian mining giant Buenaventura already owned and operated another mine in Cajamarca, the low-profile Colquirrumi mine in the Hualgayoc district, since 1972. It also had worked together with the World Bank well before Yanacocha; the IFC invested in Buenaventura's Uchucchacua mine in the Lima region in 1979. In contrast, La Zanja is a dual-partnership, in which Buenaventura is the majority holder and operator (with 53% of stocks), and Newmont is the minority shareholder (47%). One side note worth making here is that Buenaventura, as a Peruvian company, has a long history of establishing itself as a key player in Peruvian economy and politics (since its founding by Alberto Benavides in 1953). This may help to explain its success in mobilizing state and media power and overcoming its opposition, although I rather be careful not to over-rely on this argument alone, and to instead elaborate the mechanisms that may explain how and why.

including the valley leading up to and including Chiclayo, Peru's fourth most populous city.

The nearest districts include Pulán, in Santa Cruz, which had a population of 5,000 at the time, most of whom were small-scale agricultural producers, and Tongod, in San Miguel, with about half of Pulán's population, similarly engaged in self-sustenance agriculture. Their livelihood predominantly depended on the area's rivers: Pisit, San Pedro, Santa Catalina, and Chancay. Buenaventura claimed the concession area contained more than one-million ounces of gold (in a concentration of 1.02 grams of the precious mineral per every metric ton of earth), as well as silver deposits.[220] Buenaventura and Newmont promised to invest $35 million (US) and to produce 100,000 ounces of gold per year. To meet such production goals, at these levels of mineral concentration, the company would have to remove 2,779,365 metric tons of soil and process them through cyanide lixiviation and heap leeching each year.

According to Freddy Regalado—one of Buenaventura's social relations directors and a regional representative of the corporate-interest alliance Grupo Norte—the project truly began in 1991, but the state's approval barriers ["*tramitología*"] turned the proposal into a 15 to 20-year process.[221] Along the way, La Zanja's managers continued buying land, preparing feasibility studies, offering work, and even incorporating some of the people who sold their lands into the firm's payrolls. It was not until April 2003 that

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[220] Roger Cabos, "Potencial Minero en la Región Huancavelica," Compañía de Minas Buenaventura, 2005.

[221] Freddy Regalado (Buenaventura, Minera La Zanja, Grupo Norte), personal interview, March 9, 2016.

Buenaventura's explorations manager, César Vidal, announced company plans to begin the mine's construction by the end of the year.

Community Organizing

Locals in the mine's district, Pulán, began by registering complaints to municipal and regional authorities, even though their communities were divided. Up to one-third of people in the area supported the mining firm's entrance, according to one resident, but most were concerned about issues of water availability and quality, vis-à-vis the possibilities of scarcity and pollution.[222] Neighbors opposed to the project worked through the area's best established networks and most respected local leadership organizations: the rural vigilantes known as the Rondas Campesinas, and Peru's public teachers' union (or SUTEP, in Spanish). Concerned locals and the Santa Cruz federation of Rondas Campesinas started out by forming local assemblies and informal meetings, in which they discussed their concerns about the company's exploration. They also sought to inform themselves about the environmental effects of mining, feeling that the information from the company was vague, and that it purposely understated these impacts.

Their fears were motivated in part by knowledge of Yanacocha's mercury spill in Choropampa, also in Cajamarca region, in 2000. A semi-trailer carrying mercury from that gold mine—owned by Minera La Zanja's parent companies, Buenaventura and Newmont—spilled its contents on several miles of a road, including near the urban

[222] Anonymous Pulán shop owner, personal interview, March 27, 2016.

center of Choropampa. This caused widespread and serious deformities, birth defects, and chronic illnesses among the zone's already disadvantaged population. The scandal was aggravated by Yanacocha's deflections, slow admission of responsibility, and, as most people see it, inadequate and late compensation scheme. At the time of writing, residents continue to suffer from the health effects of mercury poisoning.[223]

Early public protests were peaceful, but included some arrests. A strong grassroots organization coalesced by 2003, adopting the name of Santa Cruz and San Miguel Defense Front; however, its rallies were localized and ignored. The area received little attention from the regional government—located eight hours away via muddy, mountainous roads—and even less from the central government in Lima. They also lacked contact with the then-loose network of non-governmental organizations that today is active in most of Peru's mining conflicts.

Escalation and Confrontation

Tired of being ignored, the movement escalated tensions. The provincial association of Rondas Campesinas organized a strike and a protest near the company's compound in November 16, 2004.[224] An investigation soon after the day's confrontation argued both sides had foreseen a confrontation. The Rondas had given and extended multiple deadlines, and they had announced for months their intention to take direct action to expel the company. Likewise, La Zanja had requested assistance from

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[223] See "Tangled Strands in Fight over Peru Gold Mine," *New York Times*, June 14, 2010.

[224] Rondas Campesinas are rural, autonomous vigilantes, whose jurisdiction is enshrined in Peruvian law.

additional police from Chiclayo and nearby, had its own private security, and in recent days had also hired some locals as additional guards. Furthermore, company operatives invited state officials and hired a photo journalist to record the events.[225]

Hundreds of people walked the 15 kilometers uphill from Pulán, and many more arrived from rural neighborhoods throughout Santa Cruz, San Miguel, and San Pablo provinces. Men and women from the Rondas Campesinas of Pulán, Ninabamba, El Cedro, La Chira, Calquis, San Lorenzo, Gordillos, and Tongod led the strike, having organized their communities for weeks. Some people used cars and motorcycles to shuttle others. Once atop the mountain, a large crowd of protesters gathered and surrounded the camp. Crowds chanted and issued an ultimatum to the company: leave peacefully or by force. Movement delegates were invited in to negotiate with company officials, but this dialogue was fruitless and ended before dusk.

Police began dispersing the crowd. Then, according to activists, witnesses, and peer-reviewed studies, the company's hired security guards opened fire at the protesters, killing the Rondero activist Juan Montenegro Lingán. Many others, including Roberto Becerra, were shot but survived.[226] With a camera recording from within the compound, the company's private security awaited a response, which was immediate. The enraged protesters advanced inside and set fire to vehicles, mineral samples, computers, and

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[225] GRUFIDES, "Para Entender el Conflicto Minero Campesino en La Zanja, Provincia de Sta. Cruz, Cajamarca," last modified 2004, https://issuu.com/juancamilo02/docs/serv_57_mineria.

[226] Observatorio de Conflictos Mineros en el Perú, "Reporte Primer Semestre de 2012" (Lima: CooperAcción, 2012), 11; Triscritti, "Mining, Development, and Corporate-Community Relations in Peru," 439; Jonathan Kishen Gamu, "Corporate Security Governance: Multinational Mining Companies and the Local Political Economy of Violence in Peru" (doctoral dissertation, University of British Columbia, 2016), 114. See also Wilfredo Ardito Vega, "Sobre el Premio Nacional de Derechos Humanos para Marco Arana," *Adital*, 2004.

other property. Twelve people were arrested as riot police retook the camp by the next morning.

The company swiftly released edited videos from the event, and media outlets such as the Lima-based newspaper *La República* reported on the "extremely violent reaction" of these "attacks." Journalists' language is indicative. *La República* reported how "the attack that locals effected last night on the La Zanja compound left one person dead and various wounded," a characterization that is careless at best, and deceptive at worst: its passive language suggests that the death was caused by the protesters themselves. The same story even suggested, without any evidence other than a statement from Buenaventura, that the protesters "carried firearms."[227]

In my interviews, company officials and supporters made similar claims, for example that some protesters carried weapons, such as field hunting rifles. However, one witness told me that most only had sticks and stones.[228] One industry consultant suggested to me that the leftwing party Patria Roja was paying and arming protesters.[229] An executive from Buenaventura accused the protesters of firing weapons and throwing rocks.[230] And in separate interviews, several Buenaventura officers claimed that the protesters were interested in keeping out the project because they were drug traffickers,

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[227] Rosario Mayorga and Maritza Roncal, "Ronderos de Santa Cruz Exigen Retiro de Minera Buenaventura," *La República*, November 18, 2004.

[228] Robert Santillán (Cajamarca journalist), personal interview, March 11, 2016.

[229] Adolfo Orejuela Chirinos (mining consultant), personal interview, March 8, 2016.

[230] Anonymous Buenaventura officer, personal interview, February 11, 2016.

who did not want the attention and progress that the mine would bring.[231] I investigated, but could not confirm the presence of drug producers in the area. On the opposite end of these arguments, some people sympathetic to the protests likewise drew on improbable, speculative, and even conspiratorial rhetoric about the events—for example, claiming that the company burned its compound down strategically, to legitimize repression.

Figure IV: News Coverage of the November 16, 2004 Confrontation at La Zanja

Reports from *La República* (and others) the next day inaccurately blamed the protest for the death of a protester, stating, "the attack that locals effected … left one person dead."

[231] Jimmy Guarnizo (Buenaventura environmental officer), personal interview, February 11, 2016.

Buenaventura issued a press release decrying the violence, and estimating that only about 350 people were at the protests, and condemning that most of its property had been looted or destroyed. Buenaventura argued that Montenegro's body was not found any closer than eight kilometers away from its compound, distancing itself from the murder, and *La República* cited this company claim. In any case, killed more than three years after Godofredo García Baca in Piura, Juan Montenegro Lingán became well known as Cajamarca's "first" environmental martyr.

Peruvian news were not the only ones interested in the events, nor were they alone in their criminalizing and paternalistic discourse. For example, the London-based financial weekly The Economist provided the following narrative:

> [At] La Zanja, a six-hour journey from Cajamarca, a mob of some 250 locals, stirred up by extreme leftists, burnt and sacked a prospecting camp run by Buenaventura; they destroyed ten years' worth of rock samples. […] These events are widely seen as a turning point for Peru—in more ways than one. […] The protests also pose some broader questions. Will Peru remain one of the world's top mining countries? Will an alliance of local activists and rich-world NGOs thwart investment in a crucial industry? […] The riot at La Zanja prompted several NGOs to issue a statement condemning violence. The government sent police reinforcements to mining areas. "The state has drawn a line…. (the threat to mining) is being seen as being as serious as drug-trafficking and terrorism," says José Miguel Morales of the National Mining [and Oil] Society, who is also Buenaventura's general counsel. The protests typically mix genuine grievance with ignorant fears that are whipped up by political extremists.

The Economist's narrative mirrors that of the mining industry's fiercest advocates in a few ways: its criminalization of protest, its dismissal of local protesters as ignorant and violent, and its conspiratorial tone suggesting a manipulative plot by

environmental NGOs. And as is characteristic of the pro-mining discourses that circulate in Peru, in that same article, The Economist reminds its readers of the ultimate value of mining, adding,

> While mining provides relatively few jobs, it is vital to Peru's economy in other ways. […] Mining brings in 29% of total tax revenues. Of this money, the government last year returned $138m as a local royalty to mining areas, most of which are otherwise poor and remote.[232]

This narrative, however, ignores how some of Peru's poorest neighborhoods host large mines (not to mention how it also ignores the entire resource curse literature).

Five days after the confrontation at the campsite, local activists organized a 48-hour strike, and a popular assembly was held in the provincial capital of Santa Cruz. In attendance were members of labor unions from across the region, as was Roberto Becerra Mondragón—at the time, the mayor of Tongod district, and one of 26 people wanted for arrest for allegedly burning the campsite. *La República* mentioned the funereal strike, writing that, "The Court of San Miguel has issued arrest warrants for 26 locals who *were found guilty* of the fire in the mining campsite, damaging the Buenaventura company" (emphasis added). Perhaps the word choice, "were found guilty" versus *are suspects*, is a minor detail, an unconscious mistake attributed to lack of legal expertise, but it is still inaccurate and criminalizing. The same news story also included an interview with Buenaventura's CEO, Roque Benavides, who reminded the public,

> We have state authorization, [and] the deeds to the surface lands; our projects are developed according to law. Our country has its rules and

[232] "Halting the Rush Against Gold," *The Economist*, February 3, 2005.

> laws, which we respect. However, we are conscious that we must respect the rights of locals, who decide to use force. We are against violence. We believe intelligent people do not opt for aggression. I opt for the development of Santa Cruz, Cajamarca, and Peru.[233]

It seemed that their perseverance had forced the project to be suspended, but activists opposed to the project were careful to not declare victory yet. The social movement opted for an institutional and electoral strategy, shifting from a predominantly protest-based movement into formal politics, which is reminiscent of what occurred in the Tambogrande district's struggle against Manhattan Minerals First, in December 2004, they pressured the municipal government in Pulán to designate the site as a natural conservation reservoir, protecting the site from extractive projects. However, this maneuver was undercut by an executive decree issued in 2007, which banned municipal authorities from designating conservation areas, thereby overturning the Pulán municipality's decision.[234] Second, the resistance sought to take leadership positions through elections, in order to prevent the mine from gaining legal approval.

Meanwhile, another one of Buenaventura and Newmont's prospective mining projects in Cajamarca, at Cerro Quilish, had generated a conflict that escalated to violence and was suspended. Activists contesting exploration at Quilish argued that Cajamarca city's drinking water supply descended directly from there. Two months before the confrontation at La Zanja, those groups had organized an impressive two-week strike that paralyzed roads around Newmont and Buenaventura's prized

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[233] Maritza Roncal, "Cajamarca: Hoy Se Inicia Paro de 48 Horas en Santa Cruz," *La República*, November 22, 2004.

[234] "La Zanja: ¿Solo Una Protesta Ambiental?" *Noticias SER*, November 24, 2004.

Yanacocha mine, causing the mine's operations to slow down significantly and even forcing the company to send supplies to its mine by helicopter.[235] Reading the tense environment across the region, Minera La Zanja allowed for a period of cool-down. The miners left the area for a couple of years before returning with a new plan. Theoretically speaking, it is significant that the company's leaders saw their own strategies of approach and containment as a large aspect of their own failure, and subsequently chose a strategic reorientation.

Company Strategies: Overcoming the Odds

The price of gold skyrocketed during this period. In 2005, an ounce of gold was priced globally at US$500 for the first time since 1987, and by 2007, it reached a record high surpassing $1,000 per ounce. (By 2012, it would again break records, exceeding $1,600 per ounce.) There is therefore no doubt that in the period between 2004 and 2007, Buenaventura and Newmont were not prepared to discontinue their investment in projects like La Zanja, as they had been forced to do at Quilish. Companies and the state—now headed by president Alan García (2006-2011, and previously 1985-1990)—were under great pressure to maximize the bonanza while it lasted.

Minera La Zanja reorganized its approach. First, the project managers hired the Lima-based development organization FADRE, a CSR partner to companies including Buenaventura, to win the hearts and minds of the communities in the area.[236]

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[235] The Economist, "Big Mining."

[236] Rodolfo Orejuela Chirinos, personal interview, March 8, 2016.

Additionally, La Zanja hired consultants including academics from the regional capital, Cajamarca city, to work in Santa Cruz and San Miguel to understand the development needs of the population. Minera La Zanja's employees in the Santa Cruz office also set their minds on a "divide and conquer" strategy: they used local supporters and company funds to create the *Asociación* de Rondas Campesinas (emphasis mine), a parallel organization to compete for local authority against the established Federación de Rondas Campesinas, which was decidedly opposed to the mine proposal.[237]

As the mining project regained steam, Peru held regional and municipal elections on November 19, 2006. The organizing efforts of the Rondas and the Frente de Defensa paid off: that night, they celebrated the election of Salatiel Romero Malca, president of the Pulán Rondas, as the district's 2007-2010 mayor. Voters overwhelmingly supported Romero and his slate's campaign pledge to promote sustainable development via agriculture and to defend the area's water quality. In addition to the mayor's seat, the slate won four of the five municipal legislative posts, while the party that had pronounced itself in favor of mining received 5.8% of the votes. This gave a committed opponent to the mine the authority to prevent it, at least for three years. Romero Malca's signature was now legally required for the mining project to move forward.

On April 26 of the next year, local organizers held a general assembly in Tongod, San Miguel province, where about 500 people agreed to give Buenaventura and Newmont five days to abandon the area. The attendees included the Frente de Defensa activists from Santa Cruz and San Miguel; the mayor of Pulán, Salatiel Romero Malca;

[237] Anonymous Buenaventura officer, personal interview, August 8, 2016.

Idelso Hernández, the president of Cajamarca's regional federation of Rondas Campesinas; the regional legislator representing San Miguel province, Desiderio Mendoza Zafra; representatives from the Tongod municipality; the Pulán general secretary for SUTEP, the teachers' union; the Cutervo provincial federation of Rondas Campesinas president, Porfirio Medina Vásquez; and many other men and women.

In addition to this ultimatum, the assembly agreed to organize a march on May 10 to verify Minera La Zanja's exit, and otherwise, they would take matters into their own hands to, as they said, "take justice and recuperate the land." According to an attendee, they also demanded that the police in Tongod be replaced, as they thought these state security forces had worked actively to divide the Rondas Campesinas on behalf of the mining company. The assembled agreed to organize a two-week strike in July, and approved a resolution to work on the long-term goal of forbidding mining in Chota, Bambamarca, San Miguel, or Santa Cruz.[238]

A large crowd protesters showed up at the company's compound on May 10, as promised, and representatives from the Ministry of the Interior waited inside. Police officers were dispatched to invite a delegation of activists inside, to discuss the terms of their mobilization and notarize their claims. Salatiel Romero Malca and a few other leaders refused to enter the compound, citing reasons of personal safety and fear of legal persecution, but they made their claims to the Peruvian National Police officers outside, with several journalists recording the conversation. Pulán's mayor then said to the police chief,

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[238] "Dan Ultimatum a Buenaventura-Newmont para Abandonar La Zanja-Pulán Cajamarca," *Diario El Sol* (Cajamarca), April 29, 2007, https://www.ocmal.org/3759/.

> On behalf of our population, we ask, please, that this project is not allowed, because it is located in a headwater, which provides water for all of us, the population of Santa Cruz, much of the Cajamarca region, and the whole Chancay-Lambayeque valley. We really are an agricultural zone with agro-industrial and ecotourism potential, and we must conserve our environment if we will bet on sustainable development. We do this thinking about the humble population of the zone who live from agriculture, because if we were in this for our self-interests, we would have already negotiated with the company, which has been pestering us about this for a while. Now they repress us with legal charges, one after another, but our recourse is God and our dignity.
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> This is why we're here: to dialogue mutually. If last time some certain inconveniences were generated and certain destruction happened at the company's compound, this really was fostered by the mining company and was not our fault. As proof of that we have a dead Rondero partner, killed by gun fired by a company employee. And it is worth noting that the Ministry of the Interior will not place itself at the service of the people. This is truly discomforting. After all, they can paint us as agitators of the masses, whatever they can, but in the end we are defending the right to life. Because if the La Zanja mine is built, it will pollute the water, air, and soil. There is no place on earth where open-pit mining has brought progress, development, or wellbeing to the populations nearby.

Romero Malca called on the police officers to follow their conscience instead of orders, adding,

> You are not to blame for being here, but we ask you and your humanity to carry this message—to heed the decision of the people of Santa Cruz, San Miguel, and the Chancay-Lambayeque valley—that Buenaventura please leave and not exploit a mining project here. If they own lands, let them use and exploit these, but agriculturally, with fish farms, reforestation, cultivation, or I do not know. […] Why don't they come out and dialogue? Why do they hide behind the government officials, the judicial authorities, and the police? If they're doing a good thing for the population, why not show their faces?

The police commander answered that police were there to prevent violence. Romero Malca responded to this emphatically, "I guarantee you, boss, that there will not

be any violence, because we are tired of violence, which only generates more violence. On the contrary, we came here to dialogue in tranquility, and we are met with police tear gas." As the police chief insisted that they enter the compound to continue the dialogue, another one of the protest leaders interjected, "We cannot go up [to the compound] because we have suffered repression, our leaders have suffered persecution." The police commander replied, "Just like you have a right to fear that if you go up there you will be repressed, the commission from the Ministry of the Interior also can fear that out here they will be subject to repression." On those words, at least two protesters in the delegation replied in unison, "That is what the police are here for!"[239]

Police did remain in the area. Indeed, on May 15, the Cajamarca-based newspaper Panorama, a favorite for mining advertising, interviewed the regional police coronel, Rommel Pérez Arráscue, who claimed that the protesters in Pulán and Tongod intended to burn the La Zanja compound again. The coronel also stated that "a strong contingent" of the National Police's Division of Special Operations (DINOES, in Spanish) remained in the area to prevent these threats.[240] Even after Peru's return to democracy in 2001, DINOES has a marred human rights reputation, especially among mining activists in the north of Peru. In 2005, leaked photos and an investigation revealed an operation by which DINOES kidnapped and tortured 28 protesters who were opposing the Majaz mining project in Piura. The operation was conducted by

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[239] "Romero Salatiel Alcalde de Pulán," YouTube video, 5:13, posted by "Trolatiel," August 17, 2007,
https://www.youtube.com/watch?v=Unok2mIwTro.

[240] "Coronel Pérez: Comuneros Quisieron Incendiar Campamento La Zanja," *Diario Panorama*, May 15, 2007.

DINOES in conjunction with the Majaz private security contractor, Forza—which incidentally was also Buenaventura and Newmont's private security provider. The DINOES and Forza operatives had raped the kidnapped women. One of the protesters, an elderly man, died while in their custody. The survivors were released within three days, and were subsequently charged with terrorism. An investigation into the events was launched, but never concluded.[241] Forza was also investigated by the central government, the Inter-American Human Rights Commission, and the United Nations the following year, in 2006, for conducting illegal surveillance and harassment of environmental activists leading protests against Yanacocha.[242]

While the negotiations at the La Zanja compound in May yielded no noticeable result, it was a show of the movement's organizing capacity, which was stronger now than in 2004. This would not last. The next month, in the afternoon of June 25, 2007, the area's Rondero activists received notice that Romero's truck had been found after falling to the bottom of one of the cliffs along the dirt road that connected Tongod and Pulán. Romero had been attending the town anniversary in Tongod, on invitation from the mayor there, where both mayors played in a soccer match between the two towns. In the early afternoon, Romero drove his truck on the mountainous road back to Pulán,

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241 Coordinadora Nacional de Derechos Humanos, "Caso Majaz: Indemnizan a 33 Campesinos que Fueron Torturados en Campamento Minero," July 20, 2011; Charis Kamphuis, "Foreign Investment and the Privatization of Coercion: A Case Study of the Forza Security Company in Peru," *Brooklyn Journal of International Law* 37, no. 2 (January 2011): 529-578; Brant McGee, "The Community Referendum: Participatory Democracy and the Right to Free, Prior and Informed Consent to Development," *Berkeley Journal of International Law* 27, no. 2 (2009): 570-635.

242 "Crónica de un Reglaje al 'Diablo'," *La República*, December 4. 2006; "Nuevas Pruebas Acusan a Forza," *La República*, February 3, 2007; "Fiscal Archiva Caso de Espionaje al Padre Arana Sin Haber Citado a Nadie de 'Forza'," *La República*, February 2, 2007.

taking with him a few passengers, including a five-year-old girl. Although Romero knew the road well, the weather was fair, and that particular curve was wide enough for safe turns, his truck fell some 60 meters down the cliff. Romero and the child were found dead inside his destroyed truck, and the other passengers were rushed to the hospital.

Ronderos and opponents of La Zanja interpreted this as a signal of the risk they faced as social leaders. Romero Malca increasingly would tell his acquaintances and media of the pressure he was under to provide his signature for the project—in the form of both bribes and threats. Furthermore, his organizing capacity from the mayoral seat was formidable. In only a few months, he began a coordinated effort to provide employment opportunities to people who were otherwise begging for work at the mine; he had moved to decentralize the municipality's development planning; he used his pulpit to convene frequent assemblies; and he was constructing a cross-provincial alliance with the Tongod municipality. In all, Romero's actions were perhaps even more proactive than those taken by Francisco Ojeda when he adopted the reins of the Tambogrande municipality, in that separate case. These factors added to the strange circumstances of the crash to sow doubt and distrust, which in turn fueled rumor and conspiracy theories. For example, the crash survivors alleged they were unconscious during the accident, and that a smell in the truck had forced them into sleep soon after

getting in the car.[243] Citing awareness of death threats against the mayor, the Rondas vowed to investigate his crash.[244]

Responding to allegations of foul play, La Zanja issued a statement expressing its condolences, demanding an investigation, and warning people against politicized defamation attempts against the company. The Cajamarca-based newspaper *El Clarín* published a report boldly claiming that Romero crashed due to inebriation. Its story, headlined "Human flaw would have caused Pulán mayor's accident," stated that the "celebrations motivated the ingestion of alcoholic beverages."[245] Regardless, this was a lucky strike for the company; as one local La Zanja operator described the event to me, this was a "godsend" for them.[246] The key leader of the resistance—a charismatic organizer who had a natural ability to articulate its claims and inspire farmers—had died just as the company completed its environmental impact assessment (EIA).

Hundreds of people attended Romero Malca's funeral on June 27. The local musicians, Darwin and Oswaldo Villegas, wrote a commemorative song for Romero, which was performed by a local band during the funeral procession. The song lyrics vowed to continue the fight and alluded as well to the movement's earlier martyr, Juan

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243 Anonymous social leader and Frente de Defensa member in Pulán, personal interview, March 28, 2016; anonymous female at the Santa Cruz market, personal interview, March 26, 2016; Gregorio Santos Guerrero, "Muerte de Alcalde de Pulán: Accidente o Atentado?" *El Maletero Verde*, July 31, 2007.

244 "Alcalde de Pulán Muere en Accidente," *Diario Panorama*, June 16, 2007.

245 "Falla Humana Habría Generado Accidente del Alcalde de Pulán," *Diario El Clarín*, June 28, 2007.

246 Anonymous regional La Zanja operator, personal interview, March 31, 2016.

Montenegro Lingán.[247] Romero Malca's second-in-command at Pulán's municipality, Celso Santa Cruz Izquierdo, took over as mayor, and the movement held its promise to hold a two-week strike in the second half of July. Both Santa Cruz and Romero belonged to the Nationalist Party, which resolved, in its Cajamarca convention in June 2007, to "decolonize" the country—in part through mine expropriation.[248]

Minera La Zanja proceeded along and presented its project in Cajamarca city, in a public meeting mainly meant for regional legislators and other regional government authorities. Among others, the meeting was also attended by affected locals, members of the regional MINEM office, and Buenaventura representatives. This was not an EIA presentation, although the firm's representative in charge of the event, Luis De La Cruz, stated that the EIA would be ready within months, using the event to persuade the audience about the sustainable development that the project would generate. The journal *El Clarín*'s coverage of the event cited De La Cruz at length, including his claim that this was the second such public presentation in this renewed stage of the project, "after the regrettable events of 2004, when [the company] was attacked at their compound by some groups of locals who radicalized their measures against mining exploration activity and who frustrated all advances that had been made for this opportunity." *Diario El Clarín*, a journal typically sympathetic to mining projects in its coverage, argued,

> The event relied on the participation of representatives from various sectors in the vicinity of the project, who expressed their predisposition

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247 "Homenaje a Salatiel Romero, Ex Alcalde de Pulán, Aventureros," YouTube video, 6:08, posted by "11250416," Dec 22, 2007, https://www.youtube.com/watch?v=e9HN2Dki2_Y.

248 "Nacionalistas Reafirman la Estatización de la Minería," *Diario Panorama* (Cajamarca), June 26, 2007.

> to favor the mining proposal as long as it complied with all legal exigencies and it used high technology to avoid generating environmental problems.

Further, *El Clarín*'s story also assured that locals supported the mine, in one sweeping sentence:

> Locals and representatives from the districts of Pulán, Saucepampa, the neighborhoods of La Zanja, and the provinces of Santa Cruz and San Miguel were also present, and the majority expressed their support for the project, recognizing some of the actions that the mining company has already undertaken in their jurisdictions, among which they highlighted the rural electrification project that benefits various neighborhoods that were forgotten for some years.[249]

Farmers' fears about pollution seemed to be confirmed in September 2007. Locals and the Peruvian environmental organization EcoVida documented the deaths of 5,000 trout in the river Pisit, which descends from the mine's operations area—allegedly due to lead poisoning from the miners' exploration activities. EcoVida's analysis affirmed in October that the fish had been killed by large concentrations of heavy metals, especially lead, although it did not explicitly ascertain that this was caused by the company's explorations in the site of the proposed mine.[250]

The following year, the company arranged to have a mandatory public audience to present its EIA to the communities in the mine's vicinity. After a meeting scheduled

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[249] "Presentan Proyecto Minero La Zanja ante el Gobierno Regional Cajamarca," *Diario El Clarín*, August 7, 2007.

[250] "Minería: Contaminación Mata a 5 Mil Truchas," *La República*, September 5, 2007; Antonio Eneque Soraluz, "Informe de Visita a Minera La Zanja," *EcoVida* (blog), August 16, 2011, http://eccovidahotmail.blogspot.com/2011/08/informe-de-visita-minera-la-zanja.html.

for the rainy season in March was prevented by protesters, a meeting took place in the early morning of July 3, 2008, in the La Zanja neighborhood's sports complex. The Frente de Defensa organized more than 3,000 people to attend, but when they arrived, they found a metal fence and a perimeter of hundreds of police—a barrier between the meeting and its supposed audience. The thousands of farmers were not allowed to enter the meeting, and they scuffled with police.

As a journalist present told me, the company "had bused people in from their other mines. They removed everyone who had gotten there early, then only let in people who had an invitation—and only their employees had invitations."[251] The clamoring of the protesters outside made it impossible for those inside to hear the presentation, and the company left in less than an hour, but it declared the meeting a success. An official statement by the Pulán municipality, signed by leaders of local organizations, unions, and the Frente de Defensa, denounced: "instead of a solemn and legally mandated meeting, this was a reunion of hung-over company employees who remained from a party organized by the company the night before." The statement also expressed "gratitude, admiration, and respect" for the attendees' "civic, noble, and dignified behavior before the grievances suffered publicly at the hands of government representatives, such as the Ministry of Energy and Mines, which in disloyal collusion with the mining company Buenaventura has trampled our constitutional rights." Of particular importance to this study, the municipality also pronounced,

[251] Anonymous member of Cajamarca's regional government, personal interview, March 8, 2016.

> This trampling of our faith in our governing authorities constitutes a psychosocial conflict, the consequences of which are distrust in law, and it attempts against our dignity and self-esteem, which will only bring more violence, more rebellion, and more distrust among the younger generations, who we are obligated to guide through a path of righteousness, respect for authority, and lawfulness. Our transcendental behavior has demonstrated that in Peru the only violentist [*violentista*] is the government, which stigmatizes social leaders and democratic authorities as Chávez-affiliated subversives.[252]

In Lima, the paper *El Comercio* relied on secondary sources to issue the headline, "La Zanja mining project was approved by the Cajamarca district of Pulán."[253] The mining advertiser and news agency, Andina, produced a similar byline, "Cajamarca locals support start of operations of the La Zanja mining project."[254] However, *La República* published a contrary view, shared by most people I spoke with in the areas near the mine, which claimed that,

> Close to three thousand farmers from districts and neighborhoods of Santa Cruz province were impeded from participating in the presentation of the La Zanja mining project's environmental impact assessment, despite being convened by the Ministry of Energy and Mining's Environmental and Mining Issues Office. They denounce that outsiders gave the rubber stamp [for the project's approval].[255]

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[252] Andrés Caballero, "Pronunciamiento Municipalidad Distrital de Pulán," *CaballeroVerde*, July 5, 2008.

[253] "Proyecto Minero La Zanja Fue Aprobado por Distrito Cajamarquino de Pulán," *El Comercio*, July 4, 2008.

[254] "Comuneros Cajamarquinos Apoyan Inicio de Operaciones del Proyecto Minero La Zanja," *Agencia Andina*, July 4, 2008.

[255] Elizabeth Prado, "Objetan Aprobación de Estudio Técnico de La Zanja," *La República*, July 5, 2008.

Unrelenting, the provincial and district mayors and the Frente de Defensa blockaded the road from the regional capital to Santa Cruz in November, demanding the EIA's nullification.[256] In early December, they organized a massive march in Chiclayo, capital of Lambayeque region. *La República* reported that a march in Chiclayo drew 5,000 protesters, organized by the irrigation union of Chancay-Lambayeque. A city resident threw a rock at the protesters and injured the head of José Cruz Torres Vega, 55-years-old at the time. Then, the crowd arrived at the Lambayeque regional government to meet with its general manager, and they delivered a message for president Alan García and prime minister Yehude Simon. The Lima-based paper cited the president of the irrigation association, Genaro Vera Roalcaba, arguing that campesinos were out on the streets to defend their water, and to avoid its pollution by mines. According to *La República*, "When the march concluded in Workers' Park, he said that if the government does not heed their demands, blood could be spilled in defense of water."[257]

Carrots and Sticks

The company's new interest in corporate social responsibility investments was overshadowed by its infamous legal persecution of mining opponents. In comparative perspective, whereas La Zanja provided a lot more compensation and pacification overall than Tambogrande, its strategy should be characterized as much more 'coercive' than 'persuasive.' Lagunas Norte, the case studied in the following chapter, could be

[256] GRUFIDES, "Caso La Zanja," last modified 2015, http://www.grufides.org/casos/caso-la-zanja.

[257] "Agricultores Toman las Calles de Chiclayo," *La República*, December 12, 2008.

treated as a mirror opposite, where the company used coercion but to a lesser extent than its use of persuasive approaches to the communities in its impact area.

For example, the president of the Rondas Campesinas provincial federation in Santa Cruz, Estinaldo Quispe Mego, was detained by Peruvian National Police on December 29, 2008, and subsequently taken via helicopter to Chiclayo. Fellow Ronderos from the province, Santa Cruz, and other parts of Cajamarca organized a large demonstration to fight against this "arbitrary arrest," and they drew close to a thousand people to the provincial seat, Santa Cruz de Succhabamba, on January 11, 2009. They marched through town and chanted—for example, "Down with yellow journalism! Down with the sold-out press!" When they arrived in the downtown square to rally, speakers claimed that their leaders were under surveillance and "tenacious persecution" simply for "defending life and opposing the pollution caused by the mining company." Quispe was released on January 8, and arrived in Santa Cruz on the 11th to provide a public statement on his arrest. At this rally, the organizers announced a region-wide day of action, scheduled for four days later, with marches in Cajamarca, Chota, Santa Cruz, and others to protest the repression faced by rural leaders in the social movements against mining. One speaker at the rally also stated,

> Do not sell your conscience for a crumb. I want to leave you this reflection: that money will end. […] Comrades in Santa Cruz, you must know that in this city, there are media that are mistreating us daily, each day, us leaders and Ronderos. They call us this, that, and the other thing, a whole bunch of adjectives. These men that have no roots in Santa Cruz. They do not care if Santa Cruz dies.[258]

[258] "Marcha De Ronderos en Sta Cruz Cajamarca [Parts 1-4]," YouTube videos, posted by "Videoreportero William Soberón," January 22, 2009, http://prensadigitaldelperu.blogspot.com/2009/02/ronderos-de-cajamarca-exigen-libertad.html.

According to the National Human Rights Coordinator's 2011-2012 yearly report, Quispe Mego would become "an emblematic case" nationwide of "the criminalization of indigenous and rural leaders" in the country's conflicts. A report published by the Judicial Branch in 2014 also referred to Quispe Mego and Alejando Izquierdo Torres—who spent two years in jail after being accused of beating a mining supporter—as "social leaders who have been systematically accused by people affiliated with a local mining company in Santa Cruz," and as "representative cases" of "how environmental conflicts are transported into the judicial arena, generating a loss of legitimacy for the Judicial Branch and the Ministry of the Interior [*Ministerio Público*]."[259]

Leaders from the Santa Cruz provincial federation of Rondas Campesinas, the Cajamarca regional federation of Rondas Campesinas, and the irrigation association of Chancay-Lambayeque rallied in Cajamarca city and delivered a memorandum to the regional government there on November 9, 2009. Signed by almost 10,000 people, including diverse social leaders from San Miguel, Santa Cruz, and Hualgayoc, the memo denounced grave environmental damages caused by mining, and it demanded the indefinite annulation of the mining concessions to Minera La Zanja, Tantahuatay, and Sinchao. Reiterating the importance of their cross-regional union "in defense of life," the activists announced that they would take their same petition to the regional government of Lambayeque on November 16, and then to the central government in Lima on

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[259] Coordinadora Nacional de Derechos Humanos, *Informe Anual 2011-2012* (Lima: Coordinadora Nacional de Derechos Humanos, 2012), 23; Wilfredo Ardito Vega, *La Promoción del Acceso a la Justicia en las Zonas Rurales* (Lima: Poder Judicial del Perú, Oficina Nacional de Justicia y Paz Indígena, 2014), 134.

November 18. "Cajamarca is not alone," said the president of the Chancay-Lambayeque irrigation association Genaro Vera, adding, "it is time that we the poor understand we are more numerous. Only united will we self-govern and stop being trampled."[260]

Just as the company pursued legal strategies to finalize its project, activists similarly sought a policy strategy to prevent it, alongside its massive nonviolent protests. On October 2, 2009, Pulán mayor Celso Santa Cruz Izquierdo submitted an official plea to the country's highest court, the Tribunal Constitucional, arguing that the mining project should not be built on the vulnerable headwater, as it threatened the right to a safe environment. On January 2nd, 2010, the tribunal found the plea "unfounded." The mayor appealed, but was denied again.[261]

The protesters took their message to Lima the following month. Celso Santa Cruz (Pulán's mayor), Estinaldo Quispe Mego, Oscar Romero Malca (Salatiel Romero Malca's brother, a Rondero leader from Pulán, and president of the Santa Cruz defense front), and a few other Ronderos had travelled to Lima to talk to congressional representatives about their reasons for opposing the mine, on grounds of the threat it posed to the headwater and to all the ecosystems, economies, and societies it feeds along its hundreds of miles trayectory to the Pacific Ocean via Lambayeque. Their objective was to request intervention from the central state to monitor the impact of mining in

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[260] Ronald Ordoñez, "Rondas Campesinas de Santa Cruz Exijen Nulidad de Concesiones Mineras," Central Única Nacional de Rondas Campesinas del Perú (blog), November 19, 2009, http://cunarcperu.org/index.php?limitstart=891. On November 16, the Frente held a massive march in Chiclayo; see "Exigen Anular Concesión Minera a La Zanja," *La República*, November 17, 2009.

[261] Tribunal Constitucional del Perú, "Sentencia Expediente No. 01848-2011-PA/TC" (Resolution, Lima, October 19, 2011) http://www.tc.gob.pe/jurisprudencia/2011/01848-2011-AA.html.

their area. Specifically, they sought to form a "high-level commission" under the auspices of Ministry of Energy and Mines and the Ministry of the Environment, to verify the project's viability. The Ronderos' first day in the Congress was relatively successful, as they had a chance to speak with members of the Nationalist Party. However, on the second day of their meetings in the national legislature building, February 2nd, 2010, Peruvian National Police officers arrested Oscar Romero Malca, when he tried to enter the Peruvian Congress. Romero was apparently wanted on charges pressed by Buenaventura against him and 37 other local activists, for the events at the compound on November 2004.

Celso Santa Cruz denounced the persecution of local leaders, and stated to media how, in November of 2009, a study by the Pedro Ruíz Gallo University and the central government's toxicology service analyzed water samples from the San Pedro river (which the company refers to as a "creek"), and its results registered cadmium (a carcinogenic element) and lead pollution.[262] That morning, when interviewed on news radio, Quispe Mego denounced the lack of response to their communiqués sent to the president and several cabinet members. Quispe also decried the "abuse and arrogance of controlling the national police and the judicial branch to repress and smear the Ronderos."[263] Romero's arrest at the door of Congress was a symbolic moment, a literal denial of entry

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[262] On the arrest and the cadmium study, see Elizabeth Prado, "Detienen a Dirigente que Denunció a una Minera," *La República*, February 3, 2010. On the blood test results, see Defensoría del Pueblo, "Reporte Mensual de Conflictos Sociales N° 142 – Diciembre 2015" (Lima: Defensoría del Pueblo, 2015); and Gobierno Regional de Cajamarca, "Resolución de Órgano Instructor No. 0004-2016-GR.CAJ-GGR" (report, Cajamarca, March 11, 2016).

[263] "Advierten Protestas por Proyecto Minero La Zanja en Santa Cruz," *Coordinadora Nacional de Radio* (Lima), February 2, 2010.

that was also a denial of a safe space where stakeholders could find their representatives and resolve their problems. This was the state's security forces, acting upon a private company's interests, to arrest Romero right as he sought intervention, mediation and a nonviolent resolution from his democratic representatives in the Congress.

Returning to my theoretical argument in this dissertation, the process described in the account of this case demonstrates how activists contesting La Zanja dealt with a combination of criminalizing and favorable media attention. Furthermore, even when they astutely activated media attention and had a moment to express their positions, the protestors were unsuccessful at framing themselves favorably, or as explicitly 'nonviolent' and waging a righteous struggle against an unjust opponent, to solicit outside support for their movement, as the activists in Tambogrande did.

Waves of Conflict

The state approved Minera La Zanja's environmental impact study in 2009, and construction was swift. Amidst more protests, including another one in Chiclayo in June 2010, the mine began producing in September 2010. Organizers in San Miguel and Santa Cruz partook in a region-wide strike two months later, but their mood was noticeably different, as if they had lost after all. However, they continued organizing, shifting efforts from preventing the mine to demanding benefit redistribution, environmental safety, and no mining expansion.

Since the La Zanja mine was built, conflicts over work, contracts, and water quality have sparked again in 2011, 2013, 2015, and 2017.[264] Some media covered the confrontations with police in 2013, but focused on how protesters threw rocks at police. The tone in reports of the events is surprisingly partial, defending or failing to mention how police fired at protesters.[265] When an activist was shot in the leg in a similar strike in 2015, this also received little attention. Most activists with whom I spoke were acutely aware about the criminalizing, delegitimizing language that had been used against their movement. They reported their rejection of all forms of violence, and some turned this narrative on its head, accusing of "terrorism" those who impose extractive projects against the will of locals. In the words of an activist leader in Pulán,

> We want to organize and not fall in acts that may seem violent, because they'll paint us as terrorists. We want peaceful demonstrations, etc. We hope international NGOs will get interested in helping and that we can do all of this.[266]

In 2013, Estinaldo Quispe Mego was given a sentence of four years in jail, allegedly for disrupting the public order. In jail he was beaten and tortured, denied medical treatment, and threatened to death. Meanwhile, his partner back in Santa Cruz

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[264] Patricia Zevallos, "Cajamarca: Trabajadores de Minera La Zanja Continuan Paro Indefinido," *El Comercio*, July 20, 2011; Ronald Ordoñez, "Cajamarca: Reclaman Mejora de Carretera a Minera La Zanja," *Noticias SER*, October 11, 2017. See also Observatorio de Conflictos Mineros en el Perú, "21° Informe del OCM, Segundo Semestre 2017," (Lima: Cooperacción, November 2017).

[265] E.g., see Edgar Jara, "DINOES Desaloja y Recupera el Control de Vía a Hualgayoc," *La República*, August 30, 2013.

[266] Anonymous environmental activist, personal interview, March 28, 2016.

was also subject to intimidating calls.[267] Then, another prominent environmental leader and head of the opposition to La Zanja, Carlos Vásquez Becerra, was found dead on June 26, 2013. According to *La República*, his body was found one day after he "coordinated a meeting in the district of Ninamamba to organize local bases there against mining expansion planned by La Zanja and other mining projects."[268] A member of the mothers' club in Pulán remembered this as the second mysterious death of a resistance leader in the area, alluding to the suspicions about the former mayor's car accident.[269]

Testimony from both activists and regional company operators provided evidence that the threat of harsh repression played an important role in activists' thinking during this time. Their opposition did not end. Instead, they found ways to resist the mining project while minimizing their risk, such as through non-cooperation. A women's group in Pulán noted how they refused to provide food to mining workers or affiliates. Other interviewees said the Ronderos detained a woman working for FADRE, the NGO hired by Buenaventura to 'work on development projects' in the region, and forced her to drink from the water stream that descends from the mine to their town. She became very ill and never went back.[270] The women who told me about this act against FADRE's employee framed it as a shameful act of spite or revenge, but they said

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[267] "Dispatches: Reports from the Front Line," *Front Line Defenders*, 2011; "Libertad Inmediata para Estinaldo Quispe," *Coordinadora Nacional de Derechos Humanos*, August 9, 2011.

[268] "Asesinan a Dirigente de Rondas Campesinas de Santa Cruz de Cajamarca," *La República*, June 26, 2013.

[269] Anonymous member of the mothers' club, personal interview, March 27, 2016.

[270] Anonymous, personal interview, March 27, 2016.

it was motivated by their fear, and the company's repeated denial, of water pollution. Despite these nuanced, although partial attempts at resisting nonviolently, the fundamental outcome of the case is that the movement was unable to stop the project from moving forward.

Water quality remained the subject of ongoing conflict. One controversy entailed the state's 2012 authorization of Minera La Zanja's request to redirect more than 1.7 million cubic meters of treated water, used in the mine's industrial processes, into public waterways.[271] Another issue stemmed from a state-conducted analysis of human blood samples in the area, especially after the executive cabinet of the central government withheld the publication of the results for three years.[272] Between May 14 and 18, 2012, the National Health Institute collected 600 blood samples from 309 randomized volunteers, including many children, in three districts in the central Cajamarca region: Querocoto, in Chota province; Granero, in the province of Hualgayoc; and Pulán, in Santa Cruz. The regional government paid the national health office for the results, expected for release the next month. However, the Peruvian vice ministry of health held

[271] Specifically, resolutions 89 and 90 by the National Water Authority allowed MLZ to introduce 1,734,480 cubic meters of treated industrial residue liquids, from its tailings and refuse deposit. One Chiclayo attorney denounced that this was a flagrant overturning of a 2009 decision by the Health Ministry's Environmental Health Office, in Resolución 22-06-2009, that Minera La Zanja would not be allowed to redirect its residual waste, even if treated, into public waterways due to the risk of pollution through these cyanide-containing waste. See "Explican Autorización para Verter Aguas Residuales de Minera," Gobierno Regional de Lambayeque (blog), November 20, 2012, https://www.regionlambayeque.gob.pe/web/noticia/detalle/10897.

[272] An investigation into who was responsible for the delay, conducted by the regional government in Cajamarca, reviewed all correspondence and found that the central state in Lima decided to withhold the study results from publication. See Gobierno Regional Cajamarca, "Resolución de Órgano Instructor No. 0004-2016-GR.CAJ-GGR" (resolution, Cajamarca, March 11, 2016).

onto the results until early 2015, when protests—including a 48-hour strike in Hualgayoc—media attention, and legal complaints successfully pressured for their release.[273]

Cajamarca regional officials suspected the release was withheld most likely because the executive cabinet feared the destabilizing effect these results would have in a region engulfed, at the time, in its most serious conflict to date, over Yanacocha's proposal to expand into the Conga lakes. The study found that most of the samples contained dangerous levels of lead pollution, among other issues. Multiple interviewees told me that the San Pedro river was toxic, but that they could still rely on the Santa Catalina river for their crops and daily water use.[274]

Locals' narratives demonstrated awareness of these scandals and hostility against the negative impacts of the mine. Many people said they felt betrayed by the promises of development and economic assistance, and bitter about repression and pollution.[275] However, the resistance seems to have slowly become powerless, especially as La Zanja

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[273] Anonymous health official in the area near the mine, personal interview, March 28, 2016. See also Defensoría del Pueblo, "Reporte de Conflictos Sociales N°142" (Lima: December 2015); Defensoría del Pueblo, "Decimonoveno Informe Anual de la Defensoría del Pueblo, Enero-Diciembre 2015" (Lima: Defensoría del Pueblo, 2016): 108-109; Ronald Ordoñez, "Cajamarca Reduce Presupuesto para Víctimas de Contaminación," *Noticias SER*, October 11, 2017; Elizabeth Prado, "Contaminación del Agua y Plomo en Sangre Mobiliza a Pobladores de Hualgayoc," *La República*, June 4, 2015; "Funcionarios Ocultaron Contaminación de Población de Hualgayoc, en Cajamarca," *Servicios de Comunicación Intercultural*, May 14, 2015; Magali Zevallos, "Minería y Petróleo en Perú Son los Principales Contaminantes de las Poblaciones Indígenas y Andinas," *Gran* Angular, December 12, 2017.

[274] Anonymous social leader and Frente de Defensa member in Pulán, personal interview, March 28, 2016; anonymous elected official in Pulán's municipality, personal interview, March 28, 2016; anonymous health official in the area near the mine, personal interview, March 28, 2016; anonymous shop owner in Pulán, personal interview, March 27, 2016.

[275] Anonymous group of elderly women, personal interviews, March 4, 2016.

contained residents' distrust and anger with jobs and philanthropy, such as an optometry campaign, a scholarship program, a reforestation initiative, and support for local soccer club.[276] Furthermore, compared to other cases, the people who resisted La Zanja were subjected to harsher repression. At least one person died because of their activism, and two others key resistance leaders died under suspect circumstances. Many protesters were criminally prosecuted and even jailed. This may explain the movement's ultimate failure to prevent the mine's construction. Still, as of 2018, conflict was still latent in the districts near the mine, with the company facing legal disputes over land ownership, as well as strikes from its workers. Activists reported the difficulty they faced in mobilizing their communities, although resentment against the company among area residents was widespread.

The social movements in Santa Cruz and San Miguel provinces appeared deflated, but many continue to organize. Local leaders were conscious of their need to exercise self-control against police provocations. Moreover, when public activism and organizing became dangerous as a result of repression and criminalization, locals found creative ways to resist the mine's operation. The partial but noticeable change in strategies as the conflict developed suggests perhaps a 'learning process' resulting from a violent confrontation and subsequent repression. All of this was occurring within a context of broader tensions in Cajamarca as a whole, so in many ways the movements that formed against otherwise-isolated projects gradually learned from one another. This

[276] Freddy Regalado (Buenaventura), personal interview, March 9, 2016; Violeta Vigo, Fondo Los Andes de Cajamarca (Yanacocha's CSR initiative in Cajamarca), personal interview, March 9, 2016.

kind of information sharing happens also across regional boundaries; for example, one interviewee mentioned how a delegation of activists organizing against mining in nearby Tambogrande in fact attended a meeting in Cajamarca hosted by anti-Yanacocha protesters.[277]

Still, activists in more recent confrontations against La Zanja have continued using property damage as part of their repertoire of resistance. In my analysis, this outcome (treated as 'dependent variable 1' in this dissertation) has to do with the company's similar persistent use of violent repression, even in these more recent waves of conflict. Once again, this study argues that repressive company strategies best explain movements' use of violent collective action, and that the combination of company strategies and social movement responses explain the case's various outcomes. In this case, as in the next, these outcomes ('dependent variable 2') are characterized by a routinization of conflict. Evidence from this case suggests that this routinization is due to the company's combination of persuasive (e.g., CSR and philanthropy) and coercive (repression, intimidation, etc.) strategies.

Conclusions: Success, Demobilization, or Routinization?

Among people whose discourse could be classified as sympathetic to mining, La Zanja is "an exemplary success," the lessons of which should be shared.[278] The clearest

[277] Anonymous academic and social movement leader in Cajamarca, personal interview, February 29, 2016.

[278] "La Zanja: Un Ejemplo de Éxito," in *Conflictos Sociales en el Perú (2008-2015)*, eds. Carlos Basombrío, Fernando Rospigliosi, and Ricardo Valdés (Lima: Capital Humano y Social), 189.

factor to explain the movement's demobilization is the company's mix of strategies, including heavy repression alongside NGO-partnerships and corporate social responsibility programs. However, the recurrent waves of conflict related to La Zanja suggest that this combination has had the effect of not resolving conflict, but in fact incentivizing it—both by building resentment through repression, and by pacifying escalation with investment 'rewards.' In other words, the company provides a motive and a reward that galvanize anger and resistance—sometimes undisciplined, such as in the case of arsons and rock-throwing. Replicating this might backfire.

Figure V: Photograph of a School and Street in Downtown Pulán, 2016

Years into being host to a large open-pit gold mine, the district of Pulán still lacks pavement.

The forms and structures of movement organizing set this conflict apart from others. For example, although both cases were set in areas not previously known for open-pit mining, one difference between the La Zanja mine and Manhattan Minerals' proposal in Tambogrande is that in the latter, the farmers were organized not through the Rondas Campesinas but through economic associations that included large- and mid-scale agricultural producers. That stronger base in Tambogrande also built upon the district's experiences rejecting mining proposals, which they had done since the 1980s. By contrast, Santa Cruz province was new to mining exploration. However, ultimately, one cannot overlook the role of company strategies, which affected dynamics more immediately and more forcefully, and therefore I believe were a more significant factor in the cases' differences, than this structural, economic, and coalitional difference in the movements' respective organizing bases.

Like La Zanja, the next case also organized through the Rondas Campesinas primarily, instead of through agricultural economic associations. However, unlike in La Zanja, the next two cases, Lagunas Norte and Cerro Corona, were installed in provinces with a recent history of mining, with active mines in the area even employing many local farmers as seasonal workers.

Chapter VI
Lagunas Norte: What Does 'Corporate Social Responsibility' Do?

When I woke up it was early and freezing cold. Even in November, the global South's spring weather had been reluctant to arrive in our elevated part of the Andes, in the northern Peruvian region of La Libertad. However, I had an invitation to drive to the lakes near the town where I was staying, Quiruvilca, and I could not miss the chance. I made my way from my rented bedroom to downtown, where I met my friend—a local farmer and seasonal worker at Barrick's mega mine, who asked to remain anonymous in this study. I will refer to him as 'Arturo' in this narrative.

We had first met in Santiago de Chuco, the provincial seat, a few weeks before. At that time, I was at the mayor's office there, waiting for an interview among a long line of claimants. The men sitting to my right, an elderly male and his adult son, struck a lively conversation with me, inquiring first about what brought me to this office in this town. Their interest was piqued after I introduced my study, and they asked me who else I was hoping to interview, so I shared with them a few names from my list. Upon hearing me calling out each and every name, both men reacted audibly and visibly, clearly recognizing all of them and not feeling at all bashful about sharing their opinions regarding the people I was mentioning. Both men were taken aback by the comprehensive list of names I had compiled, even from a distance.

The younger man, 'Arturo,' asked me whose phone numbers I still needed, and pulled out his phone. "Write this down," he said, and he added the names and contact information of several others. "We are Ronderos, miners, and community leaders," they

told me. Drawn to my research and interested in helping it, Arturo and his father invited me to stay with them at their farm near Quiruvilca. When it was finally their turn to talk with the provincial mayor, we exchanged contact information and I promised I would reach out to them soon, when my research schedule would take me to their district.

Weeks later, in Quiruvilca, we had already shared meals and talked at length when they invited me to see the lakes they sought to protect from mining expansion. At that early morning hour, downtown Quiruvilca was heavily populated by miners in their uniforms, coming and going in small groups as the night shift ended and another began. As we agreed, I met up with Arturo and he introduced me to another Rondero, who had also been involved in the protests against the mining company. After asking taxi drivers for fare estimates at the corner of downtown where the taxis are usually parked, we remained unsatisfied with this option, so Arturo decided to ask the municipality for a truck. He ran into the municipal building, and in the meantime, his friend agreed to be interviewed for my study; he explained that, as leaders in this small town, they know the mayor, who agreed to lend us a truck for the expedition. Soon, Arturo came back with truck keys and another Rondero, a driver who joined us for the trip. We got on the truck and drove north, passing first an underground mine on our way out of town.

We stopped at the San Lorenzo lake to talk about the cultural, ecological, economic, and everyday importance of this water, which they said sourced their city and many others. The San Lorenzo and Callacuyán lakes are the origins of the Chicama and Moche rivers. These descend toward La Libertad region's coastal capital and Peru's

second largest city, Trujillo, as well as the valleys north and east of it.[279] The Ronderos said the area and its lakes are coveted by Barrick, which operates an open-pit just a couple of kilometers away, for its underwater mineral resources and plentiful water.

Arturo did not want to be interviewed on video, so I asked the two other Ronderos if they would like to sit down for a recorded interview, up here, next to the lake, and both agreed. "We lack the liquid element [water] in our community, Quiruvilca. We lack water there, so we need these lakes," one of them told me. "We need, above all, the help of authorities and NGOs that help out, so we can have water in Quiruvilca, and maybe with more competent authorities this will be possible." I asked the other if he concurred, and he replied that the problem was the confusion of jurisdictions, so the central cabinet in Lima should get involved in resolving these issues. "We'd like the president to make an appearance here, to see what kind of reality we live in Quiruvilca. He makes his presence felt through aides, but we want him to come in person," replied our driver for the day. "We want him to show up in person so he at least says, 'Yes, I will help you.' Because when they send a delegate, all we get are momentary commitments," said the first Rondero. Before we finished talking, I asked them also if they believed their conflict had become violent, and if they identified as "anti-miners" (as the Lima-based conservative media pundit, Jaime de Althaus, referred to protesters there in 2013).[280] One

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[279] Waldemar Espinoza Soriano, "San José de Quiruvilca: Origen y Vicisitudes de un Asiento Minero," *Investigaciones Sociales* 15, no. 27 (2001): 133-179.

[280] See Jaime de Althaus, "La Triste Contribución de los Antimineros," *Lampadia* (blog), April 1, 2013, http://www.lampadia.com/opiniones/jaime-de-althaus/la-triste-contribucion-de-los-antimineros/.

of the two men replied, "We are not *violentists*. We only claim our rights as any citizen—who whenever they are offended, have a right to respond—but not through violence."[281]

Those words rang heavily in my thoughts a few months later, when I woke up in my apartment in Lima to news of a confrontation that turned deadly, leading to the death of two police officers who drowned in that very same lake, the Laguna San Lorenzo. The protest had been organized in response to a road construction project leading into and passing through the several lakes in the area. Ronderas and Ronderos rejected the road construction, led and financed by Barrick's regional corporate social responsibility initiative, the Fondo Social Alto Chicama (FSAC). Barrick has repeatedly marked this particular lake as containing rich mineral deposits, and had identified it as a "target area" into which it wished to expand its extractive operations.[282]

While the FSAC claims that this road had nothing to do with mining, the road could doubtlessly provide anyone with convenient access to a lake Barrick considered "of interest."[283] The FSAC directive board consists of two Barrick managers and the mayors of six nearby districts (including the three nearest districts and their respective provincial seats: Quiruvilca and its seat Santiago de Chuco, Usquil and Otuzco, and

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[281] Two anonymous Ronderos, personal interview, November 12, 2015.

[282] For an example, see Barrick Gold, "Alto Chicama Feasibility Update" (presentation, Denver Gold Forum, Denver, CO, September 24, 2003).

[283] Moreover, one former Barrick executive told me that part of the company's success in installing its Lagunas Norte mine so quickly was owed to how Barrick had originally tied the construction of its mine to a project to build a road connecting the Andean interior of the La Libertad region to the coastal, urban, cosmopolitan Trujillo (the regional capital and the third largest city in the country). In the former executive's words, "Barrick was very intelligent," since it needed the road but knew it could exploit its construction as a way to fulfill a social need to integrate the region. Anonymous former Barrick officer, personal interview, November 4, 2015.

Sanagorán and Sánchez Carrión). Together, they develop social projects, which are funded by Barrick in order to fulfill its legally mandated "voluntary contributions" scheme.[284] The area's activists committed to these lakes perceived the construction as a step toward mining there. Worse, they expressed feeling offended at the company's attempt to veil this as an unrelated act of generosity to its local host communities.

Videos and witness testimonies provided evidence that police fired live bullets and tear gas canisters indiscriminately at the crowd, but well over 2,000 Ronderas and Ronderos responded with their bodies, stones, and cow whips—often used in Rondas justice, which involves corporal punishment.[285] Despite the heavily armed police forces, the injuries of those within their ranks only committed the protesters further. Their masses soon overpowered the police, cornering them near the edge of the water and threatening them with retribution. Fearing this fate, many police tried to escape by swimming across the water (although many of them stayed and were only disarmed and yelled at, but not harmed). On the other side of the lake, some police also recorded the events on video while others screamed to encourage their partners to keep swimming. Some of the police officers made it all the way across; however, some turned around and swam back to the protesters, and two of them died while trying to swim out of the

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284 Companies are beholden to different layers of legal responsibilities. First, there is the 2004 law of tax redistribution, by which they pay 30% in taxes—15% to the national government and the other 15% to be split by their host areas: 3% to the regional government, .8% to the public university, 1.5% to the district municipality, 3.8% to the provincial seat, and 6% to other municipalities in the region. Second, they were committed to a 'good-faith' voluntary contribution program during Alan García's presidency. Third, they have the option of investing in social welfare programs 'for the state' instead of paying some income taxes.

285 'Arturo,' Rondero activist and seasonal mine worker, personal communication, June 14, 2016. See also, "Así Fue el Enfrentamiento en Barro Negro, Usquil," YouTube video, 13:01, posted by "Ozono Television" June 19, 2016, www.youtube.com/watch?v=8Ay4fFS3lt4.

freezing-cold water in this Andean lake, situated roughly 4,000 meters above sea level. The day's events also left a toll of 13 injured police officers and at least 19 farmers wounded by police bullets.[286]

Because of the deaths, especially of police, this confrontation reached the front pages of Lima-based newspapers for days, but the attention seems to have been mainly negative for locals. RPP Noticias' report characterized the protestors as a "mob of 2,000 locals" that, "with violent attitudes and equipped with overwhelming weapons, threw rocks at police and ambushed them." RPP named every police officer injured and the two disappeared, but only estimated in passing that 39 people were injured in total, including 13 police.[287] *La República* dedicated its front page to the story, following the police's rescue teams and uncritically quoting Barrick spokespeople, who emphasized that the company was not involved in this road project.[288] However, some local and independent media related the conflict to Barrick. Radio Chami, out of Otuzco's provincial seat, centered in its narrative how Barrick's corporate social responsibility arm, the FSAC, financed the road. The online blogs *Tomate Colectivo* and *Lucha Indígena* went further, tracing the nature of the conflict to the company itself.[289] And the recently

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286 Wilson Arenda and Karen Solís, "Campesinos Baleados En Gresca Con Policías En Quiruvilca Viven un Drama," *La República*, June 12, 2016.

287 "Otuzco: Dos Policías Desaparecidos tras Enfrentamientos con Ronderos," *RPP*, June 9, 2016.

288 "Buzos Buscan Cuerpos de Policías Desaparecidos en Laguna de Quiruvilca," *La República*, June 10, 2016.

289 "Biólogo Trujillano Advierte el Riesgo de Construir una Carretera en Zonas Naturales," *Chami Radio*, August 12, 2016; "Fuerte Enfrentamiento en Quiruvilca," *Lucha Indígena* 19, June 12, 2016; "Ronderos Defienden Lagunas en Otuzco, Policía les Dispara y Hiere a Diecinueve – La Libertad – Norte de Perú," *Tomate Colectivo* (blog), June 12, 2016,

formed youth-led activist group "Colectivo Alto Chicama" also linked the plot to Barrick in its social media reports.[290]

Finger-pointing aside, a few things became clear to me. First, these issues were not resolved, and indeed had become resurgent or routine in the terms of engagement between the communities and the company. Second, the case was, once again, not about a conflict between mining 'opponents versus supporters' (as almost all activists I interviewed for this case study said they supported mining, or were even seasonal workers at one or two mines). Third, local leaders were unable to contain and redirect people's rage and discontent through nonviolent action. And fourth, state institutions faced the greatest challenge in learning to effectively channel conflict through deliberative mechanisms that could help to resolve these nonviolently.

In terms of the theoretical framework built by this dissertation, the Lagunas Norte case is an excellent illustration of how company strategies of community engagement—which in this context have been persuasive predominantly but still significantly coercive—can explain both social movement's tactical responses and the outcome of cases. The movement has organized resistance on legitimate environmental and redistributive claims, to which the company has responded with state repression and alleged intimidation, directly provoking escalation and violent collective action. Furthermore, Barrick's mix of coercion with investment (in philanthropy and public

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https://tomatecolectivo.wordpress.com/2016/06/12/ronderos-defienden-lagunas-en-otuzco-policia-les-dispara-y-hiere-a-diecinueve-la-libertad-norte-de-peru/.

[290] See for instance Colectivo Alto Chicama's Facebook page: https://www.facebook.com/altochicama.

works projects) have provided two forms of incentives for conflict: both angering people, on the one hand, and encouraging them to escalate conflict as a way to draw outside attention, embarrass the company, and extract concessions from it, on the other.

Figure VI: Photograph of the Los Ángeles Lake and Lagunas Norte Mine, 2015

This chapter ethnographically explores the reasons behind these recurrent effects. It retells this history, as in previous chapters, multi-vocally—as I learned it from my diverse hosts, as well as through a critical assessment of countless secondary sources. While I explicitly want to highlight the histories told to me by local actors who are typically ignored in academic studies (for example, women, poor people, people of color, gender non-conformers, and the disabled), in this chapter as in the others, I aim to focus on the actions and the generative effects of the people variously involved in these conflicts, rather than on my own assessments of their morality or intentions. My aim is to avoid rather than contribute to the polarized discourses of mining and development—

a polarization that has also percolated into the academic literature on these matters.[291] Therefore, I strive to provide a complex narrative devoid of my normative assumptions of whether actors—especially when lumped into heterogeneous groups such as "the social movement" and "the company"—are being altruistic, malicious, or else.

Background

Barrick Gold—which has topped (or closely contested companies like Goldcorp and Newmont Mining for the top position in) the list of the world's largest gold companies during the past decade—discovered deposits in La Libertad region's highlands in the late 1990s. Barrick proposed to build its mine in a headwater zone containing dozens of lakes, the source of rivers spreading both toward the Amazon and toward the Pacific Ocean via the port city and regional capital, Trujillo. At the time, there were other mines operating in the area, considered a "historically mining district"—rhetoric that Barrick's public relations efforts echo euphorically.

Indeed, the area has rich pre-Inca settlements, including especially those of the Huamachuco civilization, and an Inca road passes through the area, connecting the San Lorenzo lake and Quiruvilca to the capital of the empire in Cusco. Archaeological evidence seems to suggest that people in the area actively practiced mining in pre-Inca as well as Inca times.[292] The name Quiruvilca itself can be roughly translated from Quechua

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[291] I borrow from Cecilia Perla's reflections on the literature here. See Perla, "Extracting from the Extractors." See also Marina Welker, "Global capitalism and the 'Caring Corporation': Mining and the Corporate Social Responsibility Movement in Indonesia and Denver (Colorado)" (doctoral dissertation, University of Michigan, 2006).

[292] Espinoza Soriano, "San José de Quiruvilca," 136. Needless to say, even though they worked in relatively large scales and with an impressive level of organization, neither the Huamachucos

as meaning 'silver tooth.' During the time of Spanish colonialism, the first modern mines settled into the "Monte Quiruvilca" in 1629, using indentured day laborers (under the *mita* system of Spanish feudalism in the Andes) to produce silver for the crown. By the late 20th century, Quiruvilca's existing mines were under the state-owned mining entity, Minero Perú, which was created in 1970 and privatized in 1992.

In 1998, Barrick Gold declared its interest in the "Alto Chicama" property. Named after the Chicama river and its valley downstream, the property contains an old carbon mine where Barrick's Lagunas Norte open-pit mine now lies, as well as a number of other large lakes in the Lagunas Sur area (including the Lagunas Verdes, Laguna Los Ángeles, Laguna El Toro, and others). Although 14 other companies also formally declared their interest in the concession, Barrick was the only one to make a bid. Its geological assessment estimated the mineral to be concentrated at about 1.54 grams per metric ton (or about .045 ounces per US short ton) of soil, and projected production levels at 535,000-560,000 ounces of gold per year, and the company also estimated to produce high quantities of silver from the mine's extraction and processing. Furthermore, Barrick promised to invest $340 million during the mine's lifespan, which it estimated to be about ten years. The Ministry of Energy and Mining (MINEM) granted the concession in 2001, and deep drilling explorations began immediately.[293]

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nor the Inca used open-pit excavation, nor cyanide heap-leaching processes, to extract the mineral.

[293] See Barrick Peru, "Alto Chicama Project, Las Lagunas Norte" (presentation, Trujillo, Peru, November 10, 2004).

Company Strategies

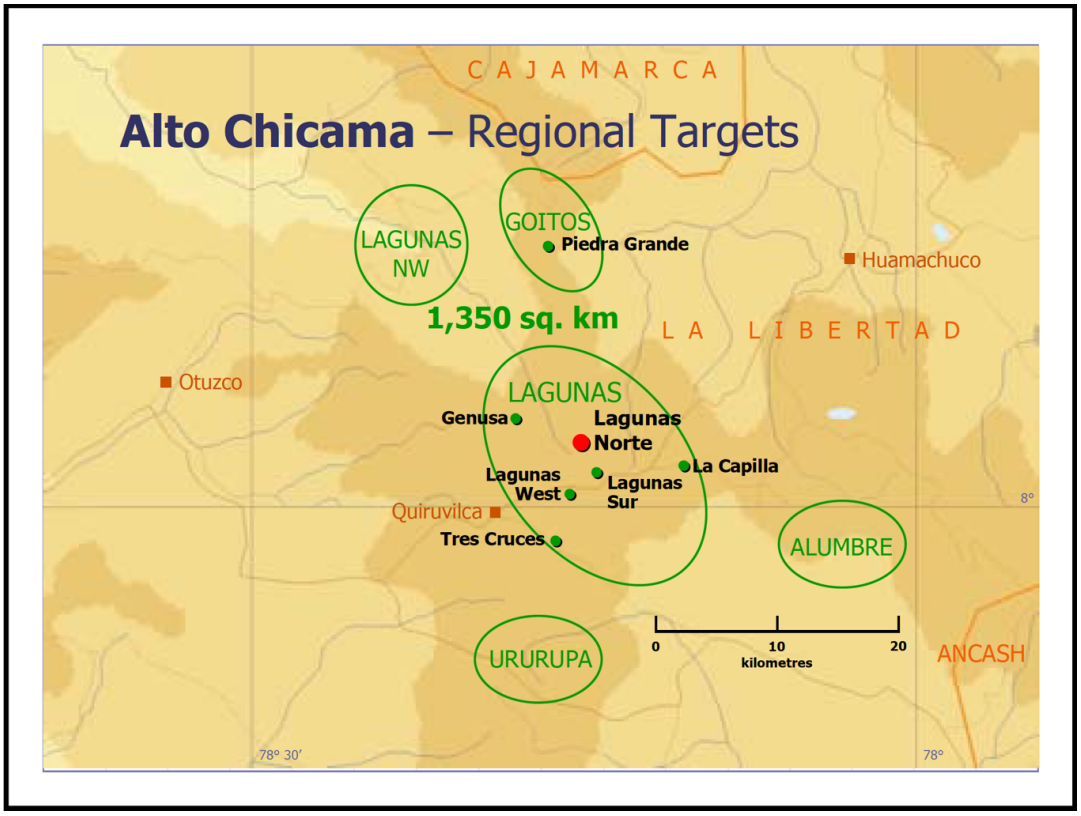
At the time, the proposal drew small protests from nearby Andean communities. Most of the people in the company's impact area practiced subsistence agriculture, but many also worked seasonally in one of the region's few mines. Local concerns at the time centered on water, which they identified as a source of identity, of ancestral heritage, and of life. Much of the water in the concession area's lakes descended towards both the coast and the Amazon, supplying farmers, small towns, and cities along the way. However, Barrick already had experience establishing a large mine in Peru, its Pierina project in nearby Áncash. The company's Latin American and Peruvian managers in its Lima-based subsidiary, Minera Barrick Misquichilca, understood the political context of mining in Peru at the time—a context and industry in which the town of Tambogrande was becoming an infamous name. Thus, the company acted quickly: it offered petty cash and jobs to many local families, and the protests largely ceded. In the meantime, it took advantage of reforms to mining law that accelerated the project approval process.

In 2002, the international mining industry consultant Golder Associates conducted an environmental impact study for Barrick's Alto Chicama property. The area was estimated to be "the zone with the greatest potential in Peru" for the carbon industry.[294] Barrick's environmental impact assessment (EIA) estimated the mine would use 10-20 liters of cyanide per cubic meter of soil per hour. The company declared its requirement to hold public audiences complete in 2003. The following year, it

[294] Mario Rojas Delgado, "Perspectivas de Procesamiento y Uso del Carbón Mineral Peruano," *Ingeniería Industrial* no. 26 (2008): 231-250.

announced to investors that it expected its EIA would gain final state approval by mid-2004, and that it expected to pour its first gold bar before the end of 2005. Unlike what Newmont and Buenaventura faced in La Zanja, where the company's estimates would be delayed by five years, Barrick's mine began operating on schedule by mid-2005.[295]

Figure VII: Barrick's "Targets" According to a 2004 Investor Day Presentation



Note: Barrick's 2004 Investor Day presentation featured maps of the zone that includes the San Lorenzo lake and others ("Genusa") as an "area of interest" and of "exploration potential."

[295] See Gregory C. Wilkins, "Building Mines, Building Value" (Barrick Gold Corporation presentation on Investor Day, New York, NY, February 24, 2004). In this presentation, Barrick's regional vice president for the South America region, Igor Gonzales, also detailed Barrick's plans to explore at Veladero, in Argentina, and at Pascua Lama, in Argentina and Chile—projects that both would face fierce opposition over the coming years, especially in contrast to Lagunas Norte.

In the meantime, the company also opened offices from where it began negotiating the contract of local service providers. Initially, its offices were in Quiruvilca and the provincial seat, Santiago de Chuco, although it temporarily relocated its Quiruvilca office to Huamachuco, the capital of the Sánchez Carrión province, in 2004.[296] Alongside hiring local workers and service providers, part of the company's plans involved satisfying both its own operations' needs and the needs of locals by constructing roads, bridges, and an electricity grid to connect its operations to the coast. For example, in August of 2004, it concluded an $11 million investment in roads and bridges upgrades along 71 kilometers. This construction employed 700 people and connected Barrick's mine to Otuzco, halfway between the coast and Quiruvilca, where the paved road from Trujillo ended.[297] Framed as part of its social responsibility, these moves were essential to meet the operation's needs and at the same time to solidify its reputation as a 'different' mining company. In the words of a former Barrick Misquichilca officer at the Lagunas Norte project, "Barrick fulfilled local expectations and knew to satisfy a local need. It was very intelligent."[298]

The Lagunas Norte project would soon become one of the largest gold mines in the world, second in Peru only to Newmont and Buenaventura's Yanacocha mine. It

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[296] Reports from Defensoría del Pueblo from mid-2004 follow the story of how the mayor of Quiruvilca was almost beaten, then had to operate remotely for security reasons, after he announced that Barrick's contracts office had moved to Huamachuco in June. See Defensoría del Pueblo, "Reporte Mensual de Conflictos Sociales N° 7" (Lima: Defensoría del Pueblo, 2004).

[297] See Gregory C. Wilkins, "Building Mines, Building Value"; see also Barrick Peru, "Alto Chicama Project, Las Lagunas Norte."

[298] Anonymous former Barrick officer, personal interview, November 4, 2015.

would also raise La Libertad's standing as the second largest gold producing region in Peru, with 29% of total production in the country—after Cajamarca's 38%.[299] In contrast to the land use size of La Zanja and Cerro Corona (only the parts where it is currently concentrating activities, and not their entire respective concession areas), Lagunas Norte is about five times larger, from a bird's eye view. The region's total gold production over time also helps to illustrate the Lagunas Norte mine's productivity and economic importance. The entire La Libertad region produced 9,235 kilograms of gold in 1996, 14,922 in 2000, and 18,460 by 2004. Gold production in the region grew slowly but steadily, doubling over those eight years. Barrick began producing gold one year later, in 2005, when La Libertad produced a total of 35,924 kilograms of gold; and in 2006, the region produced 55,924 kilograms of gold. In other words, gold production in the entire region more-than-tripled between 2004 and 2006, mostly thanks to Barrick's operations.[300]

Community Organizing

Because the mine was located near a district with a long tradition of mining, organizing resistance to this economic activity was difficult. While most people in the area are small-scale farmers, many of the people who would become protesters were also incorporated as contractors or seasonally employed as miners in one or more of the

[299] See "La Producción de Oro en el Perú Caería hasta 9%," *La Prensa* (Peru), February 26, 2013; Jean F. Ramos Beltrán, "Situación y Perspectiva de Desarrollo de La Minería En El Perú: 2000 - 2010" (doctoral dissertation, Universidad Nacional de Trujillo, August 2010).

[300] These 2011 statistics from the Peruvian State's National Statistics and Information Institute (INEI in Spanish) are cited in Giulliana Tamblyn, "Quiruvilca: The Silver Tooth of the Peruvian Andes" (master's thesis, National University of British Columbia, Jan. 2014), pp. 62.

area's several mines—among which Lagunas Norte is by far the largest and most lucrative. Furthermore, Barrick had incorporated the Rondas Campesinas through institutional and informal mechanisms. It reached out and recognized their authority, which was a significant departure from standard practice by other mining companies in the area at the time.[301] Still, contestation started as early as 2005, when the National Coordinator of Communities Affected by Mining (CONACAMI, in Spanish) issued a communiqué denouncing that "the adequate procedures for the approval of the environmental impact study have been unfulfilled, constituting a violation by Barrick of the rights to prior and informed consent."[302] (To be clear, Peru did not ratify the right to informed consent until 2011.)

Multiple interviewees said the first signs of discontent emerged because companies "abuse the locals' ignorance, offering much less than their better educated neighbors."[303] Concerns over water also appeared relatively quickly: requests from area farmers prompted a team at the public Universidad Nacional de Trujillo (UNT) to conduct water monitoring evaluation of the rivers descending from the mine's area of operations. Under leadership from chemistry and biology labs at the university, as well as from the Otuzco-based religious and environmentalist organization, Asociación Marianista de Acción Social, a group of participants were trained and formed into

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301 To be sure, this looms as a significant difference between this case and the La Zanja case, for example.

302 Confederación Nacional de Comunidades Afectadas por la Minería (CONACAMI), *Los Conflictos Mineros se Agudizan y el Gobierno Incumple Creación de Comisión de Alto Nivel*, 25 July 2005. The same statement listed Minera La Zanja as "violating the right to territory" in Santa Cruz, in the adjacent region of Cajamarca.

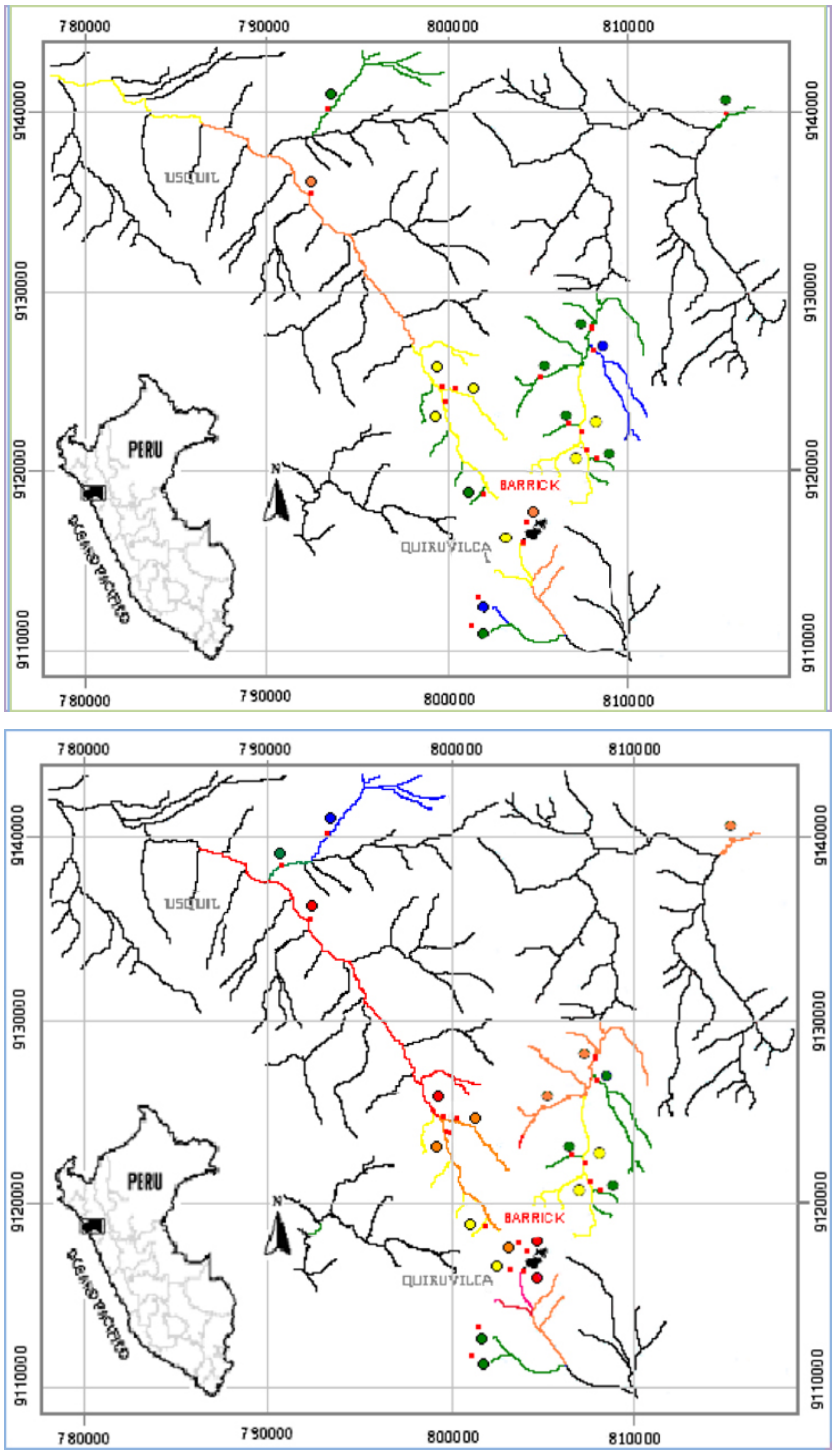
303 Anonymous biologist, personal interview, November 18, 2015.

monitoring teams starting in 2006. The results of the participative study were published in 2010 via the UNT journal *Sciéndo*. Its comparative analysis of macro-invertebrates in water sampled in 18 different points, including control points, concluded that water descending from Barrick's mine were being impacted negatively.[304] UNT researchers had data collected from many of those points even earlier, in 2006, which provided more contrast to the data they collected in 2008, and again in 2009. Comparing the results across time allowed the researchers to corroborate their finding that mining was having a negative impact on the area's rivers (see Figure VIII below).[305]

Figure VIII: Alto Chicama Water Quality, 2008 (Top) and 2009 (Bottom), by Medina et al. 2010

[304] César Medina Tafur, Manuel Hora-Revilla, Ivonne Asencio-Guzmán, Walter Pereda Ruíz, and Ronal Gabriel Aguilar, "El Índice 'Biological Monitoring Working Party' (BMWP), Modificado y Adaptado a Tres Microcuencas del Alto Chicama. La Libertad. Perú. 2008," *Sciéndo: Ciencia para el Desarrollo* (UNT, Peru), 13, no. 2 (2010): 5-20.

[305] See also César Medina Tafur, Walter Pereda, Manuel Hora, Ivonne Asencio, Ronal Gabriel, and José Polo, "Calidad del Agua en las Cuencas del Alto Chicama Utilizando Macroinvertebrados Bentónicos como Indicadores Biológicos, La Libertad, Peru (2008-2009)" (presentation, Universidad Nacional de Trujillo, 2010).



Note: In these maps, blue represents "very clean" waters, green means "stress signals," yellow means "pollution," orange means "high pollution," and red is "extreme pollution."

The UNT biologist and lead investigator for that study, César Medina Tafur, showed me photos of Barrick's security guards, who he said would often arrive when his team was taking water samples, question and "try to intimidate" them, and take photos and videos of his team. Medina joked while telling me about it: "They would *inspect us*! While we were trying to inspect *them*!"[306] Another biologist and university professor involved in water monitoring activities also told me that her research—which used similar methodologies focused on invertebrate populations to determine water pollution levels—was conducted under a context of constant surveillance, "harassment," and "intimidation" by company employees and security.[307] More importantly, Medina alluded to the pseudo-science and the methodological dishonesty of the reports created by the company in response to their water monitoring study. In his own words,

> Mining companies use the 'Surber' sampling method to say that this area is not so polluted. 'Dip net' is a multi-habitat methodology which finds more problems. There is a *huge* difference in the biodiversity results each method finds. I use the D-frame dip net method, which finds less biodiversity, and it is multi-habitat, so its sample is more representative. They just want to measure PH levels in the water. What I do is measure the population of invertebrates in the water. […]

At this point, Medina criticized how companies often add crushed limestone to the water to raise the PH levels, "but even with that, the results point to high levels of

[306] César Medina Tafur (UNT biologist), personal interview, November 18, 2015.

[307] Ivonne Asencio Guzmán (Universidad César Vallejo biologist), personal interview, November 6, 2015.

conductivity. They are just trying to hide all the aluminum, iron, and cyanide in the water." He added,

> The company reports are what we [in the field] refer to as 'grey literature'—they have no peer review, and often they are not even made public. They don't follow a consistent and adequate methodology, and they even plagiarize studies. Sometimes you find internal reports about animals that do not exist in their areas! Why? Because they just put a stamp and their own name on some other mining company's report from elsewhere. They are also not inspected to make sure that the author ever visited the field. They could have sent a couple of students and that's it. It hurts me. It affects me that the poor, mi friends in the highlands, lose their lands. We lack political organization, and are too easily driven by money.[308]

In the perspective of a Trujillo-based public defendant, who seemed optimistic about the role of mining and who reiterated his doubts over the motives of the environmentalist groups, the study's publication was the spark that ignited the local movement against Barrick.[309] Other interviewees told me that water pollution was not the most serious source of conflict in the area. In general, several people said, locals there tend to care less about pollution, to which they were presumably accustomed, than about benefitting economically and fairly from mining.[310] Residents in the towns around the mine also mentioned their perception that their communities were changing negatively. "We have lost our identity," reflected a young woman who worked at one of the area's municipal buildings. As we ate during her hometown's anniversary, she and her

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[308] César Medina Tafur (UNT biologist), personal interview, November 18, 2015.

[309] Anonymous public defendant, personal interview, November 6, 2015.

[310] Anonymous Rondero, personal interview, November 12, 2015; anonymous regional Ministry of Energy and Mining official, personal interview, November 23, 2015; anonymous officer from the Nacional Office on Dialogue and Sustainability, personal interview, November 20, 2015.

cousin proudly guided me through the many products on our plates and through details about the area's agricultural wealth and diversity. "We would not be poor without the mine," she concluded.[311]

The study of mining's impact on local water supplies also coincided with two events. First, in 2009 locals denounced, and the National Indigenous Association as well as the National Coordinator of Human Rights reported the deaths of thousands of trout—allegedly due to mining pollution.[312] Second, it coincided with Barrick's attempt to modify its original EIA starting in 2010, including a plan to expand to the Lagunas Sur area just south of its open pit. This area includes the Laguna El Toro, Laguna de Los Ángeles, and Lagunas Verdes, which source Quiruvilca's water for human consumption, as well as numerous other communities further downstream. Thus, in 2010, a movement with broad support from the provinces around the mine (Santiago de Chuco, Otuzco, and Sanchez Carrión) was formed.

Barrick was required by law to hold meetings in the area regarding its EIA modification request. It scheduled "participatory workshops" in various locations. In the neighborhood of Chuyugual, in Sánchez Carrión province, hundreds of people marched towards the meeting and held a protest that prevented Barrick's scheduled workshop.[313] Videos of the march, recorded by a Lima-based university researcher, shows that a

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311 Anonymous municipal clerk, personal interview, November 8, 2015.

312 See Asociación Interétnica de Desarrollo de la Selva Peruana and Coordinadora Nacional de Derechos Humanos, *Pueblos Indígenas del Perú: Balance 2014 sobre el Cumplimiento del Convenio 169 de la OIT* (Lima: CNDH and AIDESEP, 2009), 61.

313 Once again, this accords with Maiah Jaskoski's argument about the disruptive opportunity afforded by these meetings. See Jaskoski, "Environmental Licensing and Conflict in Peru's Mining Sector."

majority of the marchers are women. Wearing traditional garb and holding signs, they set the tone and the route of their march. The core complaints were captured by a sign that read, "First keep your promises, then we'll dialogue."[314]

Many interviewees in this study cited anger stemming from unfulfilled promises, overpriced and useless 'corporate social responsibility' programs, and health concerns as the reasons behind this conflict wave.[315] Others reported that their initial indignation resulted from realizing that the company had "taken advantage" of those who sold land to the company, locals persuaded to accept a fraction of their lands' worth.[316] And this second stage, the movement was larger than the initial opposition. It had the support of at least one district mayor, as well as urban and rural residents, farmers, young activists, women, and even the area's seasonal miners. The words of one company employee summarized what many interviewers expressed, when he said that his community supported mining, "but these lakes are untouchable."[317]

Conflict as Routine

The way the company handled this conflict is key. First of all, Barrick availed itself of police repression to quell strikes that paralyzed its operations. On February 8, 2007, only months after these agreements became constitutionally allowed and

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[314] "El Otro Lado de la Barrick," YouTube video, 5:15, posted by "Maria Fe Celi," October 16, 2010, https://www.youtube.com/watch?v=5m56DkYpb-Y.

[315] Anonymous official in the municipal development office, personal interview, November 11, 2015.

[316] Anonymous local attorney, personal interview, November 9, 2015.

[317] Anonymous Rondero and miner, personal interview, November 12, 2015.

formalized, Barrick Misquichilca signed a private security agreement with the Peruvian National Police's Directory of Special Operations (DIROES).[318] It renewed this contract in 2017. More interestingly, Barrick adopted a well-funded 'corporate social responsibility' strategy. Noting the economic costs caused by the strike, Barrick quelled the protest by offering private contracts and cash to opponents, and by staging a 'dialogue table' in which it verbally agreed to finance various construction projects.[319]

Many of these investments were channeled through Barrick's "*Obras por Impuestos*" legal option—product of the 2008 Peruvian law, 29230—which can be translated as paying for 'public interest projects instead of income taxes,' and specifically entails companies' right to deduct the cost of building or operating these public projects from the taxes it owes the state.[320] For example, in 2012 Barrick concluded a road construction connecting various neighborhoods in Santiago de Chuco province, for which it invested $2,331,217 (in 2012 USD). In September 2013, it committed to a

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[318] See Policía Nacional del Perú, "RD No. 2373-2006-DIRGEN/EM" (agreement, Lima, November 7, 2006). Via this agreement, the company representative Manuel Fumagalli Drago and PNP representative, PNP General Pedro Edgardo Moreno Ruidías, director of the Special Operations Division, signed the private security agreement. See also Asociación Pro Derechos Humanos, "La Transformación Ausente: Industrias Extractivas y Situación de las DESCA," Informe 2012 (Lima: APRODEH, 2012), 175. Note: DIROES is not to be mistaken with DINOES, the PNP Division of Special Operations counter-terrorism and anti-subversion unit housed under DIROES. For more on these two police entities, see Renata Bregaglio, Jean Franco Olivera, Rosa Arévalo, Rubén Vargas, and José A. Godoy, *Diagnóstico Nacional sobre la Situación de la Seguridad y el Respeto a los Derechos Humanos Referencia Particular al Sector Extractivo en el Perú* (Lima: Instituto de Democracia y Derechos Humanos de la Pontificia Universidad Católica del Perú, November 2003).

[319] However, an area mayor lamented how the company provided very little of the work opportunities and social development investment it had promised to quell conflict. He also argued that the social movement had not been violent, unlike police. Anonymous area mayor, personal interview, November 9, 2015.

[320] See Kent Eaton, "Disciplining Regions: Subnational Contention in Neoliberal Peru," *Territory, Politics, Governance* 3, issue 2 (2015): 124-146.

partnership with another mining company, Poderosa, as well as the plastics company Backus y Johnston and the Banco de Crédito del Perú, to construct a technical police school for the Peruvian National Police in Trujillo over the next 18 months. Under the partnership, Barrick, Poderosa, and Backus would each invest a little over $2.5 million (in 2013 USD), and the bank would invest just over $3.845 million. Then, in March 2014, Barrick approved a budget of $5.613 million (in 2014 USD) to build a hospital in Santiago de Chuco, its host province, in partnership with the transnational bank BBVA, which matched Barrick's contribution.[321]

In addition to the tax-substitution option, mining companies were bound to a five-year executive decree known as the "Mining Program of Solidarity with the People" (PMSP, in Spanish), passed by the García government in 2006, which demanded their "voluntary, extraordinary, and temporary" investments in projects, programs, and works aimed at improving social wellbeing.[322] For both of these reasons as well as its intentional efforts at being a different, more socially responsible mining company, Barrick founded the FSAC in 2009. Since then it has also executed small projects such as an artisanal textiles workshop, a math program, an optometry campaign, the restoration of the poet César Vallejo's home in Santiago de Chuco, and others.

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[321] Barrick Peru, "Alto Chicama Project, Las Lagunas Norte."

[322] The PMSP was a reversal of García's promises during the 2006 presidential campaign, when he vowed to tax mining companies on the additional profits they were reaping during the "boom" in global mineral prices. García had adopted these promises after feeling their widespread popularity, which had, up to that point, contributed to public support behind his main opponent in the election, Ollanta Humala Tasso. But after narrowly winning the second round of the presidential election, with 52.6% of the vote compared to Humala's 47.4%, García was perceived as capitulating to the mining lobbies when he instead proposed this voluntary scheme. See Javier Arellano Yanguas, *¿Minería sin Fronteras?*, 46.

However, the combination of 'carrots and sticks' established a pattern of conflict that would reignite again in 2013, 2015, and 2017, as well as more frequently in neighborhood-level conflicts. In each of these major conflict waves, the company responded to physical disruption such as strikes and roadblocks through a combination of police repression—leading to serious activist injuries each time[323]—alongside adopting the same slow, state-mediated, and not-binding process of installing a dialogue table. Because the processes were slow, and the promises reached during these negotiations were not binding, these dialogue tables appeared like a strategy of conflict avoidance, rather than of resolution, in the words of many interviewees. "Roadblocks are the only way for [protesters] to be heard, but then the company makes promise after promise, and it all stays in paper. This is how they shut the people up," said a man in the natural resources department of a local municipality. "They make promises, get people drunk, and that's it."[324] As a result of this approach that both feeds and pacifies conflict, strikes and road blockades have been recurrent in the conflict surrounding Lagunas Norte, just as in the La Zanja case. However, one key contrast between the outcomes in both of these cases is that Barrick has been slightly more persuasive and slightly less coercive than Buenaventura has been, which might be why the movement against Lagunas Norte is stronger, whereas in La Zanja it is partly demobilized.

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[323] See Igor Ybañez Gamboa, "Día Decisivo en el Diálogo entre Comuneros de Quiruvilca y Barrick," *La República*, February 24, 2013; "Barrick Amenaza 5 Lagunas en Santiago de Chuco," *Lucha Indígena* 79, March 2013; "Bloqueo en Otuzco," *Lucha Indígena* 82, June 2013; "Minera Barrick Daña Lagunas en Quiruvilca," *Lucha Indígena* 67, March 2012; "Quiruvilca: Pobladores Exigen que Compañía Minera se Retire," *La Industria* (Trujillo), August 29, 2017.

[324] Anonymous municipal environmental officer, personal interview, November 11, 2015.

The strike in June 2015 was violently dispersed by police. Barrick's lowest-paid workers and their families, including women and children, were demanding higher wages and more opportunities for the area's mine employees. Their strike involved withdrawing their work as well as blocking access to the mine's entrance, which they did for two weeks before national and regional police were sent to break up the blockade. Police opened fire, and younger activists responded by throwing rocks and setting fire to company vehicles and equipment.

The flames acted as a vindicator for the use of force, and police injured dozens of protesters. The limited media coverage of the event focused on the confrontation, barely mentioning the movement's goals.[325] Afterwards, the movement's leaders agreed to no longer allow youths to their actions, realizing the cost of these activists' reaction. They instituted an innovative rule for their protests: they ensured that only people who had been debriefed on their rules of engagement could attend their actions by requiring to see their state-issued ID cards.[326] This is an impressive type of innovation, which demonstrates leaders' process of learning not to play into the trap of provocation, and then adapting their tactics accordingly. It is likely that this 'movement learning' is tied to the strength and representativeness of local organizations.

However, this internal learning process bears qualifying, because many interviewees also said that the lesson of these rounds of conflict was that only violence

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[325] Wilson Castro, "Quince Heridos Deja Enfrentamiento entre Policías y Trabajadores de Quiruvilca," *La República*, June 13, 2015; "Informe de Contacto: Infernal Enfrentamiento en Quiruvilca," *UCV Satelital*, June 15, 2015.

[326] Anonymous official in the municipal development office, personal interview, November 11, 2015.

could help make their voices heard.[327] Their thinking lends support for my argument in this dissertation that a lack of favorable attention, and by extension a lack of support from NGOs and outside allies, has increased the movement's propensity to adopt violent collective action as forms of waging conflict, making claims, and forcing the company into negotiation spaces. Almost every interviewee who mentioned the appeal of violent tactics directly stated this dynamic and efficacy as their justification for it.

Finally, it is also useful to interrogate what the activists who felt violent tactics were necessary truly meant by violence; certainly, property damage is not on the same analytical level as attacks on human beings, even if it does carry a symbolic aggression and causes physical damage. And whereas I have focused on violent confrontations, other things like the deaths of thousands of low-income farmers' trout—the source of livelihood (as in direct nourishment and economic income) for their families—must not be lost in this narrative as a form of violence also.

As illustrated by the June 2016 confrontation I mentioned in the opening to this chapter, where a Barrick-funded road construction near the San Lorenzo lake led to a deadly confrontation between thousands of people from the Rondas and riot police, recent evidence suggests that further escalation is well within the protesters' movement's repertoires.

Conclusions: Learning the Meanings of Violence

[327] Anonymous Ministry of Energy and Mining official, personal interview, November 23, 2016; anonymous Rondero and activist, personal interview, November 13, 2016.

Media and outside attention played interesting roles in this case, even in their absence. It is noteworthy that some of the people with whom I spoke and spent time seemed to believe that violence was not only a way to get attention from others, but also a tool to legitimize themselves and to mobilize locals. Repressive laws, the trigger-happy behavior of police actors, and Barrick's combination of conflict management strategies pushed actors in multiple directions, even among the groups involved in this conflict. Therefore, although many people described their intentions and efforts to shift to disciplined activism, and to avoid provocation, the lessons drawn by local social movements in the upper Chicama river area seem to have been mixed, as best illustrated by some interviewees' claim that violence is the only way to garner attention. It is useful to question whether resources or attention from outside allies could alter this. Several contacts within NGOs in the global North intuited this during our conversations, but previous research has shown that neither is a sufficient explanation for the shift in movements' tactics and means of waging conflict.[328] For the time being, it does not appear that the lessons learned by key movement actors uniformly pointed towards nonviolent resistance in this case.

Similarly, another theoretical point that this case highlights is the importance of the company's strategies. Barrick seems to fuse a propensity to rely on police and court repression (as well as private intimidation, which perhaps is not organized at the corporate level, but was still widely reported), with discourses of openness, philanthropy, and their will to engage in state-mediated dialogue. While conducting my fieldwork at the

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[328] Véronique Dudouet, *Civil Resistance and Conflict Transformation: Transitions from Armed to Nonviolent Struggle* (New York: Routledge, 2015).

Lagunas Norte case, a lot of people complained to me that conflict was easily suppressed by company strategies, and this meant the underlying conditions of conflict were never addressed. Grief was silenced with token gifts and public investment projects.[329] This has created a sense that escalating conflict—by any means necessary—was needed to attain concessions from the state and from the company.

Confrontations surrounding the Lagunas Norte mine have grown in intensity from one campaign to the next—an intensification that may be an even worse outcome than (presumably stable) 'routinization.' In theoretical terms, since they rarely get sympathetic attention from outsiders, some activists think that violent escalation is the only way to get the state to mediate and the company to offer concessions. It may be the case that some activists place greater importance on getting the state's attention than on the means to do this, which is troubling. To be sure, Peru's legal and institutional framework bears a lot of the responsibility for the extra-institutional escalation and entrenchment of conflicts within its territory. While local activists as well as company actors have learned much about avoiding violence, the onus of preventing violent conflict is on the state, which has largely redoubled on repressive responses to protest and, despite some agencies' work, has failed to provide credible spaces for democratic resolution.

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[329] Actors who benefit from repression engage in different strategies to prevent it from backfiring. If they can portray themselves as benefactors who must sometimes make use of force, rather than as oppressors, social movement opponents—in this case, mining companies—can avoid the "backfire" effect. Brian Martin, *Justice Ignited: The Dynamics of Backfire* (New York: Rowman & Littlefield Publishers, 2006). Companies and movements use framing and other tactics to inhibit and promote outrage strategically.

Chapter VII
Cerro Corona: Dialogue and Depoliticization

The fourth case I selected for the focus of this dissertation is quite different to the previous three. To answer the first of this study's two main research questions (why do some mining conflicts become more violent than others?), it was crucial to analyze 'null cases'—contexts in which conflict had not escalated noticeably, despite the circumstances they may have shared with other cases that did intensify. Gold Fields is a Johannesburg-based corporation that operates projects worldwide and enjoys a reputation as a modern and responsible mining company, globally and perhaps especially in Peru. Its Cerro Corona mine in Cajamarca is exemplary among mining projects because, while there are indeed serious complaints among the nearby communities, it is one of the few in which conflict has remained entirely nonviolent. From an analytical standpoint, this is especially significant and puzzling given that the mine is situated in Cajamarca region, infamous for its often-violent mining conflicts. Cerro Corona is only miles away from the largest gold mine in South America, Yanacocha, and nearby to La Zanja. Indeed, Gold Fields began developing its mine as conflicts over the La Zanja and Quilish projects intensified between 2003 and 2004.

This chapter explores the reasons why protesters whose claims and grievances center on the Cerro Corona mine have largely kept to low levels of organizing, and why their tactics have never escalated beyond symbolic demonstrations and sporadic, nonviolent disruptions. Among the cases in this research, Cerro Corona is the smallest mine (although not by far—see Figure IX below), and it operates in a 'traditionally

mining district,' but the ethnographic study below will argue that, far more importantly, it is the company's community-engagement strategies, at the corporate and everyday levels, that explain its relative success in avoiding or preventing conflicts. However, this study will also posit that the company's strides toward building amicable relations with locals have been insufficient to build durable and mutual relationships. The everyday tone of friendliness and openness that most company actors have built with locals does affect the levels of confrontation with locals, and has been effective at avoiding explosive conflict. However, these interpersonal efforts do not diminish, and sometimes reinforce, the material inequities that surround mining operations, particularly the uneven distribution of their benefits and burdens. In other words, treating locals with less arrogance and having larger budgets for corporate investments in local projects has pacified, but not resolved, the serious tensions and complaints that locals expressed.

Background

Under the name of its then-brand new Peruvian subsidiary, Gold Fields "La Cima," the South African mining firm bought the Carolina mine from the company Sociedad Minera Corona in the Cajamarca region's small district of Hualgayoc in 2003. Despite the fifteen years of mining conflict that have plagued Cajamarca since then, the renamed Cerro Corona mine has kept a low profile, and in fact it was rated as Gold Fields' "most productive" operation worldwide in 2011—when a huge and deadly conflict over the Conga project was quickly escalating.[330]

[330] Juan Luis Kruger Sayán and Germán Roberto Polack Belaúnde, *Memoria Anual y Reporte de Sostenibilidad 2011* (Lima: Gold Fields, 2012), 12.

Figure IX: Map of Cajamarca, Santa Cruz, and Bambamarca Cities

Note: This image helps show the proximity and relative size of cities like Cajamarca against the Cerro Corona, La Zanja, Yanacocha, and Tantahuatay mines (courtesy of Google, 2018).

It is not that Gold Fields' executives knew, from the moment they bought and took over the mine, that Cajamarca and adjacent regions would soon concentrate such great number and intensity of conflicts around mining. At the time, Tambogrande had

just held their popular consultation process in the adjacent region of Piura, and the La Zanja project was merely a proposal, a latent conflict. Still, Gold Fields had to file an environmental impact assessment before it could begin expanding and modifying its purchase, which gave its managers time—about two years—to learn about what was going on in the region. The state approved the company's environmental impact assessment in December 2005 and the company began constructing its Cerro Corona mine, directly on the former mine, in May of 2006. By then, Gold Fields had witnessed the processes of conflicts nearby at Tambogrande and Cerro Quilish, both of which were scrapped, and the arson at La Zanja. New to Peru, practiced elsewhere, and seeking a different trajectory, Cerro Corona was deeply strategic about its community relations.

Peruvian census data from 2007 portrays Hualgayoc as a 17,425-person district. Among 5,653 people registered as "economically active," 3,367 were farmers and 1,317 were miners. More than 70 percent of people in the entire province were poor, over half of them in absolute poverty. According to a Gold Fields field manager, they found a "very distrustful" community:

> And we understood that this social context was generated through long historical relationships between the state, them, and mining companies. But at the same time, there was this hope—they were so unwell that they saw an opportunity to develop themselves.[331]

His team studied these relationships with the help of hired sociologists. "Before we entered, we started with social responsibility projects—before anything else, because

[331] Anonymous Gold Fields field Manager, personal interview, July 13, 2016.

we saw the culture of distrust that existed," he said. As its many representatives interviewed for this study retold the story to me, the company managers committed themselves to studying and working through that deeply rooted distrust. "Our treatment was intentional at the social level as well as in the land sales," said the officer. In my assessment, this is one of the most significant factors that led to Cerro Corona's relative success in preventing the outbreak of violence, which was hugely surprising especially given the cultural and political context in which the project exists.

Community Organizing

Cerro Corona's operations are of a similar scale as La Zanja's, as are its methods of gold extraction. From the stadium in Hualgayoc's South-side to the houses and stores on the three roads leading north from town, the size of the Hualgayoc district capital city (which could be called an "urbanization" or a concentration of buildings near the mine) pales in comparison to the 1,264 hectare mining project that looms over the hill, only one kilometer away. Gold Fields' own environmental impact assessment and subsequent reports indicate that it sought to produce 1.9 million ounces of gold and 369 kilotons of copper by 2024. To do this, it would dig an open-pit, then remove and process 94 million metric tons of soil and rocks through its concentration plant, which was designed and equipped to process 17,000 metric tons per day.[332] Thus, for a project of this size, concerns about ecological and economic redistribution were foreseeable.

[332] Juan Kruger et al., *Memoria Anual y Reporte de Sostenibilidad 2011*, 13.

The Peruvian ombudsperson first reported local concerns regarding water pollution and scarcity in 2006. The area is known to have more than 1,286 mining-related registered environmental hazards, including dozens of ponds polluted with heavy metals.[333] Companies in the area claim this is related to centuries of mining in the area, but several large-scale, cyanide and mercury-intensive mining operations in recent decades are also partly responsible for it. Hualgayoc also hosts the Tantahuatay mine, owned by Coimolache (Buenaventura), since 2009.

On October 24, 2006, *Perú21* reported that Gold Fields had suspended its work due to a strike that had, since October 12, blocked the road leading to its operations. The strikers were area miners who demanded job opportunities and the mediation of government authorities. However, according to the report, Gold Fields already had 768 people from the Hualgayoc area in its seasonal workforce, which was more than twice as its operators had promised earlier.[334]

Then in September 2007, two impoverished farmers, Felicita and Amelia Celis Guevara, filed a legal complaint to judicial authorities in San Miguel province against Gold Fields for usurpation of lands and aggravated damages. The Celis Guevara sisters said the company was operating in, and had appropriated, growing parts of their land without any authorization since July 2007. Diario El Clarín cited the sisters' plea for the authorities' assistance against this "illegal act" also accompanied by "abuse and arrogance

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[333] Teresa Santillán, "Hualgayoc, la Remediación Ambiental Sigue Pendiente," *Noticias SER*, April 6, 2014.

[334] "Gold Fields Suspende sus Operaciones en Cajamarca por Protestas," *Perú21*, October 24, 2006.

from company representatives." The two farmers said they were unwilling to cede any part of their land to the company, and vowed that they would resort to "all necessary means" to stop the abuse being committed against them and to prevent other farmers in the San Miguel and Hualgayoc provinces from being abused as well.[335] While this type of claims seems to have been common, and a small strike accompanied them in 2007, more organized and collective forms of resistance were picking up speed as well.

A couple of years later, on August 12, 2009, some activists in Hualgayoc organized a march through town and then to the site of the mine. At around 10:30 a.m., they also forcibly entered the location of the electricity transformer meant to provide electricity to parts of Chota, Santa Cruz, and Hualgayoc provinces. The protesters were aggrieved because, at least in their perception, the town of Hualgayoc was excluded from these benefits. They scheduled their protest to coincide with the transformer's inauguration ceremony, where they arrived and interrupted, taking advantage of the public attention on the event to demand the integration of the town of Hualgayoc—which had gone without electricity for three months. Two days later, on a Friday afternoon, the Hualgayoc district municipality organized a public meeting, at the town's soccer stadium, between locals and Gold Field officers, in which the agenda would concentrate on water availability, electricity, work opportunities, and damage to houses from mining explosions. The meeting appears to have been unsatisfactory to both the protesters and the company. Municipal leaders and company officials met again the following Monday morning in the mayor's office. In this closed meeting, company

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[335] "Minera Gold Fields se Apodera de Terrenos de Humildes Campesinas," *Diario El Clarín,* September 27, 2007, www.ocmal.org/3953/.

representatives offered services and investment, and—although the terms were much weaker than what the majority assembled in the stadium had demanded the previous Friday—the mayor and lieutenant mayor signed onto the offer.

Figure X: Photograph of the Hualgayoc Municipal Stadium, 2016

By August 18, social leaders from the area—most of them members of the Rondas Campesinas—had already held two meetings to strategize a strike against Gold Fields. A few days later, locals from Hualgayoc, San Miguel, and Cajamarca provinces began their two-day strike against Gold Fields, in the words of a strike organizer, "for

being a liar on the offers and agreements it made to this population."[336] Protesters claimed that the company distributed pamphlets throughout the town of Hualgayoc aimed at smearing protest leaders. At 11:00 p.m., protesters arrived to block an entrance to the Cerro Corona mine. Three hours later, they ignited firecrackers to symbolize the start of the strike, blocking the road that connects Cajamarca and Bambamarca (the larger city and capital district of Hualgayoc province).

In the morning of August 19, 2009, at 7:00 a.m., the Rondas detained Gold Fields' Community Relations Director, with whom they negotiated throughout the day. At 8:00 a.m., they marched through the town of Hualgayoc, announcing an indefinite strike against the company and encouraging others to join. The mayor joined the protests by around 9:00 a.m., apologizing to protest leaders for his delay in arriving, and promising to support the measure. The protesters then marched to meet their friends who were blockading the mine's entrance, where they were met by about 20 police. The hundreds of protesters soon overpowered the small police presence, which withdrew, and protesters had all mine entrances entirely blocked by noon. Representatives of the regional district attorney and of Defensoría del Pueblo then arrived and allegedly told the protesters of the legal punishment and economic damage that protesters and Hualgayoc would face for their blockade. A few hours later, the company made several offers to the

[336] Wilmer Delgado Fernández, "Conflicto y Negociación," Observatorio de Conflictos Mineros de América Latina, August 27, 2009, https://www.ocmal.org/4940/.

protesters, but the latter remained in place and were even joined by delegations of Ronderos, for example from Cobro district in San Miguel, throughout the afternoon.[337]

Figure XI: *La República* Covered the August 2009 Strike in Hualgayoc

The next morning, at around 7:00 a.m., police shot tear gas at the protesters, fired bullets overhead, and confiscated all the food and kitchen supplies that the protesters had brought and laid out for themselves. Two protesters and one police officer were reportedly injured during these confrontations. About 30 more people

[337] "Continúa Paro Indefinido contra Minera Gold Fields en Hualgayoc," *La República*, August 20, 2009.

joined from Vista Alegre to support the strike, and by noon, a high-level negotiation commission arrived from Lima, including representatives from the Ministry of Energy and Mines, the regional government, and the regional office of the national police. The negotiations lasted several hours and ended on a five-point commitment from the company to: (1) provide free electricity to Hualgayoc within 24 hours, using first a temporary feed and then quickly building a permanent integration with the broader electric grid in the surrounding provinces; (2) provide water to the town of Hualgayoc through two cisterns, and other long-term water initiatives including sewage and treatment systems; (3) replace its outside workforce with local hires, and invest in training programs and related infrastructure; (4) set up a commission to determine whether Gold Fields was responsible for damages on the more than 40 houses with infrastructural cracks; and (5) to fund a local environmental monitoring committee, which would be institutionally created by the Ministry of Energy and Mines.

Four days after the two-day strike against Gold Fields, Wilmer Delgado Fernández of the provincial environmental group, *Asociación Civil Vida Verde en Hualgayoc* [roughly, "Green Life in Hualgayoc Civil Society Association"], made the following public statement:

> Four years since the arrival of this mining company, Hualgayoc didn't have electricity until three months ago and didn't have water until two months ago. There are 40 homes affected by open-pit mining explosions only half-a-kilometer away in direct distance from the population, with dust and polluted water as products of the company's work. And as if this was not enough, with a population totally divided as a product of the mining company's community relations work. So what happened? Hualgayoc awakened suddenly, two years after the previous strike, and said, 'in this house I am the boss,' and with over one thousand locals this struggle was initiated against this fierce mine. Whatever was attained may

> be minor, but it is the base to continue fighting and accomplishing the development of this town, which is why we became united, and every day there are more of us in this struggle to save Hualgayoc from this mining company's claws."[338]

In 2010, Walter Barboza Villena and Napoleón Gutiérrez Anticona, who headed the Hualgayoc Socio-environmental Struggle Committee, traveled to Lima to demand the executive cabinet's attention to what they said were grave environmental issues in their district, naming especially the socio-environmental effecs of Gold Fields' operations since 2007. The two Hualgayoc leaders claimed that the Tingo-Maygasbamba headwater was "totally nullified for irrigation and animal herding, according to a report from DIGESA [an agency of the central government's Ministry of Health]." They also dennounced that Gold Fields was currently under protection from over 200 police. As *La República* reported it, the men complained that the mine's tailings dam was at risk of collapsing and flooding, and that company representatives had told locals to "run uphill" in such an event. The two men concluded by issuing a warning: "If we are not heard now, then do not try to point the finger at us when there are consequences."[339]

The consequences, although tragic, were not quite what was expected from this warning. To avoid some concerns over pollution, Gold Fields transported its copper concentrates via road to the Port of Salaverry, where they were shipped for processing elsewhere. It employed a regional subcontractor to manage the transportation. On

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[338] Wilmer Delgado Fernández, "Conflicto y Negociación."

[339] See "Hualgayoc Exige Pronta Solución a Conflicto Minero," *La República*, July 6, 2010.

September 20, 2010, one of these industrial trucks drove off the road, turned over, and spilled the concentrates it carried.[340]

The Peruvian Ministry of Health conducted an evaluation of water quality on the Llaucano River and its main tributaries in 2011. Among the evaluated sites were the Tingo and Maygasbamba rivers, both of which had been the subject of activists claims for some time. Most locals I spoke with expressed their often-regretful notion that mining was their town's only or best economic activity available, even though they sensed that their rivers were facing negative impacts from Gold Fields' activities. The government's water quality study confirmed that water bodies near the areas occupied by Yanacocha, Minera Corona, Minera San Nicolas, and Gold Fields La Cima were acidic, polluted, and a high risk to local populations. It identified dangerous environmental hazards due to high amounts of cyanide, copper, iron, manganese, mercury, zinc, and lead.[341] However, in the words of the Cajamarca-based analyst Teresa Santillán, the legal definition of 'environmental hazards' in Peru (as set by Law No. 28271) is weak. Constraining its operative (or actionable) definition to only residues by "abandoned and inactive" mines, this law "cannot encompass everything that environmental hazards may mean, as it is limited to some of the damage left by abandoned mines, but not the losses to the state, the population, and the environment." Santillán adds that these restrictions

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340 Ministerio de Energía y Minas, *Informe Trimestral Julio-Septiembre 2010*. Lima: Gobierno del Perú.
http://www.minem.gob.pe/minem/archivos/Informe%20Trimestral%20Julio%20Setiembre%202010%20_ultimo%20WEB__opt.pdf.

341 Ministerio de Salud, *Evaluación de la Calidad Sanitaria de las Aguas del Río Llaucano y Tributarios Principales, 2011* (Lima: Gobierno del Perú, Dirección General de Salud Ambiental, 2011). http://www.digesa.minsa.gob.pe/DEPA/rios/2011/RIO_LLAUCANO_2011.pdf.

ignore the "loss of territory which jeopardizes people's right to health, and to live in a healthy environment, as the Constitution demands."[342]

In addition to work and economic opportunity concerns, and to environmental and health concerns, a third major and recurrent source of conflict in this case regards the damage to houses caused, allegedly, by Gold Field's open-pit explosive activity. While it had already been highlighted in protests years earlier, Hualgayoc social leaders, professionals, and residents held a large public meeting on April 3rd, 2012, in which about 150 participants shared their preoccupation with damage caused by dynamite explosions at Gold Fields' mine, which they said had damaged at least 437 homes. The municipal attorney, Jorge Salazar, said to Noticias SER that he had technical proof of the damage the company was causing to local homes and infrastructure. Citing also water pollution, locals agreed to demand economic compensation from the company for these damages. To this, the company responded via its external affairs officer, Rafael Sáenz, who told Noticias SER that Gold Fields had requested the Ministry of Energy and Mines' environmental supervisory body to investigate the matter, and the results of that study had absolved his company of the damages to housing, which were within the "maximum-permitted-levels in international standards." Sáenz added, "None of them found us responsible." However, the Gold Fields representative promised to concert a dialogue table between the company, the Ministry of Energy and Mines, the municipality, and the population to find solutions to any issues.[343] A few months later, Gold Fields La

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342 Teresa Santillán, "Hualgayoc, la Remediación Ambiental Sigue Pendiente."

343 "Hualgayoc: Denuncian a Minera Gold Fields por Rajaduras de Viviendas," *Noticias SER*, April 4, 2012.

Cima's environmental issues director, Luis Alberto Sánchez, expressed to the media emphatically that Gold Fields had never dumped, nor would ever dump, its mine's waste into the Maygasbamba or Tingo Rivers.[344]

The heaviest conflict wave that Gold Fields faced was probably in 2013. The previous year, three of the provinces in central Cajamarca—including Bambamarca—were placed under martial law during the heated conflict over Yanacocha's plans to expand to the Conga lakes, and five protesters had been killed during all of this. There had just been a massive, nationwide "water march," by which communities from the north of Peru had marched all the way to Lima and held a massive rally. To be sure, there was an intense air of conflict in Cajamarca, which scaled-up and spread to encompass projects even outside the region, like Lagunas Norte.[345] Perhaps inevitably, the Gold Fields mine also got wrapped up in this. First, the Cajamarca federation of Rondas Campesinas approved and organized a region-wide strike that drew more than 3,000 people to paralyze several roads for a few days starting on March 10.[346] In its aftermath, on March 23rd, more than one-hundred of its workers shut down activities at Cerro Corona.[347]

In April, *La República* also reported that locals in Hualgayoc rebuked their provincial mayor, Hernán Vásquez Saavedra, for his "duplicitous" posture against Conga

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344 "Gold Fields Aclara que No Contamina Agua del Río Tingo Maygasbamba," *Panorama Cajamarquino*, November 8, 2012.

345 Basombrío et al., *Conflictos Sociales en el Perú (2008-2015)*, 102.

346 "Protesta Rondera contra Minera Gold Field y Coimolache en Hualgayoc," *Red Verde* (blog), March 10, 2013, http://caballeroredverde.blogspot.com/2013/03/protesta-rondera-contra-minera-gold.html.

347 "Mineros Protestan contra Gold Fields por Pago de Utilidades," *La República*, March 23, 2013.

while acting as a hired contractor for Gold Fields, to which he had also sold his lands.[348] This illustrated how the atmosphere of distrust and region-wide mining conflicts had seeped into local politics. Then in August, about 600 protesters blocked the road between Cajamarca and Hualgayoc until 250 riot police dispersed them, arresting the young Rondera leader Yanet Caruajulca and three others.[349] This is especially significant because this same dynamic—protest followed by police dispersal—is present in all of the cases, and yet in this fourth case it did not trigger a turn toward violent collective action by the protesters.

The same inter-provincial organizations repeated their methods from 2013 in 2015, months after Gold Fields announced its plans to expand its operations by 213 hectares or 13 percent.[350] Furthermore, Defensoría del Pueblo's reports from August and September mentioned Gold Fields as one of 14 mining companies that had "failed to fulfill its pacts and agreements" with the communities that surround them, leading to renewed conflict.[351] This time around, the Hualgayoc province had just elected a new mayor, Eddy Benavides, one of the most recognizable faces of the Rondas Campesinas' resistance against Conga. From his office in Bambamarca, Benavides and the Rondas organized cross-provincial 'monitor and protest' delegations, which were charged with

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348 "Alcalde de Bambamarca se Opone a Conga pero Trabaja con Gold Fields," *La República*, April 1, 2013.

349 Edgar Jara, "DINOES Desaloja y Recupera el Control de Vía a Hualgayoc," *La República*, August 30, 2013. Caruajulca is one of several movement leaders who have, as a result of their community leadership, entered institutional, professional, and electoral politics—where she has faced tremendous sexism.

350 Wilfredo Huanachín, "Gold Fields La Cima Ampliará Operaciones en Cerro Corona," *Gestión*, October 9, 2014.

351 "Hay 43 Empresas Mineras Vinculadas a Conflictos," *Gestión*, September 6, 2015.

visiting all mines located near headwaters in the region. They did not block roads as in 2013, but Hualgayoc protesters did organize two more general strikes specifically regarding pollution in the district, which paralyzed the region in June 2015 and May 2016.[352]

Figure XII: Photograph of Gold Fields' Cerro Corona Mine, 2016

The international press largely ignored the massive strike against pollution in 2016. Instead, newspapers such as *The Economist* referred to Gold Fields's Peru operations as an example of multinational mining companies that take "environmental and social responsibilities much more seriously than in the past" and strike "mutually

[352] "Hualgayoc Acata Paro contra Contaminación de Ríos por Mineras," *La República*, May 15, 2016.

beneficial agreements" with communities, "provided there is trust and goodwill." According to *The Economist*, Gold Fields,

> began by holding many meetings with local people, at which managers explained the project and listened to concerns, […] promising to employ some locals and train others to use the money they received from the sale of their land to set up service businesses. It brought in an NGO to work with herders to improve pastures, dairy cattle and cheese production. It worked with local mayors to install electricity and drinking water.

The Economist cited Miguel Incháustegui, Vice President of Corporate Affairs and Sustainable Development for Gold Fields in Peru (2012-2017), as saying that people protest "because they want things rapidly, they fear missing a golden opportunity," adding that "the keys to achieving social consent were to listen more than talk and to ensure that living standards improve."[353]

Company Strategies

Gold Fields' corporate strategy was intentionally devised to start on a different footing. Of course, recognizing this is not meant to erase any mistakes it has made throughout its history in the area. But besides its heavy CSR investment policies, there is a qualitative difference here that is worth noting: company discourses are centered on principles of openness and mutuality. Participant observation in Hualgayoc confirm this sentiment; Gold Fields' provincial managers know people in the town by name, approach them to ask about their families, sit down to eat next to them, and treat people

[353] "From Conflict to Cooperation," *The Economist*, February 6, 2016.

with a great deal of dignity and respect. This may seem minor, but Andean communities are known for having retained traditional norms and values that place a lot of importance on everyday rules of engagement, courtesy, and deference. Gold Fields has picked up on and intelligently adopted these norms, as is noticeable not only in the relationships of company and community members, but also in Gold Fields rhetorical and discursive practices outside of the community. While other companies are quick to use their access to media to disparage and delegitimize opponents, Gold Fields has an open policy of recognizing opponents' claims as valid. In their media relations, Gold Fields' strategy seems to be to highlight the added, "shared value" that they bring to the town, instead of disparaging or criminalizing any detractors.

A crucial and remarkable aspect of this openness is that, while Gold Fields has a private security contract with national police forces since at least 2010,[354] whenever there are conflicts, these officers are usually briefed on the importance of not using physical force against protesters.[355] This has had significant results that make the case distinct from the others in this study. There have been at least three strikes, each accompanied by road blockades, and several demonstrations aimed at the company since 2006, but no property damage has been registered, although some injuries have indeed been reported. During the 2009 two-day strike, a company representative was detained by authorities from the local Rondas Campesinas, but these groups are legally empowered to detain suspects temporarily, so whether this is framed as a kidnapping or not is subject to

[354] I obtained a copy of this document, which is appended to this dissertation (see the annexes section).

[355] Anonymous Gold Fields official, personal interview, July 7, 2016.

debate. The matter of fact is that the strike led to serious concessions from the company, which understood the importance of acceding in order to resolve the blockade.

Dialogue, Discourse, and Material Conditions

Although perhaps unrelated, Gold Fields *did* face a more violent conflict, in which multiple people died, but only indirectly—by partnering with Buenaventura in a joint venture as Minera Consolidada. Operated by Buenaventura as the senior partner, Consolidada sought to explore mineral deposits near Hualgayoc, in the more elevated and isolated Linda Vista communities. About half of the people there were opposed to the mine's proposal since 2006. Their resistance grew, and by August 2009 they staged demonstrations and road blockades. However, many people living closer to the site of the mine had already sold their lands, found the offer of jobs alluring, and supported the mine, so during a strike in September, they arrived to confront the mine's detractors. A large contingent of police was dispatched to the area. I cannot confirm the sequence of these events, but the confrontations were lethal. Many were wounded, and a female child from the area and of a young adult protester were shot and killed.[356]

Again, these events bear mentioning because they did involve Gold Fields, even if it was not the operating partner in the joint venture; but they are also analytically interesting because not even the fiercest of Gold Fields' opponents in Hualgayoc hold this matter against the company. As far as most people said to me, including its two

[356] "Gold Fields Halts Peru Exploration Project on Protest," *Bloomberg*, September 18, 2009.

most outspoken opponents, this particular firm's relationship with their town had been largely respectful and good-natured.[357]

At the same time, mining opponents in Hualgayoc have serious claims. One crucial point of conflict has been the damage that controlled explosions at the mine are causing on nearby houses.[358] The closest houses are only about one kilometer away from the epicenter of explosions within Cerro Corona. Their inhabitants have documented their fractured walls and complained to local authorities. However, the mayor at the time of my stay there seemed to have a favorable outlook on mining in the district, and no urgency to address these complaints.[359]

More broadly, Cerro Corona and the other mines in the area have left more than 1,000 open environmental hazards, which dangerously jeopardize the town's water and more.[360] This is not the work of Gold Fields alone, but it begs the question: who is responsible for cleaning it? And while Hualgayoc has been patient, most of its populace seems to be painfully aware of its immediate and long-term effects and are sick of waiting for answers. Districts activists have organized widely popular strikes in 2013, 2015, and 2016 specifically around these concerns—and around other ones in 2007 and 2009—but the state has dragged its feet in responding. The "slow violence" of poor peoples' blood poisoning through pollution in the local waterways does not attract the

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[357] Anonymous movement leader, personal interview, July 17, 2016.

[358] GRUFIDES, "Conflicto Minero Gold Fields," last modified 2015, http://www.grufides.org/sites/default/files//Documentos/fichas_casos/CONFLICTO%20MINERO%20GOLD%20FIELDS.pdf.

[359] Several Hualgayoc residents, personal interviews, July 2016.

[360] Roland Ordoñez, "Comuneros de Cajamarca Protestan por Más de 950 Pasivos Ambientales," *La Mula*, May 19, 2016.

same level of attention as the burning of company machinery did in other cases, but nonetheless the people of Hualgayoc have remained steadfastly nonviolent in their claims.[361]

A finer criticism I also heard about Gold Fields was that, while its large corporate social responsibility budget could help it evade conflicts, its investments into community programs do not reduce the mine's environmental impact and water consumption. As one environmental movement leader told me, the company's dialogue spaces and investment programs were meant to depoliticize conflict and keep people complacent.[362] This may be significant as Gold Fields' strong corporate social responsibility programs may actually prevent local groups from mobilizing, making claims, and finding the institutional mechanisms to seek resolution. Without these dynamics that channel conflict through accessible, nonviolent, deliberative, participatory, and democratic avenues, resentment is dangerously forced to boil under the surface.

Conclusions: Repackaging Mining and Avoiding Conflict

At the end of the "Mining Program of Solidarity with the People" policy—an executive order that exempted companies from taxes on extra earnings made from the boom on mineral prices during the second García presidency (2006-2011)—the debate about how to tax and distribute rents from mining reignited in Peru. Chiming in, Gold

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[361] Here I borrow Rob Nixon's term. Nixon uses "slow violence" in other contexts to describe "incremental and accretive" forms of structural violence related to socio-environmental damages. Rob Nixon, *Slow Violence and the Environmentalism of the Poor* (Cambridge: Harvard University Press, 2011), 2.

[362] Anonymous environmental activist, personal interview, July 15, 2016.

Fields La Cima's general director Juan Luis Kruger suggested to Mining Press that if the rising prices of metals in the world market was to be taken into account in the state's decision to tax these extraordinary profits, then the state should also account for the rising cost of gold production, which he claimed had risen from $300 per ounce of gold in 2007 to "more than $1,200" by 2012. Kruger shared also his faith on companies doing the investment work that the state was slower to accomplish.[363] However, the central claims made by protesters in the company's impact area exactly contest this poor distribution of benefits.

Companies are legally responsible for one primary goal, which is the maximization of its investors' bottom-line economic interests. Therefore, however altruistic their desire to bring local development may be, this economic responsibility to their investors dampens any argument that companies can or should dedicate themselves to the work of service provisions that—at least in the traditional conception of the social contract in representative, liberal democracies like Peru—is the purview and responsibility of the state. Justified by efficiency and 'cutting out the middle-person' arguments, the privatization of service provision is antidemocratic. This point is further strengthened by the company's reticence to take responsibility for, or actions to, clean up the thousand environmental hazards in the area or to economically compensate the victims of blood poisoning, both of which would be hugely expensive. In sum, the image of corporate social responsibility might be touted as doing virtuous work with the state to fund and improve local development; this may be beneficial for companies' public

[363] Mónica Belling, "Juan Luis Kruger (Gold Fields La Cima): Conflictos Sociales No Deben Afectar Competitividad," *Mining Press*, January 31, 2012.

relations and economic bottom lines, but firms get this without facing any risk or responsibility for the regular duties of the state.

And far more interestingly, at least for the purposes of this study, Gold Field's conscientious attempts to form amicable relations interpersonally in their everyday interactions with locals—described, in the words of one company officer, as "on sincere grounds from the very first impression"—have been effective at rebuilding trust between the company and a community affected by centuries of mining exploitation.[364] Another Gold Fields officer went further and framed these relationships as "reciprocal," and "horizontal."[365] The 'openness' discourse and everyday relationships that are at the heart of Gold Fields' explicit community relations strategy signal that the aggressive policies and discourses in the mainstream of the country are not immutable or inexorable. For example, Gold Fields officers repeatedly mentioned that they "welcomed" conflict as an opportunity. Indeed, companies' agency—including their strategies of engagement as well as their discourses—may be a crucial variable that makes the difference between violent conflict and nonviolent civil resistance, and the difference between this case and the others. However, it is noteworthy that these efforts merely occlude an environmental tragedy that is ongoing and is largely unaddressed. Through heavy investment in local contracts and development projects, and by fabricating the illusion of friendliness, equality, and reciprocity or horizontality in everyday relationships, the company renders locals' complaints delegitimized, denied, framed as unnecessarily adversarial, and harder

[364] Anonymous Gold Fields field manager, personal interview, July 13, 2016.

[365] Anonymous Gold Fields regional manager, personal interview, July 7, 2016.

to mobilize around as demands for better conditions. These practices are subtle and unattended forms of manipulation, power, and control, which reify but occlude the unbalanced relationships between impoverished locals and a profit-driven transnational corporation.

Finally, Gold Fields' actions in Peru cannot be entirely abstracted from the company's actions in other places. For example, although well known for its social responsibility in Cajamarca and throughout Peru's mining industry, the firm responded to a workers' 'wildcat' strike (conducted by rank-and-file union workers, against union leadership seen as collaborating with the company) at its South African gold mines KDC East and KDC West by firing 10,000 of the mines' employees, after the strikers refused a company ultimatum to return to work. The Associated Free Press noticed how Gold Fields' competitors (some of the top producers in the mining industry, AngloGold Ashanti and Harmony) learned from and adapted this ultimatum strategy to address similar strikes at their own mines. Moreover, Gold Fields was also entangled in a similar struggle near its Abosso mine in Ghana in 2018, when it fired 340 striking workers.[366]

Studying this case is useful, whether reading it from the perspective of a mining company looking to resolve strikes, or to improve corporate community-relations strategies, or from the viewpoint of an activist interested in what makes resistance effective. For conflict mediators, drawing various lessons from the Gold Fields case is productive especially in the quality of its conflict response (with a tame form of police

[366] "Gold Fields Fires 8,500 Strikers at South Africa Mine," *Reuters*, October 23, 2012. "Sindicato de Trabajadores de Abosso Gold Fields Rechaza Despido de 340 Mineros en Ghana," *IndustriAll*, April 3, 2018.

repression), deliberation and negotiation spaces (and large investment budgets), and its actual practices of following up on different kinds of commitments. This is particularly interesting in contrast to, for example, Barrick-styles of transactional negotiation, which seem to have locked Barrick into a pattern of recurrent conflict, a routinized means of forcing the company and the state onto a negotiation table.

What else explains these differences? This case study helps to highlight that a part of the answer to this question is in both the way its managers publicly frame their community conflicts, and in their everyday relationships with community members. Gold Fields engages in a different discourse. Not wholly unproblematic (especially insofar as they help to conceal various forms of mining-related environmental and structural violence while legitimizing the mine's operations), the company's strategies and discourses are a lot more open, less repressive, and seldom criminalizing than those adopted by other companies I studied. It is perhaps this difference that has shaped the nonviolent character of their local conflicts. Especially in contrast to the process of conflict in the other cases, Gold Fields' behavior appears to reinforce the idea that discursive contestation is crucial to understand the reasons why some protests against mining are more violent than others.

Chapter VIII

Discussion: Extractive Affects, Violence, and the Role of Outsiders

It is not the tyrannized who initiate despotism. –Paulo Freire[367]

I opened this dissertation by noting the high risks faced by land and environmental defenders today, especially in Latin America. Of course, there are good reasons to question assertions such as 'Latin America is the deadliest place in the world for environmental activists.' For starters, the data is underreported and incomplete. There are also competing definitions of who counts as an 'environmental and land activist'; for example, were not most of the people who fought against the invading U.S. army in Vietnam defending their land? Databases and coders also differ in their definitions of violence; e.g., most consider only deaths. And it could be that this 'rising trend' is only a function of the growing popularity of these issues, so what looks like a trend is merely a reflection of the increasing reporting about it, and the unavailability of data from earlier periods. Moreover, it is possible that violence against environmental activists in some places is merely a function of overall growth in the general homicide rate in those areas, and therefore not an ecological-only problem.[368]

Despite these detail-level disputes, there is widespread agreement that this trend of violence against environmental defenders is undeniable and critical—however one defines and measures such concepts. Names such as that of Chico Méndes (in Brazil),

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[367] Paulo Freire, *Pedagogy of the Oppressed* (New York: Continuum, 1970), 55.

[368] I would like to thank Kim Reimann and Philippe Le Billon for their influence on these reflections.

Ken Saro Wiwa (in Nigeria), and Berta Cáceres (in Honduras) are recognizable among cases used to represent this issue. However, there is also a risk in personalizing the problem around a handful of known martyrs, who are among millions of others who have suffered similar fates; for example, at least two other activists from Berta Cáceres' organization have been also killed: Lesbia Yaneth Urquía and Nelson García. Furthermore, while these kinds of killings—and the inspiring lives of those few we know about—have been the impetus of this work since I began thinking about it in 2011, conducting this study has forced me to realize how an overemphasis on murders can both highlight and obscure the many other forms of violence, harassment, intimidation, and coercion that 'environmental activists' face more broadly and much more routinely. This dissertation seeks to expand understandings of ecological security and violence over environmental politics—namely, over natural resources. Beyond attention-grabbing events such as confrontations with police, arsons, property damage, and assassinations of leaders, this study centers on, and is motivated by, countless stories of hope, suffering, uncertainty, and everyday survival that I heard and witnessed during my research.

This final chapter returns to my theoretical arguments in light of the evidence presented in the previous four case studies and their comparison. In these closing (but not necessarily conclusive) reflections, the chapter summarizes this study's insights in direct response to the following questions: What causes conflicts to escalate into violence? What does violence do, and how does it shape the outcomes of conflicts? Finally, how can it be prevented or channeled? Then, the chapter also 'zooms out' to consider the implications, contributions, and limitations of this research in the broader task of understanding and preventing violent conflicts over natural resource extraction.

What Causes Conflicts to Escalate into Violence? Company Strategies and Resistance

First, this research contributes to a rich literature on natural resource politics by demonstrating the little-studied importance of corporate strategies in explaining protesters' use of violence. It is not that companies operate in environments or among cultures 'pre-disposed' to certain repertoires of collective action that immediately include violence. Rather, the agency of company actors in their approaches and responses to community actors—at the corporate and everyday levels—is key to understanding why some conflicts over mining in Peru become more violent than others.

My within-case process-tracing and the cross-case comparison shows that companies that are more repressive, and whose local agents treat their host communities with arrogance, encourage anger and provoke escalation from opponents. Likewise, the opposite is true: it is much harder for social movements to justify any use of violent tactics against companies that pacify locals with heavy investment and which train their employees to address locals with respect. This counters the dominant narratives I heard, especially from people sympathetic to mining, that the presence or absence of outside 'agitators' like NGOs feed the escalation of social movement tactics. Movements adopted violent tactics, such as property damage, whether or not they counted on outside supporters. In actuality, as I have argued, they may be doing so precisely because they seek outside attention and the opportunities this may bring.

In each case that experienced violence from social movements, this was directly triggered by coercive, repressive, and arrogant behavior from company actors. Indeed,

the company that refused repression and was most open, Gold Fields, has fared most successfully, whereas the company that used little pacification (petty philanthropy at most) and mostly arrogance and repression, Manhattan Minerals, fared by far the worst, in terms of both encouraging violence from social movements and in case outcomes.

Additionally, the responses and agency of local groups help to explain, in combination with company strategies of engagement, the ultimate outcome of each project case. Company strategies have a strong influence on social movements' choice of tactics, but not a determinative one. Internal characteristics of the groups contesting mining projects can make the difference in the result of each case. These factors include groups' modes of organization, the factors that structure their preferences (e.g., whether they support, reluctantly accept, or refuse mining operations), their gender and racial power dynamics, their composition and decision-making processes, and their learning over time—from their own histories, through various campaigns or waves of conflict, and from other cases.

Two cases illustrate this well. In Tambogrande, where the movement used its outside supporters and overall favorable media attention to scale up its resistance, and where it decidedly and persuasively shifted to a creative and nonviolent strategy, the mine's opponents won an uphill battle against state-backed transnational capital. In the case of Cerro Corona, where the multinational company used a strong 'corporate social responsibility' effort to dissuade and incorporate its opponents, and where media coverage of the social movement has been minimal, the protest organizers had little means to scale up, encourage resistance, and gain leverage. Therefore, despite serious claims widely shared by locals, the movement in Hualgayoc has largely demobilized.

Likewise, one of the most interesting findings of this study is that the companies that used strong CSR investment alongside repressive strategies to stifle opponents—or in other words, a mix of coercion and persuasion—generated a pattern of recurrent conflict in their vicinities. I have referred to this as a 'routinization' of conflict, where a cycle of intensification and pacification becomes, informally, a part of the relationship and modes of engagement between the mining company and local groups seeking some redistribution of mining's benefits. In the two cases that showcased this, La Zanja and Lagunas Norte, conflict has intensified roughly every two years in a similar cycle: tensions escalate, confrontation and repression ensue, followed by dialogue and negotiation, company promises, and unmet local expectations; then, as may be expected, tensions rise again. This insight offers important lessons to both mining companies and the state, as well as for conflict mediators and reconciliation advocates, for it challenges the assumption that repression is a useful or effective method to address conflict.

These findings also contribute to the literature on repression, especially arguments that it can 'backfire,' because they show how repression interacts with its opposite strategy, concessions, something generally under-theorized in extant studies of repression and of backfire.[369] This study shows that repression feeds resentment and distrust; when combined with concessions and pacification as 'rewards,' it not only backfires (which is taken to mean that it encourages further resistance) but also

[369] For seminal works on backfire effects, see, e.g., Brian Martin, "From Political Jiu-Jitsu to the Backfire Dynamic: How Repression Can Promote Mobilization," in *Civil Resistance: Comparative Perspectives on Nonviolent Struggle*, ed. Kurt Schock (Minneapolis: University of Minnesota Press, 2015).

institutionalizes conflict into the routine life and fabric of community and company relations, rendering attempts at durable resolution extremely difficult.

What Does Violence Do? Media, Attention, and the Roles of Outsiders

The second major theme found in this thesis is what I have termed 'the politics of attention,' which I have argued is a crucial factor to understand why conflicts escalate to violence. Social responses to conflict have an overwhelmingly immediate, event-driven, and sensationalist bias. Two effects follow from this: first violence excels at grabbing public attention, and second, there is generally a lack of attention to structural sources of conflict, procedural issues, and everyday aggressions and relationships, which therefore remain unresolved. These two effects can be related to Henri Lefebvre's idea of the "double construction" of social space, wherein this construction—always manipulated and contested through power relations—creates a reality based on actor's struggles and unconscious actions that highlight what is desirable, convenient, and expedient, while simultaneously ignoring or occluding what is not.[370]

This discursive construction of mining 'spaces' in Peru was illustrated in my interviews as well as through the dynamics I observed in the field. For example, the mining industry is heavily involved in public relations and discourse-shaping, promoting the idea that mega mining is 'new'—to distance itself from the reputation of the 'old' mines—as well as technologically advanced, socially responsible, environmentally safe, and so on. This helps to give cover and legitimacy to their activities' negative impacts,

[370] Lefebvre, *The Production of Space.*

environmental, social, economic, and political. Politicians of various stripes and at all levels, municipal to national, also become invested in these narratives, because they can rely on mining to boast about rising revenues, public budgets, and GDP rates, and they can mobilize incoming investment into their pet projects, which may help them and their parties or factions win reelections. When the hegemonic discourses in favor of mining are so powerful, companies gain cover and legitimacy, and their opponents are more easily discredited as corrupt, ignorant, or manipulated. And beyond their discursive aspects, company strategies more generally are aimed at avoiding and concealing conflict in the short term. Generally, this is successful—that is, until an outbreak or spectacle can disrupt that semblance of peace. (Thus, these understudied aspects and dynamics highlight the importance of corporate strategies of conflict management.)

Most people involved in and affected by Peru's mining conflicts disapprove of violence. However, my field research and the materials I collected demonstrated clearly that actors on all sides of conflict 'use' violence in one way or another. Especially as a discourse, violence, is 'used' strategically to generate symbolic and material benefits. Violence is, in other words, an instrument to leverage opportunities at least rhetorically, thanks to the moment of attention generated by violent events. Violence may serve to break the seeming stability and upset the status quo. It is undertaken when people perceive that institutional mechanisms will be ineffective in addressing their grievances, and when the stakes are high enough for them to willingly risk the likely repression that will follow. They thus engage in acts such as property destruction, because they have more to gain from upsetting the status quo than companies, whereas the latter, again, bank on avoiding and silencing conflict. Furthermore, this status quo is not 'nonviolent'

until spectacles of violence break out—rather, the violence contained in the everyday, as I have detailed in this study and I will summarize below, is selectively and unconsciously unnoticed by media, the state, civil society actors, academics, and would-be spectators.

Where local movements use violence to draw attention, outside actors, including the state and media, tend to reinforce this dynamic. Because they are usually reluctant and detached, but they quickly respond to explosive moments of confrontation, such outsiders—media, the state, and conflict mediators—and even company actors end up adding credence to the idea that violence is necessary to bring attention, to reframe the narrative and show that not all is well, and to extract some sort of compensation or benefits from this reframing. In the end, the results are mixed: despite various forms of retaliation—state and private violence, intimidation, repression, and criminalization—that ensue after protesters use these escalatory tactics, they sometimes get tangible results from rupturing the status quo through these dangerous forms of contestation.

How Can Violence Be Prevented? Discourse, Affect, and the Everyday

The third thematic focus of this study borrows from the concept of "everyday" politics, developed at length predominantly by women of color, women, and feminist and postcolonial authors, over the past four decades especially (and even earlier).[371]

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[371] See e.g., Patricia Hill Collins, "The Tie that Binds: Race, Gender, and US Violence," *Ethnic and Racial Studies* 21, no. 5 (1998): 917-938; Yasmin Jiwani, *Discourses of Denial: Mediation, Race, Gender, and Violence* (Vancouver: University of British Columbia Press, 2006); Samantha Sabo et al., "Everyday Violence, Structural Racism, and Mistreatment at the US-Mexico Border," *Social Science and Medicine* 109 (May 2014): 66-74; and Ximena S. Warnaars, "Territorial Transformations in El Pangui, Ecuador: Understanding How Mining Conflict Affects Territorial Dynamics, Social Mobilization, and Daily Life," in Bebbington and Bury, *Subterranean Struggles* (2013): 149-172. As a Lima-based human rights advocate, Warnaars was also interviewed for this dissertation.

Understanding the 'politics of attention' described above carries conceptual and methodological implications in the study of violence. These findings call to question the overreliance on events as opposed to processes that are more routine, quotidian, everyday. They challenge those interested in conflict and its resolution to expand and criticize taken-for-granted definitions of conflict and violence.

Event-driven logics are analytical obstacles that lead to problematic conclusions. Interrogating the event-bias of the literature, of state and media reactions, and of mediators, can help direct efforts towards ordinary complaints and tensions. If focusing only on explosive events is part of the problem that leads to violent outbreaks—limiting analyses of conflict, leading to erroneous conclusions, and weakening responses to it—then questioning how violence operates 'beneath the surface' will increase the potential to understand and prevent it. Quotidian interactions, everyday relations, and routine processes matter. Understanding the processes of everyday violence can help to deliver better results in channeling conflict before it breaks out into open, physical violence. Doing this well requires immersive and reflexive methods of analysis. Methodologically speaking, this means privileging subtle processes traditionally unattended by aggregate data, distant coding, and superficial analyses. It means doing in-depth, qualitative, critical, and engaged research, wherein the use of violence as a discourse and its representations, including by researchers and their interlocutors, are suspect, and not taken for granted. Finally, it requires reading official sources between the lines, or "against the grain."[372]

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[372] Ranajit Guha, *Elementary Aspects of Peasant Insurgency in Colonial India* (Delhi: Oxford University Press, 1983); Krupa Shandilya, "Writing/Reading the Subaltern Woman: Narrative Voice and Subaltern Agency in Upamanyu Chatterjee's English, August," *Postcolonial Text* 9, no. 3 (2014).

Violence should be conceived of as a quotidian process, a phenomenon that precedes and outlives explosive confrontations. What violence is, what it means to people, how it is contested, and how it can be prevented, is contingent and contextual. Violence is both a structural occurrence (constructed over time, historically, through institutions as well as unconscious actions) and a phenomenon lived in micro-politics and people's material conditions. And just as it is material, it is also symbolic and discursive, part of the contested creation of 'what is' through narratives, stories, and representations. Finally, it may manifest for various rational as well as affective reasons: it is provoked by anger, deep-seated resentment and distrust, feelings of inequity and injustice, arrogance, hatred, and love (e.g., for one's land or way of living); and likewise, it is also adopted for reasons of expediency, self-interest, and political machination.

Everyday life in Peru's post-colonial and post-conflict context is marked by lingering and unresolved issues of historical exclusion and systematic discrimination, especially racism, sexism, classism, homophobia, ableism, ageism, and more.[373] Understanding these aspects of life and politics, understated in traditional analyses of Peru's mining conflicts, is crucial in addressing the escalation of violence. Discursive 'otherization'—the creation of exclusive social categories through narratives—serves to create the impression that violence is legitimate: for example, state and corporate violence against protesters is argued as necessary because the victims are framed and

[373] E.g., in 2018, the congressperson Carlos Tubino Tweeted about indigenous Shipibo and Conibo leaders, concerned with one of their leader's killing, as Ayahuasca-driven "savages." See Dan Collins, "Peru's Brutal Murders Renew Focus on Tourist Boom for Hallucinogenic Brew," *The Guardian*, April 29, 2018. Another intersectional illustration of this is the classist, racist, and sexist 'Paisana Jacinta' TV character, which human rights organizations have denounced before the United Nations and Organization of American States' offices in charge of monitoring racism.

treated as evil, dangerous, enemies of the national development project, worthless, criminal, irredeemable, and either ungrievable or, worse, worth eliminating. Hegemonic notions of development are not separate from these forms of exclusion and violence.

Legitimizing and delegitimizing discourses are also mediated by contested perspectives about what 'is real,' which in turn are clouded by doubt, distrust, rumor, and conspiracy. For example, mining supporters often repeated their belief that outside agitators, European environmentalist organizations, and Chilean mining companies were profiting from conflict and actively working to stop mining projects in Peru. Similarly, some distrustful locals and activists made conspiratorial claims—some more believable than others (especially since private security operations against activists have indeed been documented[374])—about how secret police, the U.S. Central Intelligence Agency, and companies' private security actors were orchestrating operations to infiltrate, intimidate, and murder dissidents. It is precisely out of these internalized animosities, these rumors and distrust, that extra-institutional and violent forms conflict grow.

Contested 'scientific' knowledge was similarly crucial in each case: health indicators and reports of pollution clearly contributed to activist fervor around La Zanja, Lagunas Norte, and Cerro Corona. In Tambogrande, a technical study of the impacts of

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374 Coordinadora Nacional de Derechos Humanos, "Caso Majaz: Indemnizan a 33 Campesinos que Fueron Torturados en Campamento Minero," July 20, 2011, http://derechoshumanos.pe/2011/07/caso-majaz-indemnizan-a-33-campesinos-que-fueron-torturados-en-campamento-minero; Charis Kamphuis, "Foreign Investment and the Privatization of Coercion: A Case Study of the Forza Security Company in Peru," *Brooklyn Journal of International Law* 37, no. 2 (January 2011): 529-578; McGee, "The Community Referendum"; "Crónica de un Reglaje al 'Diablo'," *La República*, December 4, 2006; "Nuevas Pruebas Acusan a Forza," *La República*, February 3, 2007; "Fiscal Archiva Caso de Espionaje al Padre Arana Sin Haber Citado a Nadie de 'Forza'," *La República*, February 2, 2007.

mining, conducted by a mining expert and hydrologist from a Canadian university, became an organizing instrument for the people opposed to the mining project. On the other hand, mining companies produced and disseminated pseudo-science to discredit opponents; for example, Barrick created water-monitoring reports arguing that contamination was below levels of accepted risk, although their dubious methodologies were challenged by biologists at the regional capital's universities. In short, all of these contested discourses factor into how state, corporate, and civil society actors conceive of and promote ideas such as development, citizenship, and justice. As long as they emerge from and reinforce exclusionary biases, distrust, and structural and historical animosities reproduced in everyday life, the likelihood of violent escalation will hardly be reduced.

This is especially troubling and significant in terms of building durable solutions and mechanisms to resolve conflict, given that preventing violence, and channeling conflict nonviolently, requires the direct engagement of institutions that are credible, impartial, and effective. Institutions are built on trust; institutional strength is dependent not only on their much emphasized availability of resources, but also on the public's faith in them. Therefore, distrust makes democratic institutional building very difficult. Relationships built from fear, misinformation, duplicity, bait-and-switch, and everyday antagonism are fundamental obstacles to preventing violent conflict and building peace. Without trustworthy and active mechanisms to redirect disputes, build mutual recognition, and ensure participatory negotiation, the resort to violence will endure.

Likewise, dialogue is inherent in peaceful conflict transformation and social reconciliation, but this language has been subverted to conceal the claims at the root of conflict, papering-over them. Dialogue spaces meant merely to pacify conflict in the

short term, and to exhaust the claimants in the process, tend to exacerbate the perception that violent direct action is the only way to resolve unequal power relations.

Conflict has the potential to unleash conversations and practices to resolve tensions, and to arrive at alternative models of organizing societies and conceiving of their progress. The ability to hone these opportunities greatly depends on how states and companies respond to conflicts. They may seek to quell these conflicts through institutional half-measures, attempts buy-off the population, or the use of repression to force compliance; but in order to truly appreciate and take advantage of the potential of resource-based or other socio-environmental conflicts, it is necessary to hear the voices of those engaged in them, instead of assuming their self-interested motives. As long as actors see conflicts as events in need of short-term extinguishing, not reflections and symptoms of structural causes and ways of thinking, they will continue to deny themselves the transformative opportunities that emerge from the outbreak of conflict.

Concrete institutional design proposals that may be drawn from this study include a serious consideration of a few possibilities. One is strengthening plebiscite or popular consultation processes, although these are vulnerable to corruption and cooptation. Another valuable option, already underway in many Peruvian regions, is land-use planning, known in Peru as the interrelated instruments of 'territorial ordering' and 'ecological and economic *zonification*.' These participatory processes to demarcate areas that could and should—if locals demand this overwhelmingly—be reserved from mining activities, at least open-pit mining. In Cajamarca, I noticed how they too, were feared and subverted by mining lobbies. Another possible reform involves restrictions on the use of cyanide, mercury, and similar poisonous substances in the gold refinement

process. Finally, countries like Peru can go beyond seriously revising open-pit mining laws, greatly increasing taxes on it and revamping participatory methods of benefit redistribution, and even consider the possibility of banning it altogether, as lawmakers in El Salvador and Costa Rica did in 2017 and 2010 respectively.

Contributions, Limitations, and Future Research Agenda

How does this matter? How are people outside of Peru implicated in the broader economy of resource extraction and the many lives of gold? What are the roles of local-to-international actors in these conflicts? This study analyzed two different outcomes: first, why conflicts escalate to violence, and second, what leads each case to its current status or results. The answers found here for both of these questions can be useful to residents in Peru's mining communities, activists organizing against oppression in other contexts, and especially people resisting extractive projects; to civil society beyond those localities, especially as consumers and participants of globalized economies and societies; to people working within the state in its various levels and agencies; and to extractive industry actors. For these people and beyond, there is much to be gained from studying these patterns. This study expands and complicates our understanding of the forms of violence that environmentalists face, it illustrates how people are responding to these, and it interrogates the practices that lend greater attention to some forms of violence over others. In tracing causal mechanisms leading to violent escalation and to resolution, this research also assists policymakers in the design of effective institutions that can channel conflict, gives international actors the understandings to best direct resources towards preventing violence, equips companies with tools to protect their investment by

understanding how to build durable and mutual community relations, and helps civil society in promoting forms of development commensurate with local needs and desires.

In addition to dispelling some of the myths surrounding discourses of mining in Peru—including criminalizing notions that portray protesters as 'inclined to use violence' whereas in fact their self restraint, pacific actions, and patience against the violence levied upon them is far more prevalent[375]—this theory-building study has generated a number of useful and interesting hypotheses. For one, international solidarity might have an effect on cases' outcomes and movements' victory, but not necessarily on their capacity, willingness, or likelihood that protesters use violent tactics. This counters the speculations of many interviewees and the expectations in previous literature. In the Tambo Grande case, international solidarity was present since before the escalation to the violent confrontation, and rather than abandoning the local movement, it held on steadfastly even after this outbreak. In fact, external solidarity increased after repression triggered an undisciplined response from the protesters, and after the killing of a leader. Second, media attention might help movements scale up and succeed, but it does not determine their choices to engage in or eschew low-level violent tactics like property damage. For instance, cases where media was totally criminalizing also exhibited movement attempts to transform tactics away from violence. Third, the strongest and most direct explanation for the adoption of violent tactics are the corporate strategies of community relations—of approach, reaction, repression, and cooptation.

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375 Another such myth this dissertation casts doubt upon is the idea a district's history with mining can be a factor that explains the outcomes of conflicts. With the exception of the Tambo Grande project proposal, the three other cases in this study had a history of mining, yet they experienced different outcomes.

These insights are useful and applicable in other cases, especially in Peru, where there is no shortage of new conflicts—many of them involving the same companies and regions that I investigated here—to analyze and address. I especially believe that the lessons drawn from this study can be applied to understanding and confronting other cases of conflict over gold mining in Peru, such as Cañaris, Shahuindo, and Michiquillay. Companies should learn to refrain from repression, train employees in human rights issues, and redistribute wealth. With due caution not to overstate this, these questions of resistance tactics, the escalation into violence, conflict resolution, and the task of building sustainable development may also apply beyond Peru, and beyond extractive conflicts. The generation of these hypotheses necessitated qualitative analysis, but the emergent theory presented in this dissertation can and should be developed into testable models using more cases and quantitative methods to measure their broader application. My own future work will also expand this research building on my strengths, which center on qualitative work, and on my networks I built during the course of this study.

Through my reading, travels, observations, and conversations, many themes and separate cases arose as potential avenues to branch out from this dissertation in future analyses. In this study I have focused on very specific research questions: why mining conflicts escalate to violence, and what explains their ultimate outcomes. In answer to these questions, I have found ultimately the importance of dynamics that accompany company strategies and conflict routinization, the politics of attention, and the various forms of unattended violence that surround extractive conflicts. Building onto this, my future research agenda will continue to examine forms of violence in Peru's extractive sectors, mining and otherwise, and beyond Peru, to address issues such as (1) the

differences in how conflicts may arise and develop around other cases and in different extractive sectors, such as mining versus hydroelectric dams; (2) how different legal rights, opportunities, and obstacles appear when extractive conflicts involve communities self-identified as indigenous, whether recognized as such by the state or not; (3) the roles of policing, repression, and private security firms in extractive conflicts, and their effects on human rights and development; (4) intersectional interrogations of violence, including a deeper look at how racist and patriarchal discourses, gendered roles, and other forms of marginalized identities interact with extractive conflicts; (5) expressions of everyday violence, and resistance to it, in other contexts; (6) theorizing the different types of corporate social responsibility programs, and their effects; (7) fieldwork methodologies and methods, researchers' positionality, and what it means to conduct activist research; (8) comparative extractive politics across different Latin American countries; and (9) a deeper analysis of the institutional mechanisms that enable and obstruct different forms of dialogue, negotiation, and conflict resolution.

Overall, this dissertation positions me well to embark on a research agenda on political ecology, violence, resistance, and social justice in Latin America. I am especially keen to bring this research 'home' (to Mexico), and to compare cases of environmental violence from Peru with cases in Mexico and in other places.

People refer to environmental activism nowadays as a 'suicide mission,' particularly in countries that emerge from colonialism with export-dependent economies and weak institutions. These tend to be areas where powerful actors can silence their opponents with impunity. However, violence over natural resources is not limited to these places, to be sure. Furthermore, these localized dynamics are increasingly tied to

globalized commodity chains, and therefore conflicts over natural resources challenge traditional formulations of distance and space. They engage and link people in various places, from the places of extraction to those of retail, consumption, and waste. For example, there is gold in almost every electronic device, and millions of these end up in the world's waste piles every year. Therefore, the idea that extractive sites are 'remote,' or somehow removed from this dissertation and its readers, should be suspect.

Ultimately, this is a global and pressing matter—not because of political or even economic reasons, but because unsustainable resource governance threatens the entire biosphere. Resource conflicts involve everyone and impact everything, no matter how distant those places of extraction and those conflicts may seem to be. Through participatory research, my work documents, describes, and theorizes takeaways from those struggles. Studying resource conflicts in depth can help to unlock wider debates, relevant across the globe, about democratization, the role of the market, the viability of dominant models of social and economic organization, and the future of the planet.

At the same time, the full complexity of these conflicts cannot be reduced to a 'good and evil' story, which would contribute only superficially. Learning the intricacies of these conflicts, in their particular contexts, is much more useful, as it produces actionable knowledge. This is what my work aims to do. It contextualizes the localized dynamics of structural forces, and it highlights the agency of people traditionally undermined by the academic mainstream. Their theorizing and their actions can teach invaluable lessons to people involved in similar struggles for sustainability, peace, and justice.

Figure XIII: Photograph of Protests Against Extractivism in Lima, October 2015

Appendices

Appendix 1: Gold Fields' Private Security Agreement with Peru's National Police

CONVENIO DE PRESTACIÓN DE SERVICIOS EXTRAORDINARIOS COMPLEMENTARIOS A LA FUNCIÓN POLICIAL ENTRE LA POLICÍA NACIONAL DEL PERÚ (XIV-DIRTEPOL-CAJAMARCA) Y GOLD FIELDS LA CIMA S.A.

Conste por el presente documento, el Convenio de Prestación de Servicios Extraordinarios Complementarios a la Función Policial que celebran, de una parte, **GOLD FIELDS LA CIMA S.A.**, identificada con RUC Nº 20507828915, con domicilio en la Av. El Derby N° 055, Torre 1, Piso 10, Of. 1001 y 1002, Urb. Lima Polo and Hunt Club, distrito de Santiago de Surco, provincia y departamento de Lima, debidamente representada por su Gerente General, señor Juan Luis Kruger Sayán, identificado con DNI N° 09337264, según facultades inscritas en la partida electrónica Nº 11606015 del Registro de Personas Jurídicas de la Zona Registral N° IX, Sede Lima, a quien en adelante se le denominará **GFLC,** y de la otra parte, la **POLICÍA NACIONAL DEL PERÚ –XIV-DIRTEPOL-Cajamarca** con domicilio en Plazuela Amalia Puga s/n Barrio San Sebastián, Cajamarca, debidamente representada por su Director Territorial Sr. Gral. PNP Jorge Santiago Iparraguirre Mestanza, identificado con CIP N° 152330 y DNI N° 43325131, a quien en adelante se le denominara **LA PNP**, en los términos y condiciones siguientes:

CLÁUSULA PRIMERA: ANTECEDENTES

1.1 **LA PNP,** de conformidad con el artículo 166° de la Constitución Política del Perú, garantiza el cumplimiento de las leyes y la seguridad del patrimonio público y privado; asimismo, brinda protección y ayuda a las personas y a la comunidad. Adicionalmente, de conformidad con el artículo 171° de la citada Carta Magna, participa en el desarrollo económico y social del país.

En ese sentido, el numeral 51.1 del artículo 51° de la Ley N° 27238, modificada por la Primera Disposición Complementaria Modificatoria de la Ley N° 28857, faculta al Director General de **LA PNP**, con cargo a informar al titular del Sector, a celebrar convenios con personas jurídicas para la prestación de servicios extraordinarios complementarios a la función policial. Asimismo, el artículo 4° del Reglamento de Prestación de Servicios Extraordinarios Complementarios a la Función Policial, aprobado mediante Decreto Supremo N° 004-2009-IN, ha establecido que los Directores Territoriales debidamente autorizados por delegación, Jefes Regionales y Comandos autorizados por éstos, con cargo a informar al escalón superior, podrán celebrar o aprobar dichos convenios, para la prestación de servicios extraordinarios complementarios a la función policial.

Mediante Resolución Directoral N° 1239-2009-DIRGEN/EMG de fecha 20 de octubre de 2009, el Director General de **LA PNP** delega a los Directores Territoriales de **LA PNP**, la facultad de celebrar o aprobar Convenios, únicamente para la Prestación de Servicios Extraordinarios Complementarios a la Función Policial, con entidades públicas y privadas, para coadyuvar al mejor cumplimiento de sus funciones y objetivos.

1.2 **GFLC** es una empresa dedicada al desarrollo de actividades mineras y actualmente viene ejecutando el proyecto denominado "Cerro Corona", en adelante El Proyecto,

ubicado a la altura del kilómetro 75 de la carretera Cajamarca - Hualgayoc, en la provincia de Hualgayoc, departamento de Cajamarca.

GFLC desea contar con el apoyo de **LA PNP** a efectos de que ésta le brinde una adecuada protección y seguridad, tanto a su personal como al de sus contratistas, así como a los bienes e instalaciones ubicados en El Proyecto y, en general, dentro de toda el área de influencia de éste.

CLÁUSULA SEGUNDA: OBJETO DEL CONVENIO

De conformidad con lo señalado en el Reglamento de Prestación de Servicios Extraordinarios Complementarios a la Función Policial, aprobado mediante Decreto Supremo N° 004-2009-IN, el objeto del presente Convenio consiste en la prestación por parte de **LA PNP** de Servicios Extraordinarios Complementarios Institucionales Permanentes a la Función Policial para garantizar el normal desarrollo de las actividades administrativas y productivas de **GFLC** en El Proyecto, con la finalidad de prevenir la comisión de delitos o actos de violación en cualquiera de sus modalidades perpetuados por personas al margen de la ley que puedan atentar contra el personal, bienes e instalaciones de la referida empresa, estableciéndose para ello medidas de prevención y patrullaje con el fin de detectar y neutralizar los riesgos que se pudiesen presentar. Para estos efectos se convocará la participación del personal policial que se encuentre de vacaciones o de franco pertenecientes a la XIV DIRTEPOL-Cajamarca que voluntariamente acepten prestar el servicio individualizado y cuando rebase la capacidad de dicho personal se empleará un contingente de personal policial que se encuentren de servicio.

Asimismo, mediante el presente Convenio se determinará el apoyo que **GFLC** brindará a **LA PNP**.

CLÁUSULA TERCERA: OBJETIVOS DEL CONVENIO

Los objetivos del presente Convenio son:

3.1 Establecer medidas de prevención y patrullaje por parte de la XIV DIRTEPOL - Cajamarca con la finalidad de detectar y neutralizar riesgos que atenten contra el personal, instalaciones, maquinaria y equipos de **GFLC** y de sus contratistas, garantizando el normal desarrollo de los trabajos y actividades que desarrolla en El Proyecto.

3.2 Fortalecer alianzas estratégicas entre **LA PNP** y **GFLC** mediante logros concretos en materia de seguridad, vigilancia y de protección de equipos e instalaciones de **GFLC** y de sus contratistas, así como de las vías públicas de acceso a El Proyecto.

3.3 Brindar y mejorar la alianza estratégica de investigación y desarrollo de análisis o de cualquier otro tipo que tuviera como objeto el bienestar y desarrollo de **LA PNP** y de la comunidad en general.

3.4 Afianzar y mejorar la alianza estratégica entre **LA PNP** y **GFLC**, entre otros, mediante la donación por parte de esta última a **LA PNP**, de los recursos logísticos que requiera para el mejor cumplimiento de sus funciones operativas relacionadas al presente Convenio, los cuales servirán para el mejor desempeño del Servicio Extraordinario Complementario a la Función Policial. Las donaciones que pudiera hacer **GFLC** dependerán de sus posibilidades y de su política corporativa.

CLÁUSULA CUARTA: COMPROMISOS DE LAS PARTES

LA PNP a través de la XIV DIRTEPOL – Cajamarca mediante el personal destacado y en concordancia con la cláusula segunda, tiene las siguientes responsabilidades:

1 Prevenir y mantener el orden público brindando una adecuada protección al personal, bienes y derechos de **GFLC,** así como a los de sus contratistas ubicados en El Proyecto, persiguiendo el debido cumplimiento de la Ley.

2 Atender diligentemente las denuncias por delitos y faltas, proteger a los trabajadores y propiedades en El Proyecto y en Cajamarca contra todo tipo de actos lesivos, tales como sabotaje, terrorismo, bloqueos, pandillaje, daños, atentados y cualquier otro hecho cuya prevención y/o control corresponda a la función policial.

Brindar seguridad y protección a los almacenes de nitrato, explosivos y fulminantes.

Realizar rondas y vigilancias permanentes, ya sea a pie, a caballo y/o en vehículo, por las inmediaciones de El Proyecto, a fin de prevenir la ocurrencia de actividades ilícitas y actos atentatorios contra el orden público. Para este efecto podrá coordinar actividades conjuntas con el personal de vigilancia de **GFLC,** sin que esto afecte los roles que como entes públicos y privados correspondan a cada cual. Para ello, **GFLC** proporcionará los recursos necesarios a **LA PNP**, de acuerdo al requerimiento de la misma, pudiendo ser unidades móviles 4x4, caballos, entre otros.

5 Patrullar constantemente la carretera Bambamarca - Hualgayoc – Cajamarca a fin de brindar seguridad tanto al personal de **GFLC** como al de sus contratistas que transitan por la misma, para lo cual las partes coordinarán previamente el otorgamiento de las facilidades para realizar dicho patrullaje.

6 Nombrar un oficial coordinador como responsable permanente ante **GFLC**, para la correcta ejecución del presente Convenio, el mismo que deberá coordinar con el representante designado por **GFLC** señalado en la Cláusula Sétima del presente Convenio.

7 Designar al personal policial para garantizar el normal desenvolvimiento de las actividades de **GFLC** que se desarrollen en El Proyecto; el cual deberá contar con los efectivos policiales siguientes:

- Un (01) Oficial PNP, y

- Nueve (09) Sub Oficiales PNP relevados cada quince días.

8 El servicio policial de seguridad se prestará durante las 24 horas del día en tres turnos de ocho (08) horas cada uno. El personal PNP que realice el servicio policial de seguridad cumplirá solo un turno por día; el resto del tiempo permanecerá en el campamento que le ha sido asignado por **GFLC,** debiendo estar uniformado reglamentariamente y equipado de acuerdo a las disposiciones vigentes y en estado de alerta para cualquier eventualidad.

9 El oficial PNP al mando, en coordinación con el coordinador, deberá dictar disposiciones sobre las restricciones del ingreso del personal policial a las zonas àdministrativas y/o de operaciones de **GFLC** en El Proyecto, lo cual sólo se justificará por razones estrictas de su función y/o cuando sea requerido por los representantes autorizados de **GFLC.** En el primer caso, el coordinador del Convenio de **LA PNP** comunicará previamente su determinación al coordinador del Convenio de **GFLC,** a fin de obtener las facilidades necesarias de acceso.

Por su parte, **GFLC** se compromete a lo siguiente:

1 Sobre la base de la aplicación de los artículos 6° y 7° del Reglamento de Prestación de Servicios Extraordinarios Complementarios a la Función Policial, aprobado mediante Decreto Supremo N° 004-2009-IN; corresponde legalmente como compensación económica a cada efectivo policial por hora de servicio: el 0.25% de la Unidad Impositiva Tributaria, sin embargo, **GFLC,** de acuerdo a lo solicitado por **LA PNP** teniendo en cuenta el pago que abonan en este tipo de convenios otras empresas a cada efectivo policial, abonará una compensación económica diaria mayor a la indicada, conforme se detalla a continuación:

A. En situación de normalidad:

- Servicio en El Proyecto del personal policial, por un monto ascendente a S/. 150.00 (Ciento cincuenta y 00/100 Nuevos Soles) diarios para el Oficial que comanda en el grado de Comandante a Mayor, más hospedaje, alimentación y movilidad.

- Servicio en El Proyecto del personal policial, por un monto ascendente a S/. 120.00 (Ciento veinte y 00/100 Nuevos Soles) diarios para el Oficial que comanda en el grado de Capitán a Alférez, más hospedaje, alimentación y movilidad.

- Servicio en El Proyecto del personal policial, por un monto ascendente a S/. 100.00 (Cien y 00/100 Nuevos Soles) diarios para los Sub Oficiales comprometidos en el Convenio, más hospedaje, alimentación y movilidad.

B. En circunstancias especiales:

- El personal policial que se encuentre en servicio durante los días 28 y 29 de julio y 25 y 31 de diciembre recibirá una compensación económica adicional correspondiente al doble del monto diario.

- Servicios policiales en lugares sin facilidades de alojamiento y alimentación, por un monto ascendente a S/. 180.00 (Ciento ochenta y 00/100 Nuevos Soles) diarios para el Oficial que comanda en el grado de Comandante y Mayor; S/. 160.00 (Ciento sesenta y 00/100 Nuevos Soles) para el Oficial en el grado de Capitán, Teniente y Alférez; y S/. 140.00 (Ciento cuarenta y 00/100 Nuevos Soles) para los Sub Oficiales PNP.

El pago de la compensación se efectuará mediante depósito en cuenta personal de ahorros en el Banco de la Nación de cada uno de los efectivos policiales, en base a los datos proporcionados por la XIV DIRTEPOL - Cajamarca.

2 De conformidad con lo que establece el Anexo N° 02 del Reglamento de Prestación de Servicios Extraordinarios Complementarios a la Función Policial, aprobado mediante Decreto Supremo N° 004-2009-IN, **GFLC** depositará mensualmente en la Cuenta Corriente Central N° 0741-146401 del Banco de la Nación a nombre de la Policía Nacional del Perú, como costo de los Servicios Extraordinarios Complementarios a la Función Policial que corresponden ser abonados a la Policía Nacional del Perú, lo siguiente:

Recursos Directamente recaudados por la PNP:
Por Hora: 0.11 % de la Unidad Impositiva Tributaria.

Este ingreso será destinado a cubrir los costos logísticos, administrativos en que incurra **LA PNP** para la prestación del servicio extraordinario, y constituyen recursos directamente recaudados y asignados a la función policial.

3 Proporcionar atención en la Posta Médica de El Proyecto al personal policial que efectivamente preste el Servicio Policial de Seguridad para **GFLC**, por dolencias producidas cuyo origen no sea anterior al inicio de la prestación del servicio. En caso de accidentes como consecuencia del servicio, facilitará los primeros auxilios y los recursos necesarios para el adecuado y oportuno traslado a los centros médicos especializados de **LA PNP** en Lima o Chiclayo, si la situación lo requiere y previo informe médico.

4 Brindar el servicio de movilidad y/o el combustible que pudiera requerir el personal policial para desplazarse y cumplir las actividades de Orden Público que le corresponden en la seguridad y protección de las personas e instalaciones materia del presente Convenio.

5 Apoyar a **LA PNP** en actividades de investigación y desarrollo previa coordinación entre ambas partes.

CLÁUSULA QUINTA: DE LOS SEGUROS Y COBERTURAS

Los accidentes y/o lesiones que demanden hospitalización, tratamiento y/o rehabilitación del personal asignado estarán cubiertos de acuerdo a las leyes, normas y reglamentos vigentes de **LA PNP**.

Sin perjuicio de lo anterior, **GFLC** contratará una póliza de seguro en favor del personal de **LA PNP** que preste el Servicio Policial de Seguridad en atención al presente Convenio, la cual cubrirá los siguientes eventos:

Fallecimiento	:	US$ 20,000 (Veinte Mil y 00/100 Dólares Americanos).
Incapacidad permanente:		US$ 18,000.00 (Dieciocho mil y 00/100 Dólares Americanos).
Curación hasta	:	US$ 10,000.00 (Diez Mil 00/100 Dólares Americanos) (Lesiones graves o leves).
Sepelio	:	US$ 3,500.00 (Tres Mil Quinientos 00/100 Dólares Americanos)
Traslado	:	Al 100%

Los montos antes indicados serán entregados al titular y a sus herederos legales.

Atendiendo a que no existe vinculación laboral alguna entre el personal de **LA PNP** y **GFLC**, ésta última no tendrá ningún tipo de responsabilidad por cualquier accidente, daño, lesión o muerte de algún efectivo policial designado por **LA PNP** para efectos de la ejecución del presente Convenio.

CLÁUSULA SEXTA : OTROS APOYOS DE GFLC

GFLC se encuentra a la fecha contribuyendo con el financiamiento, conjuntamente con la Mesa de Diálogo y Concertación del Distrito de Hualgayoc, presidida por la Municipalidad Distrital de Hualgayoc, para la construcción del local de la comisaría de **LA PNP** de Hualgayoc, según acuerdo adoptado en la referida Mesa. Para tal efecto **GFLC** ha comprometido la suma de S/. 100,000.00 (Cien mil y 00/100 Nuevos Soles).

GFLC apoyará a **LA PNP** en actividades de investigación y desarrollo, tales como la adquisición de un maletín de criminalística con sus respectivos insumos e implementos para la División de Investigación Criminal de la XIV DIRTEPOL - Cajamarca.

CLÁUSULA SÉTIMA: DESIGNACIÓN DE COORDINADORES INSTITUCIONALES

GFLC y **LA PNP,** para efectos del mejor cumplimiento del presente Convenio, nombran como coordinadores a las siguientes personas:

POLICÍA NACIONAL DEL PERÚ: Crnl. PNP GUSTAVO FERNANDO CERNA GARCIA, jefe de la OFAD XIV- DIRTEPOL - Cajamarca.

GOLD FIELDS LA CIMA S.A.: HUMBERTO AUGUSTO PARODI SUITO, Gerente de Seguridad.

- Los coordinadores del Convenio designados por **GFLC** y **LA PNP** podrán ser reemplazados por decisión unilateral de cada parte, para tal efecto será suficiente la comunicación escrita simple de una de las partes a la otra.
- Los coordinadores del Convenio no tendrán poder para modificar, extender, anular, renovar, resolver o suspender el mismo a nombre de **GFLC** ni de **LA PNP**.
- Los coordinadores del Convenio representantes de ambas partes, realizarán coordinaciones permanentes y fluidas tendientes a optimizar la seguridad y protección de las personas e instalaciones materia del presente Convenio.

CLÁUSULA OCTAVA: VIGENCIA DEL CONVENIO

El presente Convenio tendrá un plazo de duración de dos (2) años contados a partir de su suscripción, pudiendo ser renovado previo acuerdo expreso y escrito de las partes.

En la formulación del presente Convenio ambas partes actúan según las reglas de la buena fe y de común intención de su cumplimiento.

CLÁUSULA NOVENA : LIBRE ADHESIÓN Y SEPARACIÓN

Conforme a lo establecido en el Art. 77, Numeral 3, parte final de la Ley Nº 27444, Ley de Procedimiento Administrativo General, las partes podrán separarse del presente Convenio sin expresión de causa, bastando para ello la comunicación mediante Carta Notarial con una anticipación no menor de treinta (30) días calendario.

CLÁUSULA DÉCIMA: SOLUCIÓN DE CONTROVERSIAS

Cualquier discrepancia y/o controversia derivada de la interpretación o cumplimiento del presente Convenio, se tratará de solucionar mediante el trato directo de las partes, siguiendo las reglas de buena fe y común intención, comprometiéndose éstas a brindar sus mejores esfuerzos para lograr una solución armoniosa en atención al espíritu de colaboración mutua de las partes celebrantes.

CLÁUSULA DÉCIMA PRIMERA: RESOLUCIÓN

Sin perjuicio de lo señalado en la Cláusula Novena, el presente Convenio podrá ser resuelto de pleno derecho por cualquiera de las partes en los siguientes casos:

- Por el incumplimiento de cualquiera de las partes a las obligaciones pactadas, siempre que la parte afectada con dicho incumplimiento haya remitido una comunicación escrita a la otra parte con treinta (30) días naturales de anticipación requiriendo el cumplimiento, y la otra parte no proceda a subsanar el incumplimiento en el plazo indicado para ello.
- Por fuerza mayor o caso fortuito debidamente acreditado que impida de forma absoluta el cumplimiento del presente Convenio.

CLÁUSULA DÉCIMO SEGUNDA: DOMICILIOS Y COMUNICACIONES

Para la validez de todas las comunicaciones y notificaciones a las partes con motivo de la ejecución del presente Convenio, éstas señalan como sus respectivos domicilios los indicados en la introducción de este documento. El cambio de domicilio de cualquiera de las partes surtirá efecto desde la fecha de comunicación de dicho cambio a la otra parte, por cualquier medio escrito.

Las comunicaciones cursadas a domicilios distintos a los establecidos en esta cláusula se consideran no efectuadas.

CLÁUSULA DÉCIMO TERCERA : CONFIDENCIALIDAD

LEGAL V°B° E.R.B. GOLD FIELDS LA CIMA S.A.

LA PNP se compromete a guardar la más absoluta reserva y confidencialidad de las técnicas industriales, métodos de trabajo e información económica y comercial que correspondan al plano estrictamente privado y que **GFLC** desarrolle dentro del marco legal vigente, sin que esta reserva y confidencialidad pueda limitar en forma alguna las funciones que por mandato legal corresponden a **LA PNP.**

Las partes manifiestan su total acuerdo con cada una de las cláusulas del presente Convenio, suscribiéndolo en señal de conformidad en la ciudad de Cajamarca a los once días del mes enero del año 2010, en cuatro (04) ejemplares del mismo valor y tenor.

POLICIA NACIONAL DEL PERU — DIRECCION XIV DIRTEPOL CAJAMARCA

POLICIA NACIONAL DEL PERU

GOLD FIELDS LA CIMA S.A.

Appendix 2: Additional Notes on Methodology and Methods

For this research project, I relied on a combination of primary sources (field observations, interviews with more than 200 key stakeholders, participant observation, and jottings taken during events) and secondary sources (media clips and reports, actors' publications and public statements, official archives, and companies and activists' records). To make sense of all these sources and forms of 'data' collected in advance, during, and since my fieldwork, I systematically organized it using the free note-keeping software Evernote (wherein I added initial highlights, jottings, and 'tags' or codes) for most of these sources, except for my interviews and most of my field notes. I then used the qualitative analysis software suite ATLAS.ti to code all sources—including my interviews and field notes, alongside scholarly literature and other relevant files.[376]

To systematically analyze all the data, I developed a codebook by running through all materials through several layers of qualitative coding on ATLAS.ti. These layers specifically moved from an initial layer of inductive coding (guided by the materials themselves, keeping my *a priori* assumptions and theoretical thinking at bay as much as possible) to more deductive layers (guided by the emergent theory, my scholarly training, and my prior research, and aiming to refine and challenge the theoretical framework that I was beginning to formulate) in the end.

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[376] I have previously used ATLAS.ti in a research project sponsored by the U.S. Minerva Research Initiative, a comparative analysis of 150 interviews, focused on the reasons why radicals in several countries chose or eschewed violent tactics to spur social change or pursue their political goals. To review our qualitative and quantitative findings, please see Maiah Jaskoski, Michael Wilson, and Berny Lazareno, "Approving of But Not Choosing Violence: Paths of Nonviolent Radicals," *Terrorism and Political Violence* (September 2017). In addition to this multi-layered coding experience was also trained in ATLAS at the Institute of Qualitative and Mixed-Methods Research in the summer of 2015.

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