

GETTING TO THE BOTTOM OF EXTRACTIVE CAPITALISM: A CASE STUDY OF OPEN PIT MINING IN CAJAMARCA, PERU

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Abstract: This article considers the social and environmental impact of the extractive mining industry on Cajamarca, a region in the northern highlands of Peru, where the world's second biggest gold mining transnational is trying to push through the largest extractive project the country has ever seen. The article traces the company's collusion with the state and media in attempting to suppress and delegitimise community resistance to the proposed mining project which has already taken a heavy toll on local activists. It goes on to suggest that this case study of extractive capitalism being foisted on a vulnerable yet determined community represents an important learning opportunity for development educators. The case study could be used to gain a better understanding of the players and processes involved in the struggle to protect the sustainability of our natural resources, and for the right of local communities to have their voices heard in the debate on how these resources are used.

Key words: Extractive; mining; Peru; community; activism; development; education.

“When the last tree is cut, the last river poisoned, and the last fish dead, we will discover that we can't eat money...” (Native American Saying).

Latin America has come through two long decades of neoliberalism, which has to a large degree been funded by aggressive extractivism of the region's rich natural resources – carried out mainly by transnational corporations (Bury, 2007: 49). The impact has been profound – in general the neoliberal agenda has meant a decrease in support for healthcare, education and social services and a shrinking of the state, which has led to an increase in income inequality, unemployment and poverty (Larrain, 2000: 172-173). Many countries are now coming out the other side of the neoliberal tunnel

exploring alternative economic models of development, with the rise of progressive governments sweeping the region. However, one country that continues to labour heavily under the burden of neoliberalism is Peru and this article will consider how the extractive industry in that country embodies the essence of a stubborn and dangerous form of capitalism. I will do this by examining the case study of Cajamarca, a region in the northern highlands of Peru, where the second biggest gold mining transnational in the world is trying to push through the biggest extractive project Peru has ever seen.

I will also consider how the people of the region, concerned about the unwanted devastation the project would bring to their society and the environment, have stood up and rejected this plan. The article will illustrate how this resistance has been met with repression on behalf of the state, which clearly sees its role as protector of the global market and its components (Weyland, 2004: 135). I will briefly turn to how the transnational corporation (TNC), the state and the mass media have all strategically acted to marginalise and delegitimise resistance, including using development discourse to impose their preferred economic model. Finally I will propose how, despite being geographically far removed, concerned citizens in the global North can help to change this situation by critically assessing their own input – through their investments, pensions and purchases. Development education (DE) aims to share with learners a range of global issues toward effecting action toward social change. This article argues that by using a case study such as that of the situation in Cajamarca, which shares many elements with similar environmental and development situations the world over, we can gain a better understanding of the players and processes involved in the fight to protect or exploit our natural resources, and to determine who defines our future.

Neoliberalism comes to Peru on the back of extractivism

In the early 1990s, as Peru was still recovering from decades of internal terrorism and the financial crisis that had just engulfed the region, the then president Alberto Fujimori took the opportunity to embrace neoliberalism with vigour (Bury, 2005). Under Fujimori's tenure Peru was rapidly

subjected to a range of neoliberal ‘reform’ measures, including a privatisation programme which considerably favoured the investment of foreign capital in Peru (Peru Support Group [PSG], 2005). These reforms were enforced through authoritarian repression and human rights abuses carried out by a military death squad. In April 2009, the former president was sentenced by Peru’s Supreme Court to twenty-five years imprisonment for ‘murder, aggravated kidnapping and battery, as well as crimes against humanity’ (Romero, 2009). Fujimori was the world’s first ex-president to be convicted of crimes committed while in office (*Guardian*, 2013) which reflects the level of graft and corruption which characterised his period in office.

Peru’s current president Ollanta Humala came to power with a discourse that seemed to answer the cries of protest from the provinces – the mainly rural population that protested the unequal and unjust social relations between the capital and the rest of the country. However when he entered office he wasted no time in following policies of his predecessors in exacerbating these inequalities to comply with the wishes of transnational corporations. Given Peru’s richness in natural resources – the ex-Prime Minister Pedro Pablo Kuczynski once exclaimed that ‘Peru is swimming in gold’ (*El Comercio*, 2010) – and the global business sector that was most interested in setting up shop was the extractive industry, in particular the mining sector. As Baird succinctly puts it, for more than a decade Peru has been ‘handing out mining and petrol concessions like sweeties’ (2011: 1). As a consequence, the extractive industry quickly rose in importance with regard to the country’s economic growth (Bury, 2005) to the point that institutional circles came to regard mineral wealth as a great potential motor for progress and, indeed, possibly Peru’s greatest asset (PSG, 2005).

In the midst of this extractive frenzy, one venture in particular stood out as one that ‘inaugurated a new area for the Peruvian mining industry’ (Bury, 2004: 80). This was the venture of Newmont Mining Corporation, of Denver, Colorado, which joined with Buenaventura (a company owned by one of the richest families in Peru) and secured a 5 percent investment from the World Bank to form the mining company Yanacocha, with the aim of

exploiting the highlands of Cajamarca. Newmont came with an innovative mining technology known as the cyanide lixiviation process, whereby the mineral – found in great abundance but in very small particles in the soil – was made available for extraction, creating huge open pits in the process. *Yanacocha* is a native Quechua word meaning ‘black lagoon’, and it was a lagoon in Cajamarca until Yanacocha (the company) set its sights on it; now it’s an open pit so huge it can be seen from space (Prado, 2012).

Yanacocha replaced the lagoon that gave water freely to the surrounding communities with an artificial reservoir, a tactic they repeated for other lagoons they would later come to destroy (Celendin Libre, 2012). These reservoirs are now dry – serving no-one – and the mainly agricultural communities that were dependent on them now experience severe water shortages (PSG, 2008: 18). What little water that does flow from descending rivers is contaminated; the rural communities surrounding the mine have complained that the water courses they relied on for human and animal consumption, as well as for irrigation, now carry so much sediment from mining activities that both consumption and irrigation have become impossible (Bury, 2004: 85). The source of the Rio Grande, one of the largest rivers feeding Cajamarca, has now three huge tubes spewing waste water from the mine (Celendin Libre, 2012). As a result of this contamination, local farmers have reported high levels of animal deformities and death; there are numerous instances of tens of thousands of trout deaths because of the presence of heavy metals, arsenic and high levels of acidity in the water (Arana Zegarra, 2004: 2). The population in general has reported unusually high rates of cancer, skin diseases and birth deformities. A mercury spill in 2000 in the small town of Choropampa poisoned 1,200 inhabitants and still to this day the effects are being felt as mothers pass on the toxic heavy metal to their newborns (Cabellos & Boyd, 2002).

Yanacocha has admitted its appalling environmental record: ‘We are not proud of the current state of our relationship with the people of Cajamarca.’ This admission came after a ‘listening study’ commissioned by Yanacocha showed the dismal state of public opinion toward the company.

Yanacocha, the study states, ‘suffers from an inability to listen effectively to the community’ (CSR & CCPM, 2012: 1). However the company continues to press ahead with wringing the earth dry despite an obvious lack of social licence. Having extended into various satellites, and exhausting them, Yanacocha hopes to move swiftly into the neighbouring province of Celendin to initiate a project that would dwarf all preceding operations.

The Minas Conga project, projected to be three times the size of Yanacocha’s operations to date and the largest mega mining project Peru has ever seen, plans to consume 3,069 hectares of land. It would drain and exploit two mountain lakes to extract the gold and copper that lies beneath. The material extracted would be dumped on top of two other lakes, effectively beheading a complex hydrological system and the source of five rivers. Whatever water sources remain would most likely be polluted with heavy metals, particularly as they plan to produce an average of 90,000 tons of toxic waste tailings per day, every day for seventeen years (Knight Piésold Consulting, 2010).

This project, shockingly, was approved by the government as environmentally sound and Yanacocha has been given the go ahead. However experts and locals have rejected Yanacocha’s environmental research, found in the company’s Environmental Impact Assessment (EIA) of the project, for its severe lack of essential information needed to understand the real potential effects of the planned extraction activities. World-renowned hydrogeologist Robert Moran has described the EIA study as ‘basically a public relations document, intended to promote the acquisition of permits’ (2012: 1). Although the study failed to address the environmental problems that could arise from the project, it was successful in achieving what the company desired – permission to extract. This is in large part due to the Peruvian state, which makes it very easy for mining companies to exploit the land with the bare minimum of environmental consideration. The partnership between government and the mining company was made very clear by the fact that the engineer who was responsible for writing the EIA while working for Yanacocha, Felipe Ramirez del Pino, then entered the

Ministry of Energy and Mines to approve his own work (Valle-Riestra, 2011).

What was also severely lacking in the study was any meaningful consultation with the local population. The presentation of the EIA, which was the only opportunity for the affected communities to have their say, was held far from and without the knowledge of the vast majority of citizens that would be affected, and was largely attended by people paid by Yanacocha to sign their approval for the project (Hoetmer et al., 2013: 372). In an independent survey by Ipsos APOYO published in August 2012 it was found that 78 percent of the population in Cajamarca is against the Minas Conga project, with only 15 percent in favour (*El Comercio*, 2012).

Mega mining district

It is not just the Conga mining project that is threatening the future of this area of the Andean highlands: there is a whole host of similarly destructive extractive projects planned, and if the Conga project goes ahead, it is possible that the other projects will also be approved. In the provinces of Cajamarca and Celendin the percentage of land concessioned to mining companies is 69.95 and 58.80 respectively. Neighbouring Hualgayoc is 91 percent concessioned (SER, 2013: 54). SER lists the TNCs waiting to begin their mega mining projects and they include Chinese Lumina Copper SAC (part-owned by the Chinese government), British Anglo American, British/Australian Rio Tinto, and Canadian Sulliden Mining Corporation (ibid: 63). If all of these companies realised their projects the region of Cajamarca would effectively be transformed into one of the largest mining districts in the world.

For this extractive haven to become a reality certain elements are needed, for example huge amounts of water and land, which they take from the highlanders, and energy. Eva Arias, president of the National Mining Society in Peru (SNMPE) has stated that Peru needs to increase its energy supply by 40 percent if it is to meet the demands of mining (*La Republica*, 2013b). To serve this demand, in June 2010, three months before leaving

office, Peruvian President Alan Garcia signed the Peru-Brazil hydropower agreement with then-Brazilian President Inácio Lula da Silva. This laid the ground for twenty mega hydroelectric projects to be realised along the Rio Marañon, one of the main rivers flowing into the Amazon. For Brazil, this meant construction contracts for the building of these projects, and the promise that a large portion of this energy would go to meet this emerging power's own energy demands (Celendin Libre, 2013a).

To complement the would-be mega mining district dominated by Yanacocha, the Brazilian company Odebrecht has the rights to build the hydroelectric project Chadin II. Incidentally, Odebrecht has also been awarded the construction contract for the first stage of the Conga mining project – a contract worth more than \$500 million (EPC Engineer, 2011). Chadin II would affect over 1,000 people living along the river valley; many would be displaced due to flooding, others would lose their livelihood as the raising of the river level would significantly alter the micro-climate of the area, making current forms of agriculture unsustainable. Engineers and environmental experts have also documented the rich biodiversity that exists in the region. Many species are unique to the area, some are endangered – all of which will be negatively affected by the realisation of this project (Hoffman, 2013: 1).

A blazing example of resistance

Against these mega threats, the local population has mobilised and organised itself and met with some success – in 2012 Yanacocha was forced to suspend the Conga mining project (*La Republica*, 2012). This is remarkable given the fact that the project is worth \$4.8 billion with the promise of 11.6 million ounces of gold and 3 billion ounces of copper. The locals question the validity of this suspension in light of the fact that the company continues to work on building their reservoirs and their roads. However the credit for this delay goes to the local campaign.

One factor that gives the resistance strength is the existence of the Rondas Campesinas (Peasant Rounds), an autonomous social justice

organisation in rural Peru. This movement began in Chota, Cajamarca in 1976 in response to robberies aimed at the local school. A small number of local farmers decided to organise themselves and carry out rounds to protect the community. The thieves were caught but the Rondas continued. Now it is a national organisation with thousands of *rondero* bases, men and women, carrying out community justice by means of democratic assemblies. They deal with every kind of threat to their communities, and now they have taken on the biggest threat to date – mega mining. The Rondas Campesinas have entered with vigour into the resistance; their rounds now take them to the high altitudes of the mountain lakes to ensure their protection and their assemblies ensure that the resistance is peaceful and democratic. The resistance also includes teachers, students, professionals, housewives, and others, and in Celendin they have all come together with the Rondas to form the Plataforma Interinstitucional Celendina (PIC); a platform from which the united forces can resist the activities of the transnationals, and unfortunately their own government, with the aim of protecting what is vitally important to them – their water.

One person who exemplifies this resistance – in its most dignified form, is a campesino woman by the name of Maxima Acuña Chaupe. Over the past three years she has lead her humble peasant family in the courageous fight against this mega mining company’s desire to possess her land which is right in the heart of the proposed mining site. On three separate occasions in 2011 the national police, along with mining personnel, aggressively entered the family’s land with the aim of forcibly evicting them. The police destroyed the family’s shelter, killed several of their animals, stole others, and violently beat the family – leaving Maxima and her daughter unconscious and putting their oldest son in hospital for six months (Olivera, 2012).

Despite these attacks, the family resisted and refused to leave their land. In response the mining company decided to take them to court on the charge of usurpation. The trial, which took place in Celendin, was riddled with irregularities and the family, and the family’s lawyer Mirtha Vasquez,

were treated with contempt. The judge refused to admit into evidence the main document supporting the family's claim of possession. Not surprisingly he ruled in favour of Yanacocha and the family was ordered to leave their land, and pay a huge fine to the company. The family's lawyer appealed and the Superior Court of Cajamarca annulled the initial ruling due to its extensive irregularities, and ordered the case to be re-initiated in Celendin (Celendin Libre, 2013b).

The retrial lasted for more than a year, with the Public Prosecution overtly taking instructions from the Yanacocha lawyer who sat by his side during the trial handing him documents which the Prosecutor appeared not to have read before. On various occasions the Prosecutor just didn't show up, leaving the family to make the two day travel back to their home only to repeat the journey the next week. The judge showed initial reluctance to accept the family's documentation which did not bode well, and, although he finally accepted their evidence he once again ruled in favour of the mining company, in addition to awarding the family almost three years in a suspended prison sentence as well as again levying them a hefty fine to pay to the company. The family's lawyer immediately appealed the decision and the family await a new round of court hearings. Despite the frequent death threats, police harassment and further charges (which are illegal) Maxima and her family valiantly stand strong, knowing they have every right to stay on their land.

Like the Chaupe family, the movement as a whole has resisted against all the odds. They have managed to date to stand between the mining company and its 4.8 billion dollar investment. What started with a few activists has now swollen to include arguably millions of supporters built by solidarity networks around the world. They have brought the case of Conga to the Inter-American Commission of Human Rights, the United Nations, and the European Union. Conga is now one of the most well-known mining conflicts in the world.

Suppressing dissent

This emergence of resistance is not an anomaly in Latin America. Bebbington speaks of a clear relationship between the rise of neoliberalism – and the consequent extractivism – and the rise of the social protest movement in Latin America (2008: 2889). Mirtha Vasquez, a local human rights lawyer from Cajamarca, also sees a concurrence with these phenomena and the repression and criminalisation of the democratic right to protest. In her report ‘Criminalisation of the protest in Peru’ she details how the state has assumed the role of protector of neoliberal economic interests, and as such, deliberately and systematically tries to eliminate elements that threaten to disturb the working of this model (2013: 7). The arms of the state body that it uses to crush dissent include lawmaking, the judicial system, the police and armed forces, and the intelligence services. Other forces that aid this criminalisation include the companies themselves and the mass media.

Since 2002, successive Peruvian governments have passed a series of laws limiting the right to protest and granting greater power to the police and armed forces in social conflicts (ibid: 12). In 2007, the government passed laws against organised crime, but by classifying the social protest as ‘extortion’ they are able to use the same laws to imprison a protester for up to 25 years, a sentence even greater than that handed down for some murders (ibid: 18). They also charge protesters for disturbing the peace, kidnapping and even ‘psychological damage to the mining company’ (Sanchez, 2014). During the Conga conflict over the past two years there have been over 300 people charged with various alleged crimes. However, as Vasquez states, these are not indiscriminate charges – 90 percent are social leaders or local authorities who have been openly critical of the government (2013: 17).

In stark contrast, the police and armed forces enjoy an increasing degree of impunity for their actions during social conflicts. They can hold a protester incommunicado for over 24 hours; they can remove bodies from a scene without the presence of state investigators; and, as of 14 January 2014, neither the police nor the armed forces can be held accountable in a criminal court for injuries or deaths from using their arms or ‘other means of defense’ while on duty (Organization of American States, 2014: 1).

This is a shocking development but in reality this impunity has long been in existence. Two incidences of social conflict stand out as producing the most serious consequences; the first being 24 November 2011 when 19 protesters were seriously injured at a mass mobilisation at the threatened lagoons. One man lost his sight and another is now paralysed (EarthRights International, 2014). The other relates to events on 3-4 July 2012, when five protesters were shot dead by the state security forces during mass protests in the cities of Bambamarca and Celendin. One of the deceased, Cesar Medina Aguilar, a sixteen-year-old boy and local youth leader, died from a direct shot to the head which was fired from an army helicopter overhead (Public Prosecutor of Celendin, 2012: 24). To date not one member of the security forces has been held responsible. Furthermore, on 28 January 2014 the National Coordinator of Human Rights in Peru announced that the Public Prosecutor had just archived the case seeking justice for the five murdered protesters due to a lack of evidence (Celendin Libre, 2014).

A particularly worrying aspect of this situation is that the police are not only taking orders from the state, but also directly from the mining company. Law 27238 enables police directors to sign agreements with private companies to provide security services. They can do this in conjunction with or separate from their state duties, but are all the while permitted to wear police uniforms and use state-provided weapons (Vasquez, 2013: 22).

Another method of repression is militarisation. On three separate occasions between 2011 and 2012 the government declared a state of emergency in the provinces of Cajamarca, Celendin and Hualgayoc, for a total of eight months (ibid: 23). This allowed for a constant military presence and the establishment of a culture of fear amongst the population. The state of emergency was lifted, but the militarisation continues: recent plans to build police bases around the area of conflict was revealed by the hacking group Anonymous, as well as documents indicating that the state intelligence agency was spying on local leaders (*La Republica*, 2013a).

Communicating propaganda

An essential ally to this strategy of criminalisation, and to the sustainment of the neoliberal agenda as a whole, is the mass media. The main channels of communication including newspapers, television and radio, disseminate constant misinformation and propaganda. The El Comercio media group has shares in construction companies that have contracts with Yanacocha, and this group owns 78 percent of the media market in Peru (*La Republica*, 2013b). An idea often propagated by this monopoly is the idea that anti-mining protesters are ‘extremists’, ‘delinquents’, ‘terrorists’ even (Vasquez, 2013: 8).

The discourse of development is also utilised by the media and the state to isolate the protesters from the rest of the country, especially the capital. Social protests have been portrayed as impeding the progress of the country. Dagnino states how the market has become the equivalent of modernity. Social rights, he suggest, no longer belong in this frame as something modern; rather they present an obstacle to modernity (2005: 19). It seems that the neoliberal state and the corporations have won the fight to define development whereas those opposing the mine’s idea of development, espousing something along the lines of Sen’s (1999) definition of poverty reduction, equality and the enhancement of freedoms, are pushed aside. Traditional Andean living, which includes the knowledge of thousands of medicinal plants, organic and sustainable agricultural practices, community interdependence and respect for Mother Earth, is devalued and attacked under this neoliberal vision. It is not that the local population are against any change, or cannot see room for advances, but it is the direction of these changes that concerns people most. In the documentary *In the Heart of Conga* (2012), environmental leader Marco Arana states that there is great potential in the biodiversity of Cajamarca for the production of organic consumables such as organic cocoa and coffee. What is needed, Arana emphasises, is investment in the region’s best resources, which are not minerals but its people.

Cajamarca represents an excellent example of unequal power relations played out in development discourse in the global South. It also demonstrates clearly the differences between the image of development and progress imposed from the state and the private sector and that which is expressed locally.

Global solidarity through local action

The case of Conga has attracted much international attention, bringing activists from all over the world to share their own stories and experiences of resistance. Similarly, community leaders from Cajamarca have been invited to the US, Europe and other Latin American countries to spread the word, but also to learn from activists there. These connections have shown that the struggles may be local, but they are local in a globalised world. From fracking and oil exploration in Ireland to tar sands in Canada, the extractive industry reaches every corner of the planet. However so does the rejection of this commodification of nature and the determination to prevent destruction before we cause irreversible damage to our chances of survival. The importance of learning from each other's struggles and supporting each other cannot be underestimated. But it is also vitally important that each person realises their own power as an active citizen – as well as the power that comes from our consumer choices – to challenge the exploitative practices of transnational corporations which threaten both the natural environment and the communities it sustains.

Development education could potentially play a powerful role in this effort. Sharing with learners the importance of ethical investment and consumerism to human rights and environmental protection around the world is very empowering, because these individuals are in a position to personally and collectively make a difference. With regards to investments, most working adults have a pension fund, and many also have additional investment interests. Unless we specifically choose an ethical pension or investment fund we cannot be sure what our money is funding. Yanacocha combines interests from a North American company, a Peruvian company and the World Bank, however their top investors and shareholders are

European banks (Facing Finance, 2013: 45). The fund manager's overriding responsibility is to maximise his or her customer's investment at all costs, unless the customer asks differently.

Widening the net even further, the vast majority of people in the global North are consumers. Many may think this footprint is unavoidable (to live is to consume) but it is the choices we make related to this consumption that are the problem. Over 50 percent of the gold extracted from mines goes to make jewellery. In Peru alone 50 percent of *campesino* communities are affected by mining conflicts (Bebbington, 2008: 2). Apart from jewellery, extracted minerals such as gold and copper are used in the electronics industry. China, the factory of the capitalist world, is the main buyer of raw materials; for example, the country imports 41 percent of Peruvian copper. These raw materials are then used to make phones, computers, music players, and many other electronic items. Friends of the Earth (2013) ran a campaign which exposed the human and environmental dangers at an Indonesian tin mine which sold its minerals to Samsung, who then agreed to stop buying from the mine and find a more ethical source. This consumer pressure could be replicated in other situations such as that of Cajamarca.

Education ideas

Cajamarca is a great case study for development educators to use in introducing learners to the wider issues of global inequality, the environmental dangers we face and, more positively, the possibilities for effective action. This could be approached from different angles depending on the group. Learners could act out the power relations in role plays, taking on the roles of the mining director, the government official, the *campesino*, the community leader etc. Research could be undertaken to follow the investments of local institutions such as universities, the church, state pension funds etc. Documentaries exist in English and in Spanish to enrich the study – such as *Open Pit*, *In the Heart of Conga*, and *Choropampa - the Price of Gold*, as well as various books. A project is underway in the north of Ireland to create a resource to use the case of Conga in the classroom as an

example of destructive capitalism, creative resistance and global activism, possibly in connection with local efforts in Cajamarca to create comic books for young learners on the subject [1].

The emergence of new progressive democracies in Latin America suggests that neoliberalism may be loosening its grip on the continent, but it continues to impose a severe burden on the communities of Celendin, Bambamarca and Cajamarca whose entire livelihoods and living environments are at risk. The resistance needs to remain strong, and for that it needs support and observant eyes to denounce the repression that will surely continue. But what is also needed is an underlying understanding of the problems created by the extractive mining industry in northern Peru to inform action and resistance to its activities. This model of responsible global citizenship can be replicated in other, similar battles for human dignity and environmental protection across the globe.

Note

[1] Educators or activists interested in becoming involved in the development and/or piloting of an educational resourced exploring the issues raised in this article should contact the Centre for Global Education (info@centreforglobaleducation.com).

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