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Analyzing the Spillover Matrix of Extractivism: From Para-legality, Separation and Violence to Integral Health in the Ecuadorian Íntag[1]

On 3rd March 2015, Eduardo Gudynas held a talk at FLACSO, Ecuador, titled "Los efectos derrame de los extractivismos: energía, consumo, territorio y resistencias" ("Spillover effects of extractivisms: energy, consumption, territory and resistances") at a one-day conference on energy matrices in Latin America and possible shifts. In his presentation, which I was kindly granted access to report and comment on, he deduced in detail the effects on several sectors of societies of persistent, and partly reinforced, heavy dependence on natural resources, as in countries such as Ecuador, Bolivia, Mexico and, of course, Venezuela (whose oil exports account for 96% of its export earnings, thus virtually exporting nothing else). It should be stressed that these mechanisms reside not only in the foundations of climate change, but also inherently in global capitalism and warfare – altering them would be equal to improving the current state of the planet.

In this sense, it is crucial to acknowledge that the extraction of so-called 'natural resources' is necessarily and unavoidably violent – violent against nature, law, societies, indigenous peoples, democracy, ideas of justice, etc. - and that this violence penetrates further into our current global economic and political system.

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In this contribution, I will first summarize the destructive dynamics and effects that the Uruguayan social-ecologist Gudynas so meticulously studied and laid out, in the order he presented them, that is, sector by sector. In a second step, I will take up three powerful key concepts for these effects, as he has described them, i.e. "*alegalidad*", separation and "techno-developmental optimism", in order to continue these reflections toward another socio-environmental conflict case of current importance – around the mining project in the Ecuadorian Íntag. My aim is twofold: to demonstrate the cultural and values-related effects and causes of extractivism ('*extractivismo*', widely used in Spanish literature, but strangely enough never broadly incorporated into any other Western language) in Latin America. In addition, to advance a different sort of thinking that counters the main narrative for justifying extractivism.

The so-called "spillover effects" can be identified, according to Gudynas, with having a clear impact on the following relations, which are all the more interrelated:

- environmental/nature,
- territorial,
- cultural,
- rights-related,
- economical,
- justice-related,
- on the State,
- globalization-related,
- and on democracy per se;

Environment and nature

Let's start with the first one: extraction of natural resources (crude oil, gas and various precious metals in the case of mining), however 'clean' it might be promised to be, leads unavoidably to the contamination of water, of agricultures, eventually large territories become uninhabited (migration to cities) and thus contributes to a loss of biodiversity (Bebbington 2012). Maintaining biodiversity is not only the key to food security and sovereignty, but also to combat the effects of global climate change. Such effects are widely known. However, given the global hike in commodity prices during the past 10 years or so, several Latin American governments opted for even more 'flexibility', that is, creating regulatory measures

for facilitating extracting activities and investment: this can occur for example through newly established national companies, such as ENAMI in Ecuador, or transnational partnerships, as in the case of "Gran Nacionales" between Venezuela and Ecuador, or foreign investment, either from regional powers – Chile's CODELCO, for example – or Canadian or Chinese companies (see also Moore and Velasquez 2012).

Such flexibilization programs are based on a predominant understanding of nature as being somehow separated and subjected to the Anthropocene, that is, human society, problems, aspirations and lives. In order to realize more extracting activities, other existent conceptions of human and nature, for example, as being inextricably one (biocentrism, animism, spiritual worldviews, etc.), needs to be eliminated, or at least, continuously suppressed. Here, we encounter the first form of what could be called 'constructed separation', an effort to separate and remove humans from their environment, for example through 'education', ideology, indoctrination, or simply nationwide celebrations of successful oil drills.

One basic, but important, argument in favor of extraction is that better administration, improved technology and scientific progress will lead to less contamination, pollution and 'clean resources'. It manifests a techno-modernizing optimism that, however, does not concur with human health and poverty statistics in affected areas, and neither with the existent loss of biodiversity.

Territory and culture

Second, in order to sell new concessions, state territories become fragmented and parceled. This involves natural reserves, indigenous lands (granted by post-colonial states). The picture on the entry page of this contribution presents a contemporary map of the Andean region (showing Gudynas in front), parceled and clustered into extraction pools.

Third, such fragmentation is in fact frequently illegal, may be even against constitutions in force, but justified by arguing that in order to maintain or achieve development, such activities are required in the name of some sort of 'national interest'. What we encounter is that through formal legal procedures, illegal – or at least unjust, i.e. running against the spirit of legal norms – activities become legalized: Gudynas calls this *'alegalidad'* or, in English, para-legality. In numerous cases, this involves on the ground factual violence against the rights of persons and

of nature. On an administrative level, it leads to a constant redefinition of rights – and runs against any intent to build up reliable, stable and trustworthy democratic institutions.

Economization of rights and justice

Fourth, given their importance at national scales, such activities inform cultural settings in at least two crucial ways: maneuvers of *'alegalidad'* contribute to a general culture of permanent exception, i.e. it leads to the evasion of legal norms, yet regarded as acceptable. In another sense, they lead to a culture of compensation (also based on broadly bypassing): inhabitants of destroyed areas of extraction should be compensated after having been devastated. I would add that compensation cultures go hand in hand with rentier economies and clientelist networks, which even occur at a national scale (Ecuador, Venezuela).

Fifth, the dependency on continued destruction and exports of crude commodities is based on precisely the ongoing need to pay compensations and to jolly clientelist networks along – mostly through imports of goods beyond and within the standard basket of commodities. In the case of Ecuador, 70 percent of the import-based consumption of the recently established middle class are directly related to vital standard commodities in the past 7 years (Dávalos 2014, 128). In terms of mind-sets, the effect is an economization of social relations, expressed in quantitative factors. It's at the basis of social separation, after the rift in human-nature relationship through other means. Other forms of valuing human relations or the relationship with nature become suppressed, because they are regarded as deviating from the mainstream view that upholds economical systems.

Sixth, and importantly, this leads to an equalization of social justice with economic justice. While being frequently celebrated as 'rationalized' or 'modern', this means a crucial narrowing-down of other dimensions of justice, such as recognition, redistribution or participation of plurality. Justice, in this equalizing sense, focuses basically on facilitating compensations and satisfying clients. In a perverted turn, it becomes a motor of exclusion – hence again, violence.

Social effects of global resource-dependence

Seventh, societies become polarized, but not necessarily demarcated by favoring or rejecting such forms of economic and political systems. Rather, various

groups and sectors start simply fighting for the surplus generated by extractivism, export and import of goods.

Eighth, while States become regarded from within as basically access and compensatory mechanisms for own profit, governments from the Right and Left maintain supposedly 'progressive' positions to demonstrate 'good governance', relevant for direct foreign investment. However, such 'progressiveness' is in fact based on evermore-increased extractivism, or in other words – quoting Gudynas – "what is shared by all actors is the subordination of justice, rights and lands to the idea of development".

Ninth and tenth, the idea of development – of material prosperity, accumulation, unlimited use of nature resources, etc. – is still promoted at a global level, including recently emerging actors, such as China, Africa, Iran, etc. Moreover, the use of fossil resources is still largely subsidized by, at least, almost all OECD countries (see e.g. OECD 2012). But subordinating justice, rights and lands to such ideals means to contribute to an unequal world-system; it maintains an all-too-powerful Global North, profiting from the same capitalist system. One cannot be, at the same time, progressive and counter-imperialist, while extracting 'natural resources'. In consequence, this also means a turn away from regional solutions, for example, strengthening pan-Latin American cooperation. Eventually, it contributes to secretiveness at the level of governments, impedes alliance-making and, once more, separates one from another. Finally, the natural government model for such form of paralegal economies is a highly delegating form of 'hyper-presidentialism', caudillismo (in Latin America) or 'market-conform democracy' (in Germany), which seeks to constantly undermine forms of grassroots decision-making in order to maintain control.

The case of the Ecuadorian Íntag: extraction for accumulation versus community health

At this point, I would like to reflect on three essential elements of Gudynas' illuminating analysis: constant separation at various levels, including the implicit or explicit use of violence; creating para-legal forms of governance to legitimate such acts of separation through formally legal mechanisms; and, paramount to this, an idea of national development based on 'modernization' which serves as the ideological basis and justification for such separating activities.

In my understanding, primordial violence reverberates into the world economy by being causally based on violent impositions through mechanisms of control – the global problem of mass surveillance manifests an identical need of constant control at a much larger, and at the same time very individual, level. In order to elucidate my point, it is necessary to study the mechanisms of control at work, almost in a Foucauldian sense, in areas of planned extraction. The Ecuadorian case of a region between Quito and the Colombian frontier, the Íntag, provides helpful details.

This region, including smaller towns and hamlets such as Apuela, Junín, Garcia Moreno, etc. is situated about four hours north of Quito. It has been the focus of mining companies and governments of Ecuador since the mid-1990s, when Japanese's Bishimetals (belonging to Mitsubishi) started exploration activities in the region and delivered first prospect expectations, which serve as estimations even till today. However, Íntag is a hyper-biodiverse region, as DECOIN, the environmentalist and rights-concerned NGO from the region, states on its encompassing website (www.decoin.org):[2] "the area is part of two of the world's most important biotic regions, the Tropical Andes, and the Chocó-Darien Western-Ecuadorian Biological Hotspots. Many threatened species roam this area, from Jaguars and Spectacled Bears, to Mountain Tapirs, Mantled Howler Monkey, the critically endangered Brown-headed Spider Monkey, Pacaranas, and the spectacular Plate-billed Mountain Toucan; to mention just a few of the approximately 28 species of mammals and birds facing extinction."

This is not the place to recount the particular history of possible mining and community resistance in the Íntag of the past 25 years; but in any case it is long and notable and has been on the radar of international support networks, academics, etc. However, since 2013, the recently established Ecuadorian mining company ENAMI managed to obtain concessions for prospecting work within the next 6-8 years. In 2014, a local farmer from Junín, a community and, supposedly, rebellion leader, Javier Ramírez, was arrested and kept in investigative custody for 10 months. He was eventually sentenced to 10 months in prison and thus released in early 2015. This case has turned national and international attention to the Íntag – which emerged as a showcase for the current Ecuadorian government to demonstrate its abilities, that is, to finally conduct large-scale mining in the

[2] This website also provides a complete overview of the history of mining and resistance in the region. DECOIN is run by people living there. [Last retrieve: 12.03.2015].

country, versus local community projects that promote a different model of development, based on agriculture, eco-tourism, eco-coffee plantations, etc. Possible scenarios for decision-making have been well studied and showed clear results: the latter should be favored (see Latorre, Walter, and Larrea 2015).

My analysis of this case is based on data obtained from an ongoing ethnographic research project; it is as such preliminary.[3] However, it aptly elucidates the points Gudynas presented. According to various interlocutors, including ENAMI staff (who are nowadays pervading hamlets like Junín), the case is settled: since Ecuador has never had any large-scale mining project actually reach active extraction, the government wants, at any cost, to demonstrate its abilities and is convinced that the copper mines in the Íntag should be mined out by ENAMI and the Chilean CODELCO. Consequently, as of early 2015, a majority of Íntag's directly affected inhabitants have changed their minds and are now in favor of the project. How did ENAMI (and the government) achieve this change after 25 years of resistance?

First, the government proceeded to create legal status for the concessions through modes of *'alegalidad'*: Íntag is a protected area, which should be free from any extractivist activities, for which it enjoys special protection from the Ecuadorian constitution of 2008 (Asamblea Constituyente 2008). Articles 395 and 397 clearly stipulate that in case of doubt, rights of nature should be treated prior, and that the burden of proof lies with the responsible actors (Gudynas 2009, 90–91). Since much privately owned land in the mining area is principally based on customary law, proper land titles are frequently still missing.[4] However, they are missing because a particular state strategy during the past few years seems to have been to negate the granting of new land titles to people in resistance (upon formal solicitation), while granting them to supporters of the project. This way, not only did it become possible to obtain the land necessary for renewing and creating roads to the prospect area (several road works are currently underway), but also to separate communities geographically from within. These roads, which in general are

[3] This analysis is based on local observations and several interviews in the region, including farmers, community project leaders, ENAMI staff, legal experts, etc. Given the increased sensitivity of the topic (e.g. several of our interlocutors are still under legal prosecution), concrete names or references are not disclosed here. Our research will continue throughout 2015.

[4] The currently controversially discussed new 'ley de tierras' (land law) in Ecuador would eventually integrate the legal possibility of land titles also for women, something still absent bearing several severe consequences until now.

unpaved in the region, lead precisely to the mines – but do not much connect communities, which again reveals a politics of topographical separation led by the state. Indeed, ENAMI employees stated that parts of the project involve roads to be renewed including connections between communities, but this is likely to occur only later, since it would involve other ministries (beyond the also recently created national mining ministry).

Yet on the contrary, there is strong social connection between ENAMI employees and locals, because since the beginning they have been housed at homes of privates, including rotation of stays: such deals provide quick income for local families by ENAMI staff paying for bed and food. In addition, it involves a cunning strategy of infiltration – ENAMI employees state themselves, they live with local families, eat with them, chat with them and explain their mining project privately. If resistance prevails, euphemistically called 'socialization' events take place, where ENAMI engineers, together with police, enter private houses (another act of *alegalidad*, involving non-physical violence through intimidation) in order to 'enlighten' the locals about the mining project and possible benefits. By doing so, engineers and other representatives are keen to avoid any forecasts regarding the nature-related spillover effects and impacts of their activities, for example, on local rivers, land, food crops, etc. When asked about their hesitation, the answer would typically be: "Since we are in the phase of prospecting, not knowing possible results yet, for technical reasons we cannot convey any message about future impacts." In these cases, technicality helps neatly to cover otherwise clear, clean and modernization-embracing conduct.

As a matter of course, this alarms local farmers. However, many of them have already been separated enough from their traditional forms of life to accept – while acknowledging the possible negative impacts for their region – the promises of ENAMI: 1) jobs, directly created by ENAMI or services linked to the mining activities, 2) changing lifestyles from semi-subsistence farming to running shops, restaurants or other services for ENAMI staff, 3) the establishment of schools, a hospital and a permanent police unit (conveniently located close to the mines). As a result, this package creates, first of all, dependence from the state; and as such dependence on the material success of exporting extractivist products on the global market. An entire logical chain of involvement and indirect complicity takes off.

In short, a large process of legal, topographical, social and ecological transformation is currently ongoing in Íntag. Locals are pushed out of their

traditional, community based lifeforms, sometimes voluntarily, sometimes by force; the first instance of separation. Junín's community forest, bought as a communal project to promote domestic and international eco-tourism, potentially bears large quantities of copper as well as silver and gold; it's already on the ENAMI radar. The promise of development as a sovereign nation, accompanied by a constant belief in technical progress – manifested as 'modern and clean extraction methods', the 'modern life-to-come' with schools, services, jobs, safety and health provision and eventually the progress of the state, as such, through successful mining and export – is also a very powerful and tempting narrative in the Íntag itself. Whomever deviates from such a view must be suppressed, including through violent and paralegal means, if necessary: the second instance of separation. Already earlier, environmentally and human rights-concerned NGOs, for which the case of Íntag has always been a beacon of resistance, had become under constant suspicion in the country. A dubious combination of public power in synergy with public enterprises, together with the promise of quick and easy money, appears legally almost unbeatable. In effect, short-term, profit-oriented thinking prevails over long-term, ecologically-concerned thinking in every instance; a third instance of separation, in this case the separation from values concerned with intergenerational and collective well-being. This is all the more tragic since the rare forecasts of the mines project some 300.000 tons of terrain to be shifted, while only bearing some 0.7% per ton of interesting metals. It is indicative what Dávalos writes about mining and its connection to the global market: "In mining, what matters is not so much the minerals themselves, but the possibility of linking them to the issuing of complex financial products, especially regarding the futures market. Never mind whether minerals have actually been extracted or not, but that they can contribute to the global speculative game. What matters is the mining concession and the right of property on that mining concession area. [...] The issue of financial derivatives on resource commodities for June 2013 amounted to 2.7 trillion USD. Financial derivatives of such commodities do not necessarily imply their actual extraction, or physical movement, but the revaluation of market expectations and their role as collateral effect for other speculative investments." (Dávalos 2014, 175; my translation). Eventually, however, the state as a direct and dependence-creating actor enters the field and it will remain there in a transformed society, shifted from local actors to clients, even if in six years prospecting will not lead to any fully-functioning mining activity. This way the 'terrain' is 'prepared' that one day mining

will be possible in Íntag. It leaves locals with struggles for either direct compensation or clientelist funds.

Countering the promises of extractivism through 'integral health'?

Yet, there is another perspective that can also be encountered in the region. At this point, it remains unclear whether the following is an 'autochthonous' vision of the locals, or has emerged due to the vast national (including indigenous) and international networks of the local resistance. I would argue that this question is eventually of minor importance, as it can be encountered frequently elsewhere as well. As already mentioned, local farmers would express their perspective in terms of collective, community-centered and intergenerational well-being in the long run.[5] As such, the perspective of 'integral health' is crucial: local farming, partly based on agro-ecological techniques, and local consumption, but in any case by protecting biodiversity, would lead to such an understanding of 'health'. In this sense, before the start of the mining project, as they express it, "nobody used be poor in the Íntag" – because everyone being healthy and free from sickness. Mining would bring sickness through contamination, degrading of water, crops, food and eventually producing 'social sickness' through two interlinked forms of separation (from lands, between family members, communities in favor/contra mining, etc.) and created dependence. Seen this way, as several interlocutors resisting the mining project argue, extractivism might indeed bring material wealth, improvement of certain conditions and certainly modernization. But eventually, it would lead to impoverishment in a crucially more encompassing sense. This is why strategies of interconnected, holistic abundance (socially, ecologically, agriculturally, etc.) run counter to the technical discourses of development and modernization, based on para-legality, separation and, preeminently, violence as the means to achieve such streamlining. Finally, it seems that the perspective of 'integral health' bears a powerful potential to be deployed as an other-value against the capitalist dream of constant material accumulation and consumption, accomplished by technical efficiency.

[5] My aim here is not to depict an all-too-simple view of 'white' local farmers versus 'black' mining agents. Neither am I arguing from an overly naïve perspective of human-nature paradises – Rousseau's dream – in the Íntag. As this research indicates, local farmers resisting mining seem to receive support from various international NGOs, others have been living from partly illegal logging and have led untreated sewage into local rivers. However, it should be stressed that precisely such points are also strategically employed by ENAMI representatives in order to argue for mining and modernization activities.

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