

NGOs AND THE GREENING OF SOVEREIGNTY APPROACH:

ENVIRONMENTAL STALEMATES IN PERU

By

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ABSTRACT

This thesis is an analysis of the role of NGOs in many environmental conflicts between the Peruvian state and Andean and Amazonian grassroots organizations. This analysis is performed within the approach known as the *Greening of Sovereignty* of Karen Litfin. Based on the analysis of environmental conflicts in Perú, I support the following three ideas: (1) *The Greening of Sovereignty* approach perfectly describes the goals of the grassroots organizations protesting against the Peruvian state. (2) *The greening of sovereignty* approach assumes that the state apparatus can be used to further environmental agendas. Therefore, it is necessary to link this theoretical approach with some Weberian understandings. (3) *The greening of sovereignty* approach assumes the possibility to change the state agendas. But the political agenda of a country does not change easily. Therefore, one of the most common strategies of rural inhabitants is to seek allies in the international arena. It is at this time when NGOs get involved in the conflict. The ideas of this thesis are the result of tracking two conflicts that are yet to be resolved. The first one is the long ongoing conflict between indigenous communities of the Peruvian Amazon against the Peruvian government. The study of this conflict is based on a review of national newspapers. Peasant communities, located in the far north of the Peruvian Andes, are the main protagonists of the second case. My study of this case has been more intensive, it relies on semi-structured interviews with peasant leaders and NGO staff conducted in 2009.

NGOs AND THE GREENING OF SOVEREIGNTY APPROACH: ENVIRONMENTAL STALEMATES IN PERU

Jorge Thieroldt

INTRODUCTION

This thesis is an analysis of the role of NGOs in many environmental conflicts between the Peruvian state and Andean and Amazonian grassroots organizations. This analysis is performed within the approach known as the *Greening of Sovereignty* of Karen Litfin (1993, 1995, 1997, 1998, 2000). The main idea of this theoretical perspective is the following: it is possible to use the state prerogatives to protect the nature. Facing the current global situation - and the current Peruvian political situation in particular - is difficult to believe in the possibility of using the prerogatives of the state apparatus to promote ecological values, to listen to the rural population opposing the advance of mining activities in ecologically sensitive areas, and to counterbalance the power of transnational corporations involved in natural resource extraction. The principle of sovereignty constitutes an obstacle to environmental protection because every square meter on Earth is under state exclusive authority. Evoking the principle of sovereignty, states may reject external interference and block internal environmental claims. However, as proposed by Karen Litfin, it is possible to think in terms of green sovereignty. The direction of the use of state prerogatives can be changed in favor of the environment.

Based on the analysis of environmental conflicts in Perú, I support the following ideas:

(1) *The Greening of Sovereignty* approach perfectly describes the goals of the grassroots organizations protesting against the Peruvian state. These organizations seek to stop the advance of mining in Andean areas devoted to agriculture, and Amazonian territories inhabited by indigenous groups. These groups are not against the legitimacy of the Peruvian state. They are not seeking to reduce the prerogatives of state or the independency of their territories. These grassroots groups are seeking to change the direction of the use of state prerogatives. The Peruvian government should invoke the principle of sovereignty to defend the interests of rural inhabitants and to protect the environment; this is the main demand of these peasant and indigenous organizations. I will discuss the main ideas of this theoretical approach in the first chapter.

(2) *The greening of sovereignty* approach assumes that the state apparatus can be used to further environmental agendas. Therefore, it is necessary to link this theoretical approach with some Weberian understandings. We should keep in mind that the grassroots organizations confronting the state apparatus are trying to use the principles of sovereignty and state autonomy in order to limit the advance of mining activities. Members of these organizations know that the use of state autonomy is always selective. In addition, grassroots organizations are not in a situation of total conflict against the state. The relationship of these organizations with the state is highly complex. Sometimes, these organizations find important allies within the state apparatus. Other

times, these organizations seek to be part of the government itself aiming to further their own agendas. The analysis of the relationship between NGOs and grassroots organizations must take into account these high levels of complexity. These ideas will be developed in the second chapter.

(3) *The greening of sovereignty* approach assumes the possibility to change the state agendas. But the political agenda of a country does not change easily. In general, changes in the government's agenda are the result of a long process of domestic disputes. Generally, the channels linking the grassroots level with the representatives of the government are blocked. Therefore, one of the most common strategies of rural inhabitants is to seek allies in the international arena. It is at this time when NGOs get involved in the conflict. We need to think of NGOs as highly heterogeneous institutions. NGOs can advocate different agendas. The members of grassroots organizations know that there are different types of NGOs. An important group of scholars believes that NGOs are organizations solely interested in profiting, thereby projecting a false altruism. Maybe many NGOs match this description. However, there are a large group of national and international NGOs acting as allies of the peasant and indigenous organizations protesting for their rights. I propose to not lose sight that NGOs are highly heterogeneous institutions, and that the grassroots organizations possess enough amounts of agency to negotiate their own terms with potential international partners. Grassroots organizations act selectively, as the state and NGOs do. The heterogeneity in the NGO world will be explored in the third chapter, and the different strategies of NGOs used to engage with the state and with the grassroots organizations will be explored in chapter four.

METHODOLOGY

The ideas of this thesis are the result of tracking two conflicts that are yet to be resolved. The first one is the long ongoing conflict between indigenous communities of the Peruvian Amazon against the Peruvian government. Almost all the indigenous organizations in the Peruvian Amazon have been involved in this conflict, and this conflict has been developed in almost all the Amazon territory. The main complaint of these indigenous organizations is that the state is constantly changing the Peruvian legislation in order to privatize their territories, facilitating the arrival of extractive transnational corporations seeking oil and natural gas. These Amazonian organizations are calling for a final revoke of the laws proposed by the present government (2006 - 2011).

The study of this conflict is based on a review of national newspapers. This case has been on the front pages of the major newspapers in Perú during the last three years. Thanks to the enormous media coverage, the views of President Alan García and of his key ministers have been recorded in great detail. I focused specifically on public statements against NGOs. As part of this media campaign, President García has published three lengthy essays explaining his personal views on the use of natural resources. The role of NGOs in this conflict - as in many others throughout the Peruvian territory - has been so annoying for the government, that President García, in his essays, has described the NGOs as the enemies of the country. According to President García, the NGOs aim to perpetuate poverty and to destroy the democracy. President García has suggested that

NGOs are using financial resources channeled by neighboring countries who wish to impede the progress of Perú. These statements convey the government's opinion on the activities of environmental NGOs.

Peasant communities, located in the far north of the Peruvian Andes, are the main protagonists of the second case of this thesis. The inhabitants of this Andean area oppose the development of a mining project aiming to dig copper in an area that villagers see as the source of water. Typically in the rest of Peruvian territory, water falling from the Andes to the Pacific basin as well as to the Atlantic basin, comes from icecaps. However, in this case, the ore is located amidst the lowest point of the Andes. In this area, the water comes from the heavy rain falling over these semi-tropical mountains. According to local inhabitants and to scientists who have studied the water system in this area, the rivers in this region are fed by the water stored in the underground mountain aquifers. The disappearance of these mountains would mean the disappearance of these important sources of water.

My study of this case has been more intensive. In December 2008 I spoke with seven chairs of NGOs based in Lima, Perú's capital. All these NGOs have been involved in this case, offering legal support as well as financial and logistical resources to the peasant organizations. In June 2009 I traveled from Lima to Piura, the most important coastal city in northern Perú. In this city, I got in contact with the staff of various local NGOs involved in this conflict and conducted twelve semi-structured interviews.

A month later, in July 2009, I visited this Andean area interviewing six peasant leaders. Additionally, the leader of one small village, called to a public meeting in which all people, men and women, had the opportunity to witness how this important story was told. In this long meeting, many people took a say with the intention of recording their experiences, arguments, and opinions. All interviews were audio taped and constitute the main material for the study of this case. This case will allow us to understand the participation of NGOs in such conflicts. In short, this case will allow us to understand why NGOs are so unbearable for the current Peruvian government. These two conflicts are narrated in chapter five.

CHAPTER ONE

THE GREENING OF SOVEREIGNTY AND THE GRASSROOTS LEVEL

According to Karen Litfin, the principle of sovereignty and ecological conservation are two structurally contradictory criteria. The collage of nation-states territories does not match the interconnected ecological systems of the planet. We are facing a structural contradiction because ecological zones do not match the artificial and arbitrary political boundaries (Litfin, 2000, p. 120). The mismatch between the state territories and ecological systems is an important reason for understanding the problems of environmental degradation and social conflicts related to the management of natural resources: this inconsistency is the main cause of environmental conflicts (Byers, 1991). Watersheds severed by numerous interstate and intrastate boundaries are examples of this inconsistency. In most cases, the fate of a river basin is in the hands of multiple different political authorities holding office only for short periods of time. This institutional independence dilutes the responsibilities of public authorities on the environment.

According to Litfin, this structural contradiction is reflected in two academic extremes. In the first extreme, the state - protected by the principle of sovereignty - is seen as an agent and accomplice of ecological devastation. The principle of sovereignty is so strong and so influential that it prevents people from understanding what is happening to the planet, both among citizens of both the northern countries and the southern countries (Hurrell, 1994, pp. 148-152). This point is strengthened thanks to the increasing commitment of this collection of fragmented states with global market interests - being less committed to reducing social inequities or to control environmental degradation (Dauvergne, 2005). From this perspective, the state is the enemy of nature. By the same token, environmental transnational activities are seen as dangerous because they are eroding the state. Litfin refers to this academic extreme as the “*sovereignty as enemy*” thesis or the “*erosion of sovereignty*” thesis (Litfin, 1997, p. 168).

At the second academic extreme identified by Litfin, the state is considered as the only actor with the authority to protect the environment. International treaties are signed by the states, which are assumed to be the only responsible actors for overseeing the implementation of such agreements. Therefore, the state should not be ignored. From this perspective, defining the state as an enemy of nature is a barren road, not leading to any solution. According to some scholars, it is feasible to use sovereignty to defend the environment from opportunistic behaviors. Litfin has called this academic extreme as the “*sovereignty as bulwark*” thesis (Litfin, 1997, pp. 168-169). Of course, this is a very difficult political task, but not impossible to achieve.

According to Litfin, between these two extremes there are many nuances and different academic trends (Litfin, 1997, p. 169). Among politicians and environmentalists, there are many positions constantly overlapping. The state is not the permanent enemy of nature, because not all state decisions promote economic opportunism. Similarly, among the defenders of nature there are many different positions towards the state and towards

the market. Some grassroots organizations are much more willing to engage in dialogue with mining companies - while many other social movements, reject from the very beginning, any kind of risk to nature (Bebbington & Bebbington, 2009).

To capture the complexity in global environmental politics, Litfin suggests thinking in terms of “*sovereignty bargains*”: states are usually involved in confusing negotiations accepting certain benefits in exchange for certain limitations (Litfin, 1997, pp. 169-170). The results of these negotiations can not be predicted easily. What is certain is that these multiple negotiations between state and non-state actors are changing the exercise of national sovereignty.

We must remember that sovereignty is not a monolithic principle. Litfin draws from the historical study of Edmund Morgan (1988) to argue that sovereignty is an elastic concept. This notion has mutated several times throughout history. It is surprising to note how European countries have moved from a medieval sovereignty, based on the power of God, based in Rome, to a modern and democratic sovereignty based - supposedly - in the people’s power (Litfin, 1997, p. 194). According to Litfin, sovereignty is more a practice than a principle. Sovereignty as a practice has been able to adapt to different cultural contexts and to survive in different historical contexts. Therefore, green sovereignty is feasible. It is conceivable that the principle of sovereignty can be put at the service of nature (Litfin, 1997, p. 194).

THE STATE AS THE ENEMY OF NATURE

Academic arguments of those who believe in the state as an enemy of nature are quite convincing. In my opinion, the main arguments supporting this approach are threefold: (a) the contradiction between the unrestrained growth of the market and nature, (b) the coincidence between the state interests and market interests, (c) the instrumentalization of the state by global market forces.

(A) STRUCTURAL CONTRADICTIONS

John Bellamy Foster (2002) clearly explains the contradiction between the unrestrained growth of market and ecological values. This contradiction can be summarized in four ideas. First, infinite economic expansion is impossible over a finite environment. Promoting economic growth without limits is just a suicide (Foster, 2002, p. 10). Second, the time horizons between economy and nature do not match. Economic activity takes place within very short periods of time. Nobody has time to wait, everyone wants to reduce the risks to the fullest, and everyone is constantly looking for better opportunities. On the contrary, nature has its own terms, works in very long periods of time, and does not follow to the human will (Bunker & Ciccantell, 2005). Consequently, a really honest preservation requires extreme caution. Third, the capital never stops. The capital is in a constant process of expansion. Foster quotes Joseph Schumpeter to convey this idea: “Capitalism is a process, stationary capitalism would be a *contradictio in adjecto*” (Foster, 2002, p. 74). Fourth, unfortunately - all of us - are part of this system. All our economic activities use the resources provided by nature and all our activities are irreparably transforming the environment. In addition, we are all part of the market.

Foster compares the market system with a sort of treadmill that never stops in which we are caught looking always for the best jobs or seeking the better wages (Foster, 2002, p. 45).

(B) COINCIDENCES BETWEEN THE STATE AND THE MARKET

James Scott (1998) explains the historical coincidences between the fiscal interests of the state and the market interests. The pragmatic view of nature as a source of commodities is the cement of this match. Scott has outlined in detail how the modern state apparatus has organized the natural world in order to facilitate the bureaucratic control. The most important result of this re-organization was the simplification of the natural world which can be seen in nowadays artificial forests of commercial timber, and in the large tracts of industrial monocultures.

According to Scott, under the fiscal lenses of the state, forests become sources of specific raw materials. The enormous social and biological complexity of the forests disappears completely. The attention of the state is concentrated on those few items with market value. Similarly, other plant species disappear along with hundreds or thousands of mammals, birds, fish, and insects. Other services provided by forests have also disappeared. In social terms, forests are a store of natural medicines and food sources, and constitute essential hunting areas; in terms of ecology, forests stabilize temperatures, trap moisture, and prevent soil erosion (Scott, 1998, pp. 12-13). In the utilitarian state discourse, the word “nature” has been replaced by the term “natural resources.” The state is concentrated - only - on those few items that have the highest commercial value. This reductionist view is reflected in our daily language: plants with market value become “crops,” those that have no value become “pests,” useful trees become “timber” and the useless “underbrush,” the animals are separated between “livestock” and “varmints” (Scott, 1998, p. 13).

Bureaucratic control of nature requires simple criteria, easily to be learned and to be managed by the state personnel in a distant office (Scott, 1998, p. 45). For these officials, traditional local practices related with property and land use are indecipherable. Local practices respond to a wide variety of local interests, not to the interests of the state (Scott, 1998, p. 24). The response has been the imposition of standard units of measurement. This imposition has largely coincided with the interests of the market as the large-scale and long distance transactions are impossible without standard measurement systems or bureaucratic legal monitoring (Scott, 1998, p. 30).

This process of standardization of the natural world has been accompanied by the standardization of the social world. The citizen, anonymous and uniform under the state law, and compliant user of standard systems of measurement, was the ultimate creation of the modern state (Scott, 1998, p. 32). This is a little difficult to accept in a context in which individual freedom is constantly touted, but even family names were, at first, an imposition of the state apparatus (Scott, 1998, p. 64). Based on the analysis of Portuguese colonial rule on the current Brazilian territory, Thom Kuehls (1998) argues that the creation of a citizen means the creation of an individual with a particular vision of the land: a highly pragmatic and rentier view. Kuehls describes in great detail how the

indigenous inhabitants of this colony were transformed into citizens in total harmony with the fiscal interests of the state. We should remember that the current state apparatus did not receive a natural environment tailored to their interests (Kuehls, 1998).

(C) INSTRUMENTALIZATION OF THE STATE

The current political manipulation of the state apparatus by global market forces has been discussed and documented in an extensive literature (Foster, 2002; Foster & Magdoff, 2009; Harvey, 2005, 2008; Luttwak, 1999; Morris, 2008; Reich, 2007; Speth, 2008; Speth & Haas, 2006; Stiglitz, 2003, 2007). According to this literature, transnational corporations are the most powerful organizations in the global market, and therefore, the mainly responsible for the deterioration of nature (Speth, 2008, p. 165). In addition, their commercial activities are greatly benefited by the fragmented system of sovereign states (Speth, 2008, pp. 62-73).

The main evidence of the politicization of the states in favor of the interests of the global market is the lack of political will by the leaders of major world powers to adopt international environmental treaties. The most cited example in this literature is consistent U.S. resistance to sign important agreements like the Kyoto Protocol (Foster, 2002, p. 16). However, some authors claim that some other treaties have been effectively signed. Moreover, these authors argue that commercial agreements signed between the major nodes of global trade - as the block formed by Canada, the United States and Mexico - along with the European Community and Japan - do have a positive effect on nature. According to this argument, the exigent rules of international trade are forcing the less powerful countries to raise their environmental standards (Mol, 2003). However, the effect of these commercial agreements on the environment is completely uncertain (Hurrell, 1994; Speth, 2008; H.-A. van der Heijden, 1999, 2002). These agreements rely only on the will of the state and the states are always seeking to preserve their prerogatives.

It is difficult to recognize corporations as political actors, but they are. In each country, the interests of large private companies are defended by lawmakers, ministers, journalists, intellectuals of all kinds, and of course, by trade and industrial unions - in addition, all these characters are constantly switching places through a revolving door connecting the state sector to the private sector (Sklair, 1997, 2002a, 2002b). The huge imbalance of power between the citizens and corporations is one of the major concerns within this academic literature. The media is a business; therefore, it easily aligns with the interests of the most powerful economic actors. Normally, information does not flow freely. It is very difficult to produce or obtain information in time. In the case of environmental conflicts this situation worsens. Thanks to corporate donations, advertising and high-paying jobs, the corporations are able to control much of the public debate (Speth, 2008, pp. 168-169). Robert Reich has described this situation as the "corruption of knowledge" (Reich, 2007, p. 158).

THE STATE AS A PROTECTOR OF NATURE

If the arguments of the scholars declaring that the state is used against nature are so strong, how viable is to think in terms of *the greening sovereignty*? If the match between the state's fiscal lenses and the interests of the market is so strong, how can the state authority be relocated to the service of nature? Another kind of academic literature argues that the solution lies in a partnership between grassroots actors and global actors. These transnational alliances do not seek to ignore or to reduce the prerogatives of the state apparatus. By contrast, the main purpose is to use the sovereignty to protect nature. These transnational alliances are not trying to ignore or to reduce the state they are trying to use the state.

Since there is no way to increase the capacity of the environment to continue resisting the burden imposed by extractive activities, mass consumption, and pollution, it is logical to conclude that adjustments must be made "on the other side of the equation" (Sweezy, 2004, p. 90). However, adjustments in the economic side of the equation are very difficult because, in large measure, it would be like attacking our own privileges. First, we must remember that we are citizens and consumers at the same time. As citizens we can be concerned with collective welfare, but the truth is that we are much more concerned with preserving our individual benefits: better wages, low prices, and increasingly profitable investments (Reich, 2007). Second, as global consumers, we are very far - in terms of space and time - to the places assuming the direct impacts of the extraction of raw materials that underpin the world trade system. This space-time separation dilutes all moral responsibilities, both for consumers and for corporations (Dauvergne, 2005, 2010; Saurin, 1993). Third, the establishment of limits on the exploitation of nature means a reduction over our amounts of freedom (Foster, 2002, p. 52). Freedom is constantly touted as the basic principle of democracy and market.

Consequently, the solution will not come from individual, voluntary, and dispersed actions. The key to political change - the source of the necessary limits on industrial activities to protect nature - would come from grassroots organizations with a balanced sense of individual freedom, and interested in preserving the environment. Since the current increase in demand for raw materials is mainly affecting rural areas, peasant and indigenous organizations are leading the most important political reactions in the third world countries (Hyndman, 1994). Such organizations are claiming for the necessary limits on the global market. Not all inhabitants of the globe are equally exposed to the effects of environmental degradation - some are more protected than others (Newell, 2005). Similarly, not everyone benefits equally from the global market growth - we all are part of the system, but not all of us are committed to the market values with the same intensity (Foster, 2002). Therefore, there is plenty of room for differences and disagreements.

Hein-Anton van der Heijden refers to this view as the *community approach* (H.-A. van der Heijden, 1999, 2002). Since the solutions are not going to come from either the state or the market, local or community dimension becomes the source of values and knowledge necessary for ecological preservation. This local or community dimension is the place from which social movements arise with new policy agendas. In recent years

much has been written about the true political capabilities of the peasant and indigenous movements - and about the exaggerated optimism spreading among some intellectuals (Conklin & Graham, 1995; Escobar, 1998; Hames, 2007). But aside from all these debates, the truth is that the political activity at the grassroots level has skyrocketed over the past two decades, and Perú is an example of this kind of process.

Achieving political success is not an easy task for these community-based organizations. For these movements, it is very difficult to obtain sufficient political representation or, indeed, become the government. That is why van der Heijden has proposed the concept of “*political opportunity structure*” to understand the successes and failures of global and domestic environmental movements (H.-A. van der Heijden, 1997, 1999).¹ Political opportunity structures are all factors determining the degree of openness of political systems regarding ecological demands made by local movements or by international organizations - such as Environmental NGOs.

According to van der Heijden, these political opportunity structures include four types of factors. First are the classic conflicts in society: church / state, center / periphery, urban / rural, etc. While these old dichotomies may vary greatly depending on the background and historical circumstances of each country, they are still influencing the outcome of environmental conflicts. Second are the formal characteristics of the state structure: the levels of decentralization, levels of concentration of economic power, and electoral system characteristics. Third are the informal strategies of political elites to counter their opponents: national elites tend to defend their interests through various strategies such as repression, confrontation, polarization, assimilation, cooperation, and blackmailing. Fourth are the power relations within the political party system: usually, environmental demands are collected by the left, not by right-wing parties. Disputes between political parties at the national level impacts heavily on the efforts made at the local level (H.-A. van der Heijden, 1997, pp. 27-31). The greening of sovereignty necessarily implies a long series of political confrontations in the domestic arena.

This community approach is accompanied and reinforced by the development of a global planetary consciousness. One of the most unexpected and interesting results of the negative effects of corporate globalization on environment has been the development of a planetary consciousness (Hurrell, 1994, p. 147). The understanding of inhabiting a single planet in a state of interconnectedness and interdependence, is the pillar and foundation of environmental transnational activity (Hurrell, 1994, p. 162). This global consciousness not only facilitates transnational alliances between local movements and environmental NGOs, but also is what gives legitimacy to political efforts aimed at building a green sovereignty.

¹ In developing this concept, Hein-Anton van der Heijden had condensed much of the social movements theories conceived by authors such as Doug McAdam, Mayer N. Zald, John D. McCarthy, and Sidney Tarrow, among others. Interestingly, van der Heijden has extended the scope of these authors' ideas to understand partnerships between international and national movements, both in the first world countries as in the third world countries.

The rapid growth of demand for raw materials are putting pressure on rural areas inhabited by minorities who have remained cautious and away from this type of trade (Hyndman, 1994; Newell, 2005). Some authors have described this type of pressures as “internal colonialism” or “development by invasion” (Litfin, 1997; Nietschmann, 1986). In these cases the views of local inhabitants are ignored, their political demands are blocked, and the information is extremely scarce. Because of these imbalances of power, global environmental efforts are usually closely linked to a wide range of other political demands: human rights, indigenous rights, food security, and democracy (H.-A. van der Heijden, 1999, 2002).

The cases of the Sardar Sarovar dam on the Narmada River in India (Wirth, 1998), Kedung Ombo dam on the Serang River in Indonesia (Rumansara, 1998), development projects in the Brazilian Amazon known as Planaflores and Polonoroeste (Keck, 1998), and the repeated attempts made by the Ecuadorian state in order to extract oil in territories of Amazonian indigenous peoples (Treacle, 1998), are among the most renowned examples of recent environmental transnational activity. The above mentioned cases contemplated - or meant - the displacement of hundreds of thousands of people, the loss of thousands of hectares of arable devoted to agriculture, and the radical transformation of nature. These government projects were presented as necessary to achieve national economic development, but due to poor social and environmental considerations, such projects sparked large-scale conflicts.

In these cases, religious organizations, NGOs, activists, intellectuals, grassroots organizations, political parties, transnational corporations, and international financial institutions were involved. It should be noted that each of these cases had different outcomes. Environmental transnational activity has to be studied in detail, case by case, paying close attention to the peculiarities of each context in which it operates. The involvement of the same transnational actors does not guarantee a similar outcome. In some cases, international pressures over the World Bank result in government openness. In other cases, the World Bank was never an ally and therefore the borrowing government paid no attention to environmental complaints.

CHAPTER TWO

THE STATE

According to Karen Litfin's approach - *the greening of sovereignty* - it is possible to re-orient the prerogatives of the state in order to protect nature. Therefore, in a sense, this approach is much closer to the Weberian view than to the Marxist view. However, the relations between the grassroots organizations and the state are very complex. That is why one should avoid taking a rigid position about the boundaries between state and society.

This chapter has two goals. First, I will link *the greening of sovereignty* approach with the Weberian perspective. The exercise of autonomy is always selective, and the people at the grassroots level facing the state know it. The boundaries between state and society can be blurred, but they do exist nonetheless. The main difference lies in who is inside the borders, and who is outside. Second, I will continue with one of Karen Litfin's recommendations. Litfin has noted that Joel Migdal's theoretical perspective is highly compatible with *the greening of sovereignty* approach because there are no clear boundaries between state and society. Those who confront the state can also be, at the same time, the ones who represent the state. Those facing the state are not confronting "all" of the state apparatuses, as some state offices becomes genuine allies.

FROM ABOVE AND FROM BELOW

In sociology, the debates about the relationship between state and society take into account the theoretical contrast between the ideas of Karl Marx and Max Weber. An important issue in this debate is the supposed ability of the state to exercise autonomy over other groups in society. That is, the ability to influence society and to maintain independence from special interests of certain groups or social classes.

The Marxian point of view tends to assume that there are no major differences between state and society because – theoretically – the state would be a kind of institutional reflection of the interests of most economically powerful groups (Steinmetz, 1999). From this perspective, there is little room for the idea of autonomy. Economically powerful classes appropriate the state apparatus and use it to defend their position. That is why a large group of Marxist theorists believe that the line between politics and economics is just an illusion or fetish (Jessop, 1999, p. 380). In this regard, Karl Dusza notes:

The term "state" lived on in Marxism, but the class of objects that it denoted was not identified exactly; it was used only as a catchword for the designation of the "political superstructure," which, in the interpretive paradigm of Marxism, is a set of ephemeral phenomena whose "real" organizing principles are to be found outside their own domain: in the "economic substructure," that is (Dusza, 1989, p. 71).

By contrast, those scholars using the Weberian approach attributed a great capacity for autonomy from society to the state apparatus. This consideration has some advantages - for example, according to Steinmetz, this “neo-Weberian” or “state-centered” understanding has been able to explain social processes that have escaped the Marxist approach: cases in which the state apparatus has acted against the interests of the dominant classes (Steinmetz, 1999, p. 17).

According to the classic Weberian view, the state is a powerful institutional tool. Diverse groups, movements and organizations are constantly struggling in order to control the state apparatus - or at least striving to be efficiently represented. Weber defined “politics” as a constant exercise of the struggle for control of the state apparatus (Weber, 1958, p. 78). This constant struggle to control the state apparatus is developed between different groups, and each of these groups has different interests and agendas. Weber argues that this is why the state cannot be sociologically defined according to its “ends,” such as its agendas, interests, and goals. Rather, the state should be defined according to its “means” or its elements of control, such as physical violence (Weber, 1958, pp. 77-78). Because different groups have different interests, one could identify as many purposes as there are groups in a given society. The ends are elements that can be changed. On the contrary, the concentration of elements of control in the hands of the state bureaucracy is a constant element.

In the famous book entitled *Bringing the State Back In*, Perú – along with Turkey, Egypt, and Japan – was considered a case of “revolution from above.” Perú was taken as a case in which the state apparatus was used to destroy ruling classes, to strip upper landed aristocracies, and to reorient the national economy (Evans, Rueschemeyer, & Skocpol, 1985). Authors like Ellen Kay Trimberger (1978) and Alfred Stepan (1978) documented in great detail the actions of the Peruvian military government, which, thanks to a coup d’état in 1968, conducted extensive land reform by destroying the oligarchy, nationalizing natural resources, and placing the pre-colonial past as a cornerstone of the new Peruvian nationalistic discourse.

In 1992, thanks to another coup d’état, Perú took a political and economic turn in the opposite direction. In 1990, Peruvians democratically elected the unknown university professor, Alberto Fujimori, as the new president. After two years in office, President Fujimori, backed by a new generation of generals, closed the Congress, changed the Constitution, adopted the Washington Consensus, and ruled as a dictator until 2001. Alberto Fujimori privatized all natural resources and amended the laws to promote foreign investment in this highly profitable realm of Peruvian economy.

I note that both the revolutionary military government during the seventies and the dictatorial regime of the right during the nineties were changes “from above.” That is, both regimes used the power of the state apparatus to transform radically the Peruvian society. The neoliberal regime in Perú was imposed from above, by force and by surprise (Stokes, 2001). Twenty years after the implementation of neoliberalism, Perú is the site of massive indigenous and peasants’ mobilizations.

Today, Perú constitutes a perfect example of “globalization from below” (Appadurai, 2000; Brecher, Costello, & Smith, 2000; Portes, 1997). I want to emphasize that Perú was a case of “revolution from above”, and now it is a case of “globalization from below”. In both cases, the Peruvian state apparatus has been used in a highly selective way.

SELECTIVE AUTONOMY

Timothy Mitchell (1991, 1999) has linked the Weberian perspective on state autonomy to international corporations trading with natural resources. According to some scholars, Mitchell has criticized the Weberian perspective, arguing for the absence of boundaries between state and society (Bendix, Ollman, Sparrow, & Mitchell, 1992). However, it is necessary to review this criticism. Mitchell argues that, in the real world, the ideal and strict Weberian limits do not exist:

The customary Weberian definition of the state, as an organization that claims a monopoly within a fixed territory over the legitimate use of violence, is only a residual characterization. It does not tell us how the actual contours of this amorphous organization are to be drawn (Mitchell, 1991, p. 82).

For this author, in the real world the boundaries between state and society are very flexible and porous. Mitchell makes his point using an example that has to do with political relations, international trade, and natural resources: The collusion between U.S. government and the most powerful oil supplier of the world, the Saudi state-owned Arabian American Oil Company (Aramco). In this case, according to Mitchell, the state decided to benefit a corporation at the expense of its citizens:

The case illustrates both the permeability of the state-society boundary and the political significance of maintaining it. After World War II, the Saudis demanded that their royalty payment from Aramco be increased from 12% to 50% of profits. Unwilling either to cut its profits or to raise the price of oil, Aramco arranged for the increase in royalty to be paid not by the company but by U.S. taxpayers. The Department of State, anxious to subsidize the pro-American Saudi monarchy, helped arrange for Aramco to take advantage of a loophole in U.S. tax law whereby the royalty was treated as though it were a direct foreign tax, to be paid not from the company’s profits but from the taxes it owed to the U.S. Treasury. This collusion between government and oil companies, obliging U.S. citizens to contribute un-aware to the treasury of a repressive Middle Eastern monarchy and the bank balances of some of the world’s most profitable multinational corporations, does not offer much support for the image of a neat distinction between state and society (Mitchell, 1991, p. 89).

Faced with such empirical evidence, the vulnerability of the state apparatus in front of pressures coming from the most powerful economic groups is undeniable. In these cases it is very difficult to argue in favor of state autonomy. However, Mitchell points out quite rightly that such cases should not lead us to believe that the boundaries between state and society are only an illusion. Mitchell argues for the permeability, not for the absence, of such boundaries (Chandhoke, 1995, p. 65). I want to stress that Mitchell argues for the instrumental use of the state by groups with very specific interests: “The case illustrates both the permeability of the state-society boundary and the political significance of

maintaining it.” The borders are porous, yes, but they exist. The borders are real. In fact, it is due to their existence that they can be used. The borders are not just an illusion:

The point that the state’s boundary never marks a real exterior can suggest why it seems so often elusive and unstable. But this does not mean the line is illusory. On the contrary, as the Aramco case shows, producing and maintaining the distinction between state and society is itself a mechanism that generates re-resources of power. The fact that Aramco can be said to lie outside the formal political system, thereby disguising its role in international politics, is essential to its strength as part of a larger political order (Mitchell, 1991, p. 90).

Mitchell’s example perfectly illustrates how the state never ceases to exercise its capacity for autonomy. What changes is the way in which autonomy is used: the favorites or the beneficiaries, the excluded or ignored, are not always the same. The approach suggested by Karen Litfin coincides with this aspect of the Weberian view of the state: the adoption of a new agenda of state, in this case a green agenda, is possible. Some authors have used the phrase “selective autonomy” to emphasize that any exercise of autonomy is always selective.² In my opinion this phrase is very useful in remembering that the objective of the grassroots organizations is the change of direction of state prerogatives. The grassroots organizations are not seeking to destroy or to dilute the state autonomy. On the contrary, they want to strengthen the autonomy of the state in order to set limits to the interests of the global market.

MELANGE

Grassroots organizations are not against the legitimacy of the state or against the principle of sovereignty. Through a closer look at this kind of conflict on a global level, one can discover that grassroots organizations with environmental agendas are claiming to be heard by the state (Hurrell, 1994; H.-A. van der Heijden, 2002). In the global battles for the greening of sovereignty, grassroots organizations and their international allies want to redirect the prerogatives of the state apparatus in favor of nature.

The relationships between grassroots organizations and the state are always confusing and contradictory. How does one study the conflict between local organizations and the state when the state is not totally defined as an enemy? To overcome this confusion, two things need to be done. Firstly, we should not confuse the state apparatus with the government. Citizen groups challenging the state are very clear about this distinction. Secondly, it is necessary to use a flexible and dynamic conceptual framework. Karen Litfin suggests that the theoretical framework developed by Joel Migdal is highly compatible with her approach (Litfin, 1997, p. 181). In the theoretical framework of Joel Migdal, there are no solid boundaries between state and society. Instead, there are fuzzy

² Alan Cairns has described the relationships among political scientists in Canada and the United States as a relation of selective autonomy (Cairns, 1975, p. 233). In a different part of the world and topic, Richard Maxwell has described the relationships among the various regional television companies in Spain as relations of selective autonomy - it is important to note that according to Maxwell, selective autonomy and selective dependence are two sides of the same coin (Maxwell, 1995, p. 122).

lines. There are mutual relationships of flow and permeability between the state and society: the citizens are part of the state, seeking to be authorities, establishing partnerships with various state agencies, and seeking leverage in all possible cracks and nooks (Migdal, 2001).

Joel Migdal criticizes authors who strictly follow the Weberian model. According to Migdal, these authors place too much emphasis on features such as “goal oriented,” “monopoly,” and “efficiency imposing the state will.” Migdal is part of the group of academics who is aware that the Weberian model can lead us to think of the state as an entity isolated from the rest of society. Those who literally follow the Weberian model, have forgotten that the original author clearly stated that it is just an ideal model; a model that cannot be found in the real world, a world inhabited by human beings of flesh and bone (Migdal, 2001, pp. 14-15).

Migdal proposes a new model that he calls “state-in-society.” This model is highly dynamic: Migdal considers the state as an inconsistent institution, without clear limits with the rest of society and constantly changing. I will review some key features of the state apparatus in Migdal’s perspective. First, Migdal uses the word “mélange” to emphasize that the state apparatus is actually a collection of different organizations (Migdal, 2001, p. 49). In this collection, state organizations are loosely connected; they deal with contradictory goals, hold different objectives, and generally promote conflicting sets of rules. But, sometimes, they form intertwining alliances.

Second, the state apparatus lacks clearly defined boundaries with other groups in society. In fact, the official state boundaries are quite porous: “We must move away from a perspective that simply pits state against society. The state is part of society, with many characteristics not very different from those of other social organizations. Officials of the state are members of the larger society” (Migdal, 2001, p. 63).

Third, the state apparatus is not as efficient as it seems to be in the imposition of its will: the rules and the legitimacy of those who are in charge of the government are always under discussion. In all societies, and institutions, there is a constant conflict around the rules and laws:

In short, all societies have ongoing battles among groups pushing different versions of how people should behave. The nature and outcomes of these struggles give societies their distinctive structure and character. States are no different from any other formal organizations or informal social groupings in this regard. Their laws and regulations must contend with other, very different types of sanctioned behavior, often with utterly unexpected results for the societies that states purport to govern – and for the states themselves (Migdal, 2001, p. 12).

Fourth, the state is an important part of this ongoing conflict. Different, contradictory, and loosely connected organizations in the state are part of this ongoing conflictive environment - along with multinational corporations, families, tribes, clans, and political parties, among many other types of associations (Migdal, 2001, p. 50).

Fifth, because of the close proximity between state and society, in addition to this almost perennial climate of conflict between state and non-state organizations, the state is constantly changing: “States are not fixed entities, nor are societies; they both change structure, goals, constituencies, rules, and social control in their process of interaction. They are constantly *becoming*” (Migdal, 2001, p. 57).

The case of the peasants in the Northern Andes of Perú is an excellent example of the complex relationships between state and society. These peasants are in a very peculiar situation. For years, in the absence of the Peruvian state, the peasant self-defense organizations were the only ones in charge of enforcing the national laws over large geographic areas. For nearly four decades, the peasants of this area have been the most important allies of the Peruvian state to control the territory. Today, these organizations are seen as a problem by the central government. In the current conflict with mining companies, district municipalities have taken sides with the peasants. Never before in the history of this part of the Andes have the electoral processes been so contested. For more than a decade in this region there have been only two kinds of candidates: the pro-mining candidates and the environmental candidates. In this region of Perú, the role of municipalities can be decisive in the outcome of these conflicts, and the grassroots movements know this fact. That is why they are trying to control the municipalities.

Contrary to what many people think, we live in a world which increasingly requires more and more raw materials (Ascher, 1999). Although many politicians do not want to recognize this, industrialized countries like the United States, China and Japan - the main consumers of raw materials – as well as extractive transnational corporations, are constantly striving to maintain political control of very specific geographical areas in order to control the prices of these commodities on the international market (Bunker & Ciccantell, 2005). The flow of these resources can not be stopped. The whole world market depends on the price of these materials, and the struggle for natural resources always increases the existing levels of complexity in state-society relations.

CHAPTER THREE

NGOs

The current Peruvian government has repeatedly stated that NGOs are organizations seeking to destroy democracy and preventing the country from its economic development. As part of this attempt to delegitimize NGOs, the Peruvian government has asked who the sponsors of these organizations are, suggesting that domestic NGOs are organizations without autonomy from international donors. At the same time, grassroots organizations are suspect of NGOs, because many mining companies have established their own NGOs as a strategy to approach the local population. Recall that NGOs are bureaucratic organizations with the ability to promote any political or economic agenda. That is why grassroots organizations deal cautiously and selectively with NGOs. The purpose of this chapter is twofold: (1) I will review the literature that considers NGOs as politically heterogeneous organizations, and (2) I will review the arguments of those who argue that domestic NGOs are not in a situation of total dependence of international NGOs or Northern donors.

DEFINITION

According to the observations of Chris Ballard and Glenn Banks, in environmental conflicts NGOs are known for their vulnerability. In strictly economic terms, NGOs are not considered *stakeholders* (Ballard & Banks, 2003). States and transnational corporations are easily recognized as *stakeholders*: the states hold the legal ownership of resources and the corporations get the profits generated by extractive activities. It has been very difficult for environmental transnational activity to gain recognition for local organizations as *stakeholders* who have the right to participate in processes of negotiation. After the acceptance of grassroots organizations in these negotiations it has been increasingly common to refer to these three players as part of a “*triad stakeholder model*” (Ballard & Banks, 2003; Clark & Clark, 1999). The inclusion of NGOs in this model is a thornier subject than we would assume, mainly because the interests of NGOs in such matters are hard to define. Do the NGOs who come to the aid of grassroots organizations have any economic interests? Are the NGOs led completely by altruistic motives? What kind of agendas are NGOs defending? Why have they engaged in this conflict and not in others? The interests of NGOs are easy to distort and to take out of context.

It is very easy to question the intentions of NGO because they are very difficult to be categorized or defined. As a matter of fact, there is no consensus on the definition or on the classification of this type of organization (Vakil, 1997, p. 2057). Indeed, the acronym “NGO” is just a generalization that serves to point out to a heterogeneous, diverse, and confusing collection of formal and informal organizations (Fisher, 1997). Although there is no universally accepted definition, there are certain levels of agreement on the common use of the term NGO. For instance, most definitions agree that these are organizations whose ultimate goal is public welfare. That is why the acronym NGO can include all

types of institutions that recognize themselves as philanthropic, like religious organizations or academic think-tanks involved in such diverse topics as human rights, gender, health, indigenous rights, and the environment (Clarke, 1998, pp. 36-37). There are also similarities with regard to what types of organizations are not parts of this heterogeneous collection of institutions. For example, nobody uses the term NGO to refer to private businesses, revolutionary movements, terrorist groups, or political parties (Simmons, 1998, p. 83).

POLITICAL HETEROGENETY

There is a lot of evidence and critical material against the role of NGOs in the global arena. It is common to hear critics against NGOs denouncing them as opportunistic actors in contexts of social disaster or structural adjustment. Other critics see them as promoters of a certain democracy that only favors the interests the market (Baker, 1998; Blaney & Pasha, 1993; Petras & Arellano, 1994; Petras & Veltmeyer, 2005; Zanotti, 2010). That is why some analysts of non-governmental activity refer to NGOs as the new Trojan Horse of neoliberalism (Harvey, 2005; Wallace, 2004).

In contrast, the role of NGOs in *the greening of sovereignty* approach is different. This model assumes that there is a state apparatus promoting highly profitable extractive activities that are highly dangerous for the environment. On the other hand, *the greening of sovereignty* model assumes the existence of a set of social movements, grassroots organizations, citizens, and NGOs interested in the re-orientation of the use of state prerogatives. In this model, NGOs constitute an obstacle to the flow of raw materials into the global market.

One must remember that there is a high degree of heterogeneity in the NGO world. Like the state, NGOs are institutional vehicles with the ability to further any political or economic agenda. Like the state, NGOs are bureaucratic organizations with the ability to transform relations of power within a given society and are capable of exerting different levels of autonomy from the rest of the organizations in the society (Elliott, 1987; Fisher, 1997). The institutional diversity among NGOs has been well described by William Fisher as follows:

Associations designated as NGOs differ from one other in functions; the levels at which they operate; and organizational structures, goals, and membership. They include, but are not limited to, charitable, religious, research, human rights, and environmental organizations and range from loosely organized groups with few unpaid staff members to organizations with multimillion dollar budgets employing hundreds (Fisher, 1997, p. 447).

This heterogeneity explains why NGOs have different levels of autonomy and dependence on other organizations. This heterogeneity is reflected in the many acronyms used to classify NGOs according to their diverse institutional loyalties. For example, CONGOS (Government-organized NGOs principally created to capture the global stream of aid funding); QUANGOS (Quasi-nongovernmental organizations mostly based in industrialized countries and receiving their resources from public funding); and

DONGOS (Donor-organized NGOs created as preferred channels for donor funding) (Vakil, 1997, p. 2059).

Due to this high level of heterogeneity, NGOs can become enemies or allies of any kind of political regime. The quality of relationships between NGOs, states, political parties, churches, and other organizations depends on matching purposes or confluent agendas at a given moment. It is impossible to construct generalizations about the potential impacts of NGOs on other organizations (Fisher, 1997, p. 452). Gerard Clarke uses the case of countries like India, Chile, and Argentina to illustrate how NGOs can be political challengers or allies for all types of governments. In the case of India, NGOs were seen as agents of Western forces acting against the communist regime:

In India, the Communist Party of India (Marxist) (CPI(M)) regards foreign-funded NGOs as agents of imperialism and has called on the Indian government to strengthen regulation on their activities. In the Philippines, the Communist Party of the Philippines (CPP) has traditionally been ambivalent about relations with supportive NGOs and in 1992 clamped down on NGO links amid growing party disunity. Radical social movements generally feel that NGOs are agents of capitalism and Western political and cultural values throughout the developing world, articulating an agenda set by multilateral, bilateral and nongovernmental donors (Clarke, 1998, p. 45).

In Chile, after several years of right-wing dictatorship, NGOs were seen as allied organizations of the state in the complex process of recovery and restoration of democracy:

In Chile, NGOs played a significant role in the restoration of democracy in 1990, drafting policy proposals adopted by the Allwyn government, improving government service delivery by acting as subcontractors, and supporting local organizations during election campaigns (Clarke, 1998, p. 49).

In Argentina, the NGOs were in conflict with both the state and the church:

In Argentina, however, where repression was greater and where an estimated 20,000 to 30,000 people ‘disappeared’ between 1976 and 1983, the Church hierarchy, traditionally close to the military, failed to establish an equivalent of Chile’s *Vicaría*, drawing it into bitter conflict with other Argentinian human rights NGOs (Clarke, 1998, p. 46).

As it has been noted by Ballard and Banks, in environmental conflicts some NGOs confront other NGOs. Some NGOs are working for the interests of local inhabitants while other NGOs are working as a contractors of mining companies (Ballard & Banks, 2003, p. 304). In Perú, during the last two decades, many extractive companies have established their own NGOs aiming to improve their relations with the inhabitants surrounding their operation areas (Sanborn, Portocarrero, & Camacho, 2007). It is important to emphasize that not all NGOs are equal. Not all nongovernmental organizations have the same level of openness to mining companies. In the world of NGOs there are high levels of political heterogeneity, and this heterogeneity can not be ignored in the global battles for *the greening of sovereignty*.

Within Litfin's theoretical framework, NGOs have a particularly uncomfortable position. NGOs change the direction of the political debate from the traditional emphasis of the government in the principle of sovereignty to emphasis on the responsibilities and obligations of the government for its citizens and the environment (Litfin, 1997, p. 193). Generally, governments refer to these annoying NGOs as foreign enemies who violate the sacred principle of sovereignty. In such cases, the state apparatuses react with different levels of hostility. In general, they react by invoking the principle of sovereignty. The first thing they do is try to reduce the flow of financial resources that international NGOs can channel toward domestic NGOs (Litfin, 1997, p. 192). The literature about the ways in which states seek to control NGOs is also extensive.

Drawing from several cases in Africa, Michael Bratton has observed that among the most common control strategies are the following: monitoring, coordination, co-optation, and dissolution (Bratton, 1989b, pp. 577-580). Sometimes the African states have also displayed attacks against specific individuals through means like illegal arrests, imprisonments without trial, and deportations of indigenous leaders and other human rights activists. Often, victims of such attacks include visible members of religious organizations (Bratton, 1989a, 1989b, 1990; Fowler, 1991). In response, NGOs develop their own strategies to prevent or to lessen state control repression. These strategies include keeping a low profile, selective collaboration, and policy advocacy (Bratton, 1989b, pp. 581-582).

NGOs strengthen local groups to be part of a debate that the government will not want to confront. This work can be done easily because domestic NGOs have presence at the village level while many states are absent in large geographic areas of their territories (Bratton, 1989b, p. 585). In the case of environmental conflicts, the conformation of *ad hoc* scientific research teams is one of the main contributions of NGOs. However, one must take into consideration that science is not an activity entirely free of contradictions. As has been indicated by Karen Litfin, states also use scientific arguments to favor their own interests - scientific opinion is becoming highly controversial and patchy in environmental debates (Litfin, 1997, p. 193).

Several scholars have documented how NGOs increase their political importance in scenarios in which there is a severe blockage between citizens and the official political system. When the state is not liable to the environmental demands of its citizens, interesting consequences are generated. First, citizens begin to feel that the only purpose of democracy is to keep the political stability that global corporations need (H.-A. van der Heijden, 2002, p. 191). Therefore, the whole democratic system is put into question. Second, NGOs start to duplicate some of the roles traditionally held by political parties. Without intending to replace the political parties, NGOs take on the demands that political parties ignore, building bridges between those who complain and the public opinion (Clarke, 1998, p. 44; H.-A. van der Heijden, 2002, p. 192). Finally, NGOs tend to promote cooperation between different grassroots organizations, promoting the construction of umbrella organizations (H.-A. van der Heijden, 1999, p. 208). This is clearly aggravating from the perspective of the government, because something that initially began as an isolated complaint might reach regional proportions and find allies in

other parts of the country thanks to these umbrella organizations.

FOREIGN DEPENDENCY

One of the main sources of legitimacy for NGOs is their close proximity to grassroots level organizations. Even the smaller and more informal NGOs work as a hinge between the local and global (Bratton, 1989b, p. 574; Grzybowski, 2000, p. 441). This middle position puts NGOs in a vulnerable position. The source of economic resources is an important difference between the state apparatus and NGOs. State apparatuses receive the money needed for the institutional functioning from those who are served by the state (Fowler, 1991, p. 69). That is, citizens pay their taxes in exchange for a series of basic and essential services that can be provided only by the state, such as justice, education, health, and infrastructure. The case of NGOs is completely different. People who receive services provided by NGOs are not those who fund these activities. National, local, or domestic NGOs are financially dependent on others, who are known as “donors” or “funders” (international NGOs, Multinational Organizations, and Northern governments). These international links place NGOs in a weak position against hostile governments. Governments can easily question the legitimacy of the work done by NGOs accusing them of promoting foreign interests or values (Fisher, 1997, p. 454). This paradoxical situation has been described by Alan Fowler in the following manner:

However, NGO autonomy derived from foreign funds and links has its weaknesses. While external linkages offer some defense against local political interference and control, they lay NGOs open to the common charge of ‘serving foreign masters’ when they voice any criticism (Fowler, 1991, p. 60).

According to some analysts, the economic dependence of NGOs on international donations generates conflicts between NGOs and the grassroots level: Will NGOs show more responsiveness to donors or to grassroots organizations? (Edwards & Hulme, 1996; Fisher, 1997). If funds are “publics” (provided by governments of the North) what will happen when the political relations between the funding countries and the beneficiary countries change? Who will have the last word if the interests of the grassroots organizations differ from government interests? (H. van der Heijden, 1987, pp. 106-107).

NGOs in search of donations may betray their original principles, ignore the interests of their allies at the grassroots level, or become contractors dedicated to promoting different agendas. The observation of an international context in which increasing numbers of NGOs compete with each other for fewer economic resources has led some authors to describe the global civil society as a Darwinian jungle (Bob, 2001, 2002a, 2002b; Cooley & Ron, 2002). From this perspective, transnational activity has adopted market principles, thereby abandoning principles like voluntarism and philanthropy. NGOs have become mere contractors, and beneficiary groups have become just recipients or clients (Edwards & Hulme, 1996; Fisher, 1997). The result of this marketization has led to dysfunctional outcomes in transnational activity, such as the searching for results in ever shorter periods and relations marked by opportunism and deception (Cooley & Ron, 2002).

The marketization of transnational activity threatens the quality of relationships that NGOs have with their allies at the grassroots level because it alters the exercise of accountability: NGOs entrench their responsibilities to the Donors and lower levels of transparency for the beneficiary groups (Edwards & Hulme, 1996, p. 967). Grassroots organizations become customers without the possibility of any control over who is providing them services. Gino Lofredo has illustrated the consequences of this economic dependence by comparing the beneficiary populations to global Cinderellas, the goal of sustainable development to the prince in the dance hall, and NGOs to the mice, always ready to advocate any kind of agenda with the intention of flattering the fairy godmother, or the owner of financial funds (Lofredo, 2000). Similarly, Hendrik van der Heijden has summarized the plight of NGOs seeking international donations using the following African proverb: “If you have your hand in another man’s pocket, you must move when he moves” (H. van der Heijden, 1987, p. 106).

However, it is not true that domestic, national, or southern NGOs are in a situation of complete dependence of their Northern counterparts. We should recall that NGOs are institutions connecting the local with the global. Therefore, institutions operating in both dimensions need each other (Fisher, 1997, p. 454). Domestic or national NGOs are the ones who are on the ground. This position may be uncomfortable or insecure, but it gives them a significant share of leeway. Domestic NGOs are able to develop strategies in order to absorb the donor pressures preserving relations at the grassroots level (Elliott, 1987, p. 65).

It should be stressed that the work of NGOs depends on establishing partnerships with local organizations. Without these partnerships, no NGO can work in the field. Therefore, the community terms cannot be ignored. The process of listening to grassroots organizations is very complicated is always full of tension, but it is a process that cannot be avoided (Elliott, 1987, p. 66). Those who successfully carry out these negotiations, and who make the effort to maintain these alliances get certain amounts of power to deal with global institutions without direct ties to the grassroots level.

In fact, Northern NGOs require feedback from the NGOs working in the south. This information is crucial for Northern partners in order to make economic decisions and to interact with national governments (Elliott, 1987). Through monitoring reports and strategic documents, domestic NGOs build political images of the bottom level influencing the strategies adopted by Northern NGOs (Bebbington, 2005). There is not a situation of complete dependence in either direction. Northern NGOs have parallel ties with many domestic NGOs and do not depend on feedback from a single institution in the South (Elliott, 1987, p. 59).

Ebrahim Alnoor has taken a step forward. Alnoor argues that, far from being passive recipients of foreign agendas, domestic NGOs in the South are constantly reshaping the discourses promoted by the Northern donors. In other words, Southern specialists are also active producers of knowledge and information (Alnoor, 2003). For this author, Southern NGOs do not depend on donors in the North. Based on Pierre Bourdieu’s concept of symbolic capital, Alnoor argues that NGOs in the South and in North are engaged in a

situation of mutual interdependence. Economic resources are constantly flowing between them in exchange for other resources such as information and reputation:

In particular, Bourdieu's notion of 'capital' forces us to look beyond organizational interactions based on funds, and to include other resources such as information, reputation, status, and prestige in our calculus of organizational exchange and interdependence (Alnoor, 2003, p. 20).

Finally, according to Paul Wapner, those who emphasize the deterioration of accountability between NGOs and their beneficiaries due to global competition for donations are taking the state and the market as models of high levels of accountability practices. It is usual to assume that states and markets are responsive to their citizens and to their customers, but this is only an assumption: neither the state nor the market players are paragons of accountability (Wapner, 2002, p. 197). In democratic contexts, the states are chosen by the people. However, we should not forget that governments, once elected, can change their original agendas. Newly elected governments can forget their electoral promises without suffering major economic or political costs. Wapner goes further and offers a theoretical explanation. State accountability is not practicable, neither from the Weberian perspective nor from the Marxist perspective:

For Weberians, the state is not simply a reflection of citizen concerns but rather an institution with its own institutional and bureaucratic imperatives, and the expression of these, likewise, compromises democratic accountability. Marxist theories criticize accountability in democratic states in still different way. While they acknowledge that citizens vote for their representatives, Marxists point out that, overall, the interests of capital tend to capture state action. Accountability exists but only toward the wealthiest and, not coincidentally, the politically most powerful (Wapner, 2002, p. 199).

Wapner's main argument is that NGOs are accountable in other terms. First, NGOs are internally accountable for their members. Members are key pieces in the collection of funds. Losing a member means losing contacts and budgets for future projects (Wapner, 2002, pp. 201-202). This does not happen either for the state or the market. Second, NGOs do not have the coercive power of states. NGOs depend on the credibility that they accumulate over their institutional lives. The reputation of NGOs is essential to ensure their stay at the grassroots level. Therefore, NGOs have to think twice before they withhold information or deceive their partners. Third, according to Wapner, NGOs practice a kind of accountability among allies. NGOs establish coalitions among NGOs, and they scrutinize each other. This mutual dynamic of control does not occur in the international sphere between state apparatuses (Wapner, 2002, pp. 202-203). Finally, and paradoxically, NGOs are accountable in front of the eyes of the state. The state has the legal power to review the accounts of NGOs and the authority to monitor the NGOs' actions within the limits decreed by the state itself (Wapner, 2002, p. 203).

CHAPTER FOUR

NGOs, STATES & GRASSROOTS ORGANIZATIONS

The greening of sovereignty approach suggests that partnerships between local and global actors are essential to force the state to adopt new environmental agendas. Therefore, it is necessary to review how NGOs, grassroots organizations and the state relate to each other. In this chapter, I will review three different theoretical approaches. These three approaches will highlight the strategies followed by NGOs to engage with grassroots organizations in order to exert pressures over the state. In this chapter, I will defend three ideas: (1) The high levels of political heterogeneity in the world of NGOs are also reflected in the diversity of strategies followed by these organizations in their interactions with the state. (2) The strategies followed by NGOs in order to influence the state should take into account the porosity of the boundaries between state and society. (3) Our analysis should take into account that the state apparatus can block the actions of NGOs. The Peruvian government has blocked quite successfully national and international environmental claims. Changing a country's environmental agenda is not an easy task. Theoretical models studying the relationships between NGOs, state and grassroots organizations should reflect the states capabilities to deal with domestic and international pressures.

APPROACH #1: GLOBAL CIVIL SOCIETY

“Global civil society” is a neologism of the nineties that has quickly become commonsensical among journalists, politicians, and academics of all political orientations. This neologism appeared in the middle of the intersection of several global processes as the application of new technologies in the mass media, the collapse of the Soviet Union, advancing the neoliberal model, increasing environmental concerns, and the global proliferation of NGOs (Keane, 2003). This neologism has been the favorite term to describe the growing transnational non-governmental activity that seems to act without regard for traditional boundaries (Smith & Wiest, 2005). It should be noted that this neologism refers to a very old activity: the transnational non-governmental activity can be traced back centuries. The expansion of major religions such as Islam and Christianity, is an example of how millions of people from different nations or empires have been felling part of the same human community (Keane, 2003, pp. 46-47).

The classic concept of “civic society” has revived thanks to the expansion of this neologism (Edwards, 2007). However, this theoretical revival is fraught with several theoretical problems. One problem is that the concept of civil society has been adopted by promoters of all kinds of political projects. Jude Howell and Jenny Pearce observed that every single different definition of “civil society” conveys different political positions about how the state, market and individuals should relate to each other (Howell & Pearce, 2001).

In the years before the fall of the Soviet Union, the civil society concept was adopted by

the leftist political movements in order to build an independent associational arena, and to strengthen civil rights and individual freedoms (Baker, 1998; Howell & Pearce, 2001; Sardamov, 2005). Then, the concept was adopted by civil society organizations such as the Cato Institute, the Advocacy Institute, and the World Bank, to promote democracy and free market principles throughout the globe - in the former Soviet bloc as well as in the Third World (Edwards, 2007). Today, the civil society concept has been adopted by all of those who want to address the consequences of the advance of neoliberalism on issues related to human rights, labor rights, indigenous rights, gender equality, and the environment (Edwards, 2007, pp. 12-13). In Perú, the term “civil society,” along with other concepts such as “social capital,” “human development,” and “sustainable development,” have been adopted by the promoters of mining as well as by those opposing such projects defending the interests of Andean peasants, Amazonian indigenous peoples, and the environment (Svampa, 2009).

Another theoretical problem that has been inherited by this neologism is the quality of its limits with the state and the market. The limits of this associational area are constantly under discussion. Those who prefer to think of civil society as an arena isolated from the state and sealed off from commercial interests argue that civil society constitutes a kind of “third” or “nonprofit” sector (Edwards, 2007, pp. 20-24). This understanding about supposed clear boundaries between state, market, and civil society, has led several authors to assume that global civil society is a kind of non-state-centered system (Turner, 1998). According to this view, global civil society is an arena free from coercive Leviathans. Global civil society is sustained solely by the moral force of hundreds of thousands of people feeling part of the same human community. This cosmopolitan consciousness is the source of legitimacy for citizens of a foreign country to get involved in the domestic affairs of other countries using NGOs as institutional vehicles (Dower, 2003).

The use of violence is always discussed as part of this debate about the boundaries between the state and global civil society. This cosmopolitan moral force is usually described as non-violent or non-coercive. However, the world is full of gangs and criminal groups of all kinds - even the entire planet is operating within the political and economic parameters set by a handful of nuclear powers (Keane, 2003, p. 153). The fact that hundreds of thousands of people all around the world have decided to protest violently against their respective states, has been one of the most devastating criticism against this perspective. Clifford Bob has noted that the “non-violent” interventions of international NGOs usually backlash against the local population. When international observers leave, the state reacts violently against its citizens (Bob, 2001, 2002a, 2002b). All these reviews remind us that global civil society, as a system of transnational activities, works over a political system in which nation states have imposed rules.

Another group of authors prefers to think of civil society as an associative area bounded by highly porous borders and constantly overlapping with the state and the market (Bratton, 1989a; Edwards, 2007; Lipschutz, 1996, 2007; Lipschutz & Mayer, 1996; Wapner, 1995, 1996). In this approach, civil society constitutes a highly controversial associational arena in which all kind of initiatives are promoted in order to exert

influence over the other two areas (Bratton, 1989a, p. 426; Edwards, 2007, pp. 61-62). Civil society is composed not only anonymous citizens trying to exert influence over the state and over the market: the civil society is also an arena in which government actors and commercial actors, quite often, promote their own interests in tandem with citizen organizations maintaining an appearance of neutrality.

The global civil society concept has been adopted by some scholars interested in studying the relationships between NGOs, states, and grassroots organizations - especially in conflicts involving environmental conservation, and management of natural resources. Among these scholars stand Paul Wapner (Wapner, 1995, 1996, 2002, 2007) and Ronnie Lipschutz (Lipschutz, 1996, 1999, 2007; Lipschutz & Mayer, 1996). Paul Wapner defines global civil society as follows:

Civil society is that arena of social engagement which exists above the individual yet below the state. It is a complex network of economic, social, and cultural practices based on friendship, family, the market, and voluntary affiliation. Although the concept arose in the analysis of domestic societies, it is beginning to make sense on a global level. The interpenetration of markets, the intermeshing of symbolic meaning systems, and the proliferation of transnational collective endeavors signal the formation of a thin, but nevertheless present, public sphere where private individuals and groups interact for common purposes. Global civil society as such is that slice of associational life which exists above the individual and below the state, but also across national boundaries (Wapner, 1995, pp. 312-313).

Paul Wapner is part of the group of scholars who have assumed that global civil society, the market and the state are arenas separated by blurred and porous limits:

Because the boundaries between the state and civil society are elusive, porous, and mobile, when actions take place in one realm - although they have a distinct quality of efficacy about them - they have consequences for the other. The same is true at the global level, and the notion of world civic politics is not meant to obscure this (Wapner, 1995, pp. 338-339).

Wapner argues that NGOs are “political actors in their own right” (Wapner, 1995, p. 312). According to Wapner, there is a strong tendency to regard states as the only political actors in the international scenario. Within this perspective, NGOs are political actors only insofar as they succeed in changing the state’s behavior through direct relationships (Wapner, 1995, 1996). However, these observations are incomplete. According to Wapner, large international NGOs such as Greenpeace, World Wildlife Fund (WWF), and Friends of the Earth (FOE), have the ability to work directly at the grassroots level, influencing the behavior of hundreds of thousands of citizens:

WWF is not concerned with constructing an institutional, administrative presence at the local level that would replace the nation-state or even refashion communities in a way that would necessarily shift citizen’s loyalty. Rather, it seeks to carry out ecological work at this level with the hope of empowering local people to protect their own environments and, in turn, to exert pressure upward through the international system for more ecologically sound practices worldwide (Wapner, 1996, p. 155).

The big assumption in this work done by NGOs at the grassroots level is the following: in the future, people will influence the state apparatus through multiple formal and informal political mechanisms (Wapner, 1995, p. 322). In Perú, the popular referendums organized by grassroots organizations with support from international NGOs, constitute an example of this type of civic strategies. Wapner uses the phrase “world civic politics” to refer to this type of political activities led by environmental NGOs in global civil society (Wapner, 1995, p. 312). Wapner uses the term “civil” to emphasize that these activities are “non-official,” and “non-coercive,” these activities are based only on the power of persuasion:

By contrast, civic power has no legally sanctioned status and cannot be enforced through the legitimate use of violence. It rests on persuasion and more constitutive employment of power in which people change their practices because they have come to understand the world in a way that promotes certain actions over others or because they operate in an environment that induces them to do so. Put differently, civic power is the forging of voluntary and customary practices into mechanisms that govern public affairs (Wapner, 1995, p. 337).

According to Wapner, NGOs are important, but they do not act alone. The grassroots organizations are critical. They are the only organizations capable to force their governments to take environmentally responsible decisions. In Wapner’s approach, grassroots organizations and NGOs are constantly seeking and exploring various strategies to influence state decisions:

Amnesty International, Friends of the Earth, Oxfam, and Greenpeace target governments and try to change state behavior to further their aims. When this route fails or proves less efficacious, they work through transnational economic, social, and cultural networks to achieve their ends. The emphasis on world civic politics stresses that while these latter efforts may not translate easily into state action, they should not be viewed as simply matters of cultural or social interest. Rather, they involve identifying and manipulating instruments of power for shaping collective life (Wapner, 1995, pp. 314-315).

Ronnie Lipschutz has also adopted the concept of global civil society to study the relationships between NGOs, states, and grassroots organizations. In addition, Lipschutz has also assumed that the boundaries among global civil society, state and the market are very blurred:

In the capitalist polities in which most of the world lives today, there is little in the public realm that is not, somehow, affected by private interests and practices, and there is little in the private realm that is not, somehow, shaped by public power, authority and regulation. Civil society is both constitutive of and constituted by public and private (Lipschutz, 2007, p. 305).

However, Lipschutz’s approach has its own peculiarities. For him, global civil society is an area where there is room for violent activities. Lipschutz believes that global civil society is the arena from which thousands of citizens, all around the world, are reacting against the consequences of the advance of neoliberalism and its attempts to privatize

natural resources (Lipschutz, 2007, p. 304). Lipschutz regrets that the concept of global civil society has been mixed with too much wishful thinking, such as non-violence and citizen self-regulation. Global civil society (GCS) is full of not so “civic” actions and also full of strategies at odds with the good intentions of some international activists. For Lipschutz, civil society is not a peacefully space:

This does not imply, however, that the movements, groups and organizations found in GCS are necessarily or automatically “progressive.” They may be conservative, reactionary or nihilistically violent. Even the transnational *salafist jihadis* and “non-state actors” that so bedevil the West are part of GCS (Lipschutz, 2007, p. 305).

Lipschutz believes that neo-liberalism puts into trouble the states, because this type of public policies promotes serious cuts in welfare expenditure, emphasizing the image of the state as an “incompetent” bureaucracy. According to the observations of this author, the adoption of such policies will increasingly rest legitimacy to the state creating the perfect conditions to a massive proliferation of social conflicts (Lipschutz, 1996, pp. 112-113). In the geographical areas in which local people confront international extractive corporations, the state loses the right to “decide” who the legal owner of the territory is. To Lipschutz, the central question in this kind of conflict is, “Who decides?” (Lipschutz & Mayer, 1996, pp. 14-15). If we look carefully, it is possible to discover that those who are involved in these conflicts are always struggling to increase their legitimacy to “decide.”

Based on the study of multiple conflicts in Oceania between rural communities and mining companies, Chris Ballard and Glenn Banks have observed that the less active the state is in rural areas, the less legitimate it has to promote the mining activities of transnational corporations (Ballard & Banks, 2003). This paradox is also happening in Perú. When mining companies arrive into rural areas, these companies try to convince people by saying that mining is the only alternative that they have for development because the state does not consider them as important citizens. Interestingly, the government officials say the same thing. According to these officials, the people must accept the offers made by extractive companies because the state has never been present. This is quite contradictory. First, state representatives accept their own absence, ineffectiveness and disinterestedness. Then, these same state officials invoke the principle of sovereignty.

In Perú, the work of international NGOs supporting grassroots organizations fits the approaches presented by Paul Wapner and by Ronnie Lipschutz. Due to the strong commitment of the Peruvian state to mining activities, many international NGOs have developed an intense work at the grassroots level, as described by Wapner. At the same time, these grassroots organizations have tried all sorts of strategies, from the more “civic” such as the organization of popular referendums, to even the most violent actions such as blocking roads and the expulsion of the miners from disputed territories, as described by Lipschutz.

APPROACH #2: WORLD SOCIETY

The “world society” approach, also known as “world polity,” and “world culture,” is a sociological perspective originally developed in studies questioning the rationality of organizational behavior. These studies have documented how many institutional decisions have involved the adoption of taken-for-granted models without considering the functionality of these measures (Tsutsui & Hafner-Burton, 2005, p. 1382). Such decisions - based on the imitation of models - explain the enormous levels of institutional homogeneity between educational, medical, and bureaucratic organizations of all kinds, in many different social settings. Subsequently, this approach was used to understand why almost every country in the world - despite the enormous geographical, cultural, historical, and financial peculiarities - has adopted standard institutional forms. In all countries of the world, we can find the same institutional structure: government ministries in charge of health, education and justice; political constitutions that guarantee citizens’ rights; parliamentary systems seeking to represent different sectors of society; special laws protecting women and children; and even national Olympic committees (Boli, 1987a, 1987b; Boli & Lechner, 2005; Boli & Meyer, 1987; Meyer, 1987; Ramirez & Thomas, 1987). In these studies the term “isomorphism” is used to refer to this growing institutional homogeneity among the countries of the world:

The institutionalization of world models helps explain many puzzling features of contemporary national societies, such as structural isomorphism in the face of enormous differences in resources and traditions, ritualized and rather loosely coupled organizational efforts, and elaborate structuration to serve purposes that are largely of exogenous origins (Meyer, Boli, Thomas, & Ramirez, 1997, p. 145).

According to this academic perspective, isomorphism is the result of the adoption of a set of cultural norms or standard models which have gained great legitimacy in the international community (Tsutsui, 2004, p. 67). Human rights, ecological values and respect for ethnic minorities occupy a special place in this set of universal principles (Meyer, Frank, Schofer, Hironaka, & Tuma, 1997; Tsutsui, 2004; Tsutsui & Hafner-Burton, 2005; Tsutsui & Wotipka, 2008). The acceptance of these principles constitutes an important source of leverage for NGOs and grassroots organizations seeking to change the behavior of nation states. Because states can not easily reject this package of universal principles, it is increasingly difficult to ignore the claims of the citizens:

This facilitates transnational association among people from different nations who, as a result of their countries' involvement in the world polity, face very similar structures of opportunity and grievance and find common cultural tools for interpreting and responding to problems (Smith & Wiest, 2005, p. 628).

In the specific case of environmental protection, scholars working within this theoretical approach use the term “world environmental regime” to indicate that “partially integrated collection of world-level organizations, understandings, and assumptions that specify the relationships of human society to nature” (Meyer, Frank, et al., 1997, p. 623). Today, at least at the rhetorical level, all governments are claiming to have profound ecological values. Likewise, all the government agencies of all state apparatuses have codes and

protocols in which they declare to respect the environment.

However, states can act hypocritically. States may subscribe to these universal principles in order to avoid being excluded from the global community of “modern” and “civilized” states (Smith & Wiest, 2005, p. 628). That is why this theoretical approach uses the term “decoupling” to highlight the contradictions generated by this ritual acceptance of this set of taken-for-granted principles, in contexts where a particular state can not keep - or does not want to comply - with this kind of universal commitments:

World culture contains a good many variants of the dominant models, which leads to the eclectic adoption of conflicting principles. Diffusion processes work at several levels and through a variety of linkages, yielding incoherence. Some external elements are easier to copy than others, and many external elements are inconsistent with local practices, requirements, and cost structures. Even more problematic, world cultural models are highly idealized and internally inconsistent, making them in principle impossible to actualize (Meyer, Boli, et al., 1997, p. 154).

This decoupling between policies and practices has been extensively studied in cases involving human rights and the rights of ethnic minorities (Tsutsui, 2004; Tsutsui & Hafner-Burton, 2005; Tsutsui & Wotipka, 2008). These studies have found that states agree to sign international treaties, reducing their shares of sovereignty, because they have strong incentives to do so. States have much to gain if they act responsively to these international requirements. At the same time states have little to lose if they do not comply with such commitments. There is no any kind of supra-state surveillance with the capacity to provide effective sanctions. Nevertheless, it should be noted that the most serious problem, is that many states are using these universal principles as shields to hide repressive activities in the domestic arena (Tsutsui & Hafner-Burton, 2005, p. 1383).

These studies have concluded by noting that the signing of international agreements, or the adoption of these taken-for-granted principles, constitutes a kind of “double-edged sword” (Tsutsui & Hafner-Burton, 2005, p. 1378). On the one hand, the signing of these agreements is a source of leverage for people confronting their state apparatuses. On the other hand, states can transform international agreements into “empty-promises” in order to maintain a positive image in front of the world community (Tsutsui & Hafner-Burton, 2005, p. 1378).

These studies have made a very important argument for the development of *the greening of sovereignty* approach: states do not sign treaties. Those who sign international treaties are different leaders that lead a country at different historical moments. This fact constitutes an important incentive to act hypocritically in the international arena. Governments are constantly changing, and therefore, changing the orientation of the state prerogatives. That is why authors studying these cases of decoupling, point out that the key for political changes lies at the grassroots level:

Since the configuration of political interests and power within and around the state change over time, ratification of human rights treaties does not necessarily translate into compliance with them. Whether states actually comply with their commitments to these

agreements depends on the domestic mobilization of actors supporting compliance and is therefore difficult to predict *ex ante* (Tsutsui & Hafner-Burton, 2005, p. 1380).

This theoretical perspective describes a “top-bottom” process. In this approach, universal principles and standard models are built in the “world level,” and from there fall as a “cascade” into the national level (Tsutsui & Hafner-Burton, 2005, p. 1382). This normative “cascade” has been very evident in the case of ecological preservation (Frank, 1999). These ecological values were built, first, by the international scientific community, and then were disseminated by non-governmental organizations. Non-governmental activity in this realm can be traced back over a hundred years ago. The International Union of Forestry Research Organizations (1891), the International Friends of Nature (1895), and the International Council for Game and Wildlife Conservation (1930), are examples of this top-down process (Meyer, Frank, Schofer, Hironaka, & Tuma, 1999, p. 83). In contrast, national ministries dedicated to environmental issues appeared very late, not until the seventies:

Most nation-states had no central organized structures (such as ministries) dealing with the environment until late in the process. This reflects, in a sense, a top-down history, in which the rise of universalistic discourse and organization rather belatedly construct nation-states’ aims and responsibilities more than the bottom-up political processes of power and interest that are mentioned more often (Meyer, Frank, et al., 1997, p. 645).

In this approach NGOs act as “enactors and carriers of world culture” (Boli & Thomas, 1999a, p. 34). According to this approach, NGOs build, disseminate, and monitor the actual implementation of these principles and models (Boli & Thomas, 1999b, p. 3). Because NGOs are not constrained by the principle of sovereignty, NGOs are the only organizations with the capacity to denounce cases of “decoupling” (Tsutsui, 2004; Tsutsui & Hafner-Burton, 2005; Tsutsui & Wotipka, 2008). In these cases, NGOs demand corrections and produce information shaming specific states on the international scene (Meyer, Boli, et al., 1997, p. 165). In Perú, multiple reports from organizations such as Amnesty International have revealed the persecution of domestic NGO staff-members, working under death threats and false charges of terrorism.

APPROACH #3: TRANSNATIONAL ADVOCACY NETWORKS

In the two previous theoretical approaches, the grassroots level has been pointed out as the most important. Nevertheless, in both perspectives, the emphasis is placed on the international arena. It is necessary to complement these approaches with analytical criteria built from the grassroots level.

In order to understand conflicts associated with environment conservation we should pay more attention to the strategies followed by local actors coping with the effects of corporate globalization (Routledge, 2000). When the regular channels of dialogue between government and grassroots organizations have been blocked, the most common strategy is to seek international allies. This strategy has been described as the “globalization from below” (Portes, 1997) and as the “grassroots globalization” (Appadurai, 2000). Margaret Keck and Kathryn Sikkink have studied in detail this kind

of strategy and have proposed an influential approach called “transnational advocacy networks” (Keck, 1995; Keck & Sikkink, 1998a, 1998b; Sikkink, 1993, 1998).

Keck and Sikkink’s approach is characterized by significant theoretical differences with the two previous approaches revised in this chapter. In order to overcome the inherent theoretical debates to the concept of global civil society, Keck and Sikkink have chosen the term “network.” Using this term, we can overcome the discussions about the boundaries between global civil society, the state, and the market. A network approach allows us to assume that the same social agent may develop various activities at the national as well as at international levels. Individuals and organizations are usually organized around common goals from within and from outside of government.

Sets of individuals and organizations coalesce around a very specific purpose only for a limited period of time. Keck and Sikkink use the term “campaign” to indicate that transnational activities are only possible thanks to a coincidence of specific objectives (Keck & Sikkink, 1998a, p. 6). The agents involved in a network share certain levels of trust, but these levels of trust may also disappear. It is also important to note that not all network members have the same abilities or the same resources. As we can see, the term network perfectly reflects the heterogeneity in the NGOs world, within the state apparatus, and between grassroots organizations.

With regard to the *World Polity* approach, Keck and Sikkink, have observed that this approach focuses only on the second part of the process, forgetting the first and the most important part of the process. Some values have attained the status of universal principles after several and countless painful battles fought at the grassroots level:

Nevertheless, the world polity theorists have an important insight. At some point, they suggest, what was once unthinkable becomes obvious, and from then on change starts to occur much more rapidly. The early battles to gain the vote for women were fought tooth and nail country by country, and success came very slowly. This history does not look at all like the natural process of cultural change suggested by the polity theorists. (...). These sociologists have focused theoretically on the second part of the process of change, when norms acquire a 'taken for granted quality' and states adopt them without any political pressures from domestic polities (Keck & Sikkink, 1998a, p. 211).

In the *transnational advocacy networks* approach, NGOs are organizations that can initiate transnational campaigns and can be very helpful in order to decide the outcome of the conflict. NGOs play important roles, but they share tasks with other strategic organizations. Keck and Sikkink offer a long list of actors usually involved in these types of campaigns: local social movements, foundations, media organizations, churches, trade unions, consumer organizations, intellectuals, intergovernmental organizations, executive parts, parliamentary branches of governments, among many others (Keck & Sikkink, 1998a, p. 9).

Compared with the previous two theoretical approaches revised in this chapter, *transnational advocacy networks* approach is much more “state-centered.” Keck and Sikkink have noted that transnational networks are composed of individuals using the

institutional resources of certain states in order to put pressure on other states. When the state number one has blocked the claims of its own citizens, these citizens, in tandem with international non-governmental organizations, use the institutional resources of the state number two to put pressure over the estate number one. Keck and Sikkink have examined several cases in order to illustrate this type of strategy. The cases of Mexico and Brazil stand out among many other cases.

According to Keck and Sikkink, during the eighties, the international community could not make the Mexican state accountable on a range of human rights violations, including the massacre of a group of students in 1968. However, conditions changed when Mexico began negotiations on a Free Trade Agreement with the United States. At that moment, non-governmental organizations placed the issue of human rights in the agenda of negotiations, advancing in their intention to change behavior of the Mexican state (Keck & Sikkink, 1998a, pp. 110-116; Sikkink, 1993).

In the early eighties, the Brazilian government started several plans in order to transform and industrialize much of the Amazon. These plans meant the violent displacement of large numbers of local inhabitants engaged in artisanal extraction of natural rubber. Local inhabitants sought the support of international non governmental organizations involved workers' rights and environmental protection. These non governmental organizations presented the case to international financial institutions involved in such development projects. This campaign was able to compel the World Bank to revise the whole project, forcing Brazilian state to show greater transparency in its activities, and in the activities of its national financial partners (Keck, 1998; Keck & Sikkink, 1998a, pp. 148-147).

Keck and Sikkink have coined the phrase "boomerang strategy" to refer to these strategies of triangulation between a target state, a transnational network, and a third state offering institutional resources to pressure the target state. NGOs have an important role in such strategies because they act bridging national and international actors:

When channels between the state and its domestic actors are blocked, the boomerang pattern of influence characteristic of transnational networks may occur: domestic NGOs bypass their state and directly search out international allies to try to bring pressure on their states from outside (Keck & Sikkink, 1998a, p. 12).

The construction and dissemination of information is one of the most important tasks of NGOs in this kind of international campaigns. NGOs use this information to persuade, to encourage sanctions and to shame target states. Because the states control the flow of official reports and have the complicity of the mass media, domestic NGOs function as alternative sources of data within the country. International NGOs receive this information and, in turn, they release this material to the international press (Keck & Sikkink, 1998a, pp. 16-22). However, it is not just about information. The aim is to build scientific arguments to counter the arguments of the state, which usually are solely based on the principle of national sovereignty.

Keck and Sikkink point out that the way in which NGOs disseminate information matches the sociological approach made by David Snow and Robert Benford known as

“frame alignment” (Benford, 1997; Snow & Benford, 1992; Snow, Benford, Rochford, & Worden, 1986). The data must be presented in such a way that captures the attention of broader constituencies seeking support for their cause. Messages must be constructed in line with the values, beliefs and understandings of receptors (Keck & Sikkink, 1998a, p. 17; 1998b, pp. 223-226). Any failure in influencing mass media communication will be detrimental in gaining support.

Any flaw in the “framing” process is used by the target state to fight back, pointing out environmental activists as enemies of the country, interested in preventing economic development. Clifford Bob uses the term “tarring” to describe the state media counterattack capabilities. According to Bob, the most common “tarring” is to accuse the NGO officials, and leaders of grassroots organizations, as “professionals of violence” (Bob, 2001, p. 325). In Perú, members of environmental networks have been charged with all sorts of false accusations ranging from simple individual selfishness, homosexuality, domestic violence, drug addiction, to alleged activities linked to terrorism and drug trafficking. Keck and Sikkink note that the framing tasks in environmental campaigns are particularly difficult because the nature has no “human face” (Keck & Sikkink, 1998a, p. 121). In contrast, it is very easy for the state and its media allies to put the faces of environmental activists on the front page of newspapers and muddy them - for several months in a row - with all sorts of accusations.

Keck and Sikkink have observed that within the networks, not all organizations get involved in the same way. Some organizations serve as central nuclei and other organizations take more peripheral roles, getting involved only occasionally. Maria Rodriguez has applied some important criteria from *transnational advocacy networks* approach to study the environmental struggles in Brazil. Rodriguez uses the term “catalyst” to refer to the grassroots level actors taking the most important roles: leading the protests - or at least providing protection to those who start the demonstrations - and mediating relations between domestic and international actors (Rodrigues, 2000, pp. 129-130).

In Perú, churches operating in the grassroots level in rural areas have been functioning as true catalysts. Generally, those who initiate the environmental protests against the activities of the extractive industries are the peasant communities in the Andean region, and indigenous organizations in the Amazon area. Local priests are the first to receive the claims of these grassroots organizations. Because the rural priests enjoy the confidence of local inhabitants, local churches function as real hinges, linking the grassroots level with potential allies from a pull of domestic NGOs and international NGOs.

An interesting aspect of this approach is that Keck and Sikkink consider that target states can defend and block the boomerang strategy successfully. The first thing to consider is that not all states have the same level of influence in the international arena. Some states are more powerful than others in military, cultural, and political aspects. The resources of countries like France and the United States are not comparable with the resources of countries like Bolivia and Somalia (Smith & Wiest, 2005, pp. 623-624). Not all states are equal. Therefore, not all state targets are equal:

Many argue that human rights pressures would not be effective against strong states that can impose significant costs on the states that pressure them. Network activists admit that they have been less effective against states that superpowers consider important to their national security interests: countries such as Saudi Arabia, Israel, Turkey, China, and Pakistan. The vulnerability of the target state is thus a key factor in network effectiveness (Keck & Sikkink, 1998a, p. 117).

Even smaller countries can find ways to resist external influences:

But small or weak countries that are vulnerable targets will not necessarily be more amenable to international network pressures. Haiti and Guatemala, for example, resisted international human rights pressures for a longer time than did larger countries like Mexico and Argentina (Keck & Sikkink, 1998a, p. 118).

Furthermore, it should be noted that participants in these boomerangs are never the same. The boomerangs never develop in the same national and international contexts. Some intergovernmental institutions are interested in pressuring a number of countries but not others. Some world super powers are interested in destroying the image of some governments, but they look the other way when the targets are their military and commercial allies. The long struggle of Ecuadorian indigenous peoples in the Amazon basin against multinational oil companies, is a case in point. During the early years of the nineties, the Ecuadorian government enacted a series of legal reforms to begin an intense privatization process over communal lands. In this case, indigenous organizations and their international allies failed to gain any support from the World Bank. This financial institution never pressured the Ecuadorian government or its financial partners involved in oil extraction in the Amazon (Treacle, 1998). Apparently, intense battles between officials concerned to raise environmental requirements against officials motivated solely by commercial considerations are constantly fought within institutions like the World Bank (Fox & Brown, 1998; Gray, 1998). In some campaigns, the same organization, in this case the World Bank, can act as an ally - as evidenced by the Brazilian case - but in other campaigns the same organization can support the target state - as evidenced by the case of Ecuador.

Finally, Keck and Sikkink suggest a relationship between a country's economic importance in international trade and its vulnerability facing transnational advocacy networks. Malaysia is a good example to understand this relationship between economics and international politics. During the eighties and early nineties, a group of indigenous organizations and international NGOs tried to stop the massive logging in tropical forests in Malaysia. However, according to Keck and Sikkink, there was no material or cultural leverage at hand in this case; there were no World Bank loans in relevant areas, nor any other levers of influence by which the state could be pressured. According to the recount of these authors, the central government argued that Malaysia had a highly decentralized political system and, therefore, had no influence on logging practices adopted regionally. Meanwhile, politicians were getting rich thanks to a profitable distribution of private concessions. The international network of intellectuals, activists, foundations, and environmental NGOs, began an intense campaign to pressure companies buying timber

from the forests of Malaysia in countries like Germany, Japan, United Kingdom, Netherlands, Austria and Switzerland. This campaign won the support of several national congresses of these countries which led to the passing of laws to limit the entry of tropical timber into the national market. However, the Malaysian government responded by threatening to prevent the entrance of well-known European products such as those of the Nestlé brand. In this case, international networks made some important changes, but did not achieve a clear defeat of the position of the government of Malaysia (Keck & Sikkink, 1998a, pp. 150-160).

CHAPTER FIVE

THE PERUVIAN GRASSROOTS LEVEL

To understand the current government of President Alan García (2006-2011), one has to go back a few decades. In 1969, under the command of General Juan Velasco Alvarado, the Peruvian armed forces led a coup d'état to end a long process of social and political upheaval (Lowenthal & McClintock, 1983). In ideological terms, the military government had many similarities with Christian doctrine (Stepan, 1978, pp. 34-40), especially Liberation Theology. That is why this government woke up the enthusiasm of many priests working at the grassroots level (Klaiber, 1991, 1998).

The military government nationalized the majority of the country's natural resources in order to obtain the financial resources needed to transform Peruvian society. Among the most ambitious projects was Amazonian oil extraction along the northern border. It has been noted by William Ascher that the military failed to obtain the expected financial income from this project, however subsequent governments did benefit from investments made in this realm (Ascher, 1999). Regarding natural resources, the government acted very wisely because it allowed some international companies to continue working in some areas - such as copper mining in the south - while taking more control in other areas, such as exploration and exploitation of hydrocarbons (Ascher, 1999; Becker, 1983; Stepan, 1978). In 1975, General Velasco was ousted by a group of Generals willing to reverse the structural reforms and to return power to civilians.

Architect Fernando Belaúnde won the 1980 electoral process. The same year, the *Shining Path* started armed actions. Two years later, in 1982, the *Túpac Amaru Revolutionary Movement* (MRTA) also began its armed actions. Belaunde's government ended in 1985 with a severe economic crisis and large areas of the country under the control of both groups. It is at this moment that the charismatic Congressman Alan García appears on the scene. García's campaign was very interesting, since he introduced himself as the "revolutionary" alternative: Alan García was seen as an alternative between the left and the right (Crabtree, 2005; Pareja Pflücker, 2006). The young Alan García was elected president of Perú in 1985 when he was only 35 years old. García's government was very similar to its predecessor. Terrorist activities continued increasing throughout the country and in the capital city. Some analysts have estimated that the accumulated inflation for those five years of government (1985-1990) was two million per cent (Manrique, 2002), and in 1989, the inflation reached 2776% (Crabtree, 2005, p. 213).

During this term, President García tried to be very close to peasants' organizations. In 1986, President García did something unprecedented in the history of Perú: he began a long tour around the country meeting with the leaders of the peasant communities in

order to reaffirm his commitment to the rural world.³ However, these gestures were misleading. Both democratic governments of Fernando Belaunde (1980-1985) and Alan García (1985-1990) ended with serious allegations of human rights violations. The armed forces razed entire villages and thousands of peasants were disappeared as part of the counterinsurgency strategy against the revolutionaries.⁴ Neither of these two democratic governments responded to the charges.

In 1990, an unknown university professor named Alberto Fujimori became president of Perú by defeating the world-renowned writer Mario Vargas Llosa. During his campaign, Fujimori, the son of Japanese immigrants, promised to turn Perú into a copy of Japan. According to his rival, Mario Vargas Llosa, the adoption of free market principles was the only solution to the financial problems of the country. Peruvians voted for Fujimori trying to avoid liberal economic measures. However, once elected, President Fujimori adopted the economic strategies of the Washington Consensus, applying severe structural adjustments, and changing Peruvian legislation in order to facilitate foreign direct investment (González de Olarte, 1998; Ugarteche, 2004). In 1992, President Fujimori, backed by a new generation of military officers, closed the national congress. In 1993, with the complicity of a new Congress, Fujimori approved a new constitution, tailored to suit the new economic policies. Fujimori's regime ended in 2001 - when Fujimori fled to Japan and sent his resignation by fax. Nevertheless, Fujimori's government started the neoliberal era and left an authoritarian legacy that lasts until today (Burt, 2006; Meléndez & León, 2010).

CONSEQUENCES

Since the government of President Alberto Fujimori, Peruvian law has been systematically modified with the intention of facilitating the purchase of agricultural land and vast Amazonian forests by companies engaged in the extraction of natural resources. The constitution of 1979, drafted under the military government, recognized and protected the collective property of peasant and indigenous communities (P. Castillo, 2007; Pinto, 2009). According to the constitution of 1979, communities could only sell their land if the sale was approved by two thirds of the communal assembly. Pedro Castillo noted, quite rightly, that since the adoption of this constitution, there has been no single case of a peasant community trying to sell their land (P. Castillo, 2007, p. 69). This author has also noted that the 1979 constitution was designed to protect the collective ownership of peasants against large landowners, and to reserve natural resources to administered by the state (P. Castillo, 2007, p. 82). In the scheme of the military government of the seventies, the state was the only power authorized to manage these resources.

³ Alan García historical speeches and promises have been collected in the book entitled "*Rimankuy*'86: *Hablan los campesinos del Perú - Piura, Huancayo, Cusco, Puno, Pucallpa*" edited by *Centro de Estudios Rurales Andinos "Bartolomé de las Casas"* (1987).

⁴ All these events were reconstructed and clarified by the Commission of Truth and Reconciliation in 2001 and 2003. This Commission has published a summary entitled "*Hatun Willakuy: Versión Abreviada del Informe Final de la Comisión de la Verdad y Reconciliación*" (2004).

However, things have changed radically since the Fujimori government. Consistently, all of these legal protections have been disabled. The result has been very interesting. During all of these years, the mining legislation has become ever clearer and simpler. Moreover, it was completely unified. In contrast, the legislation related to agricultural activities and the collective ownership of peasants and indigenous organizations became increasingly disorganized and dispersed. In contrast to the mining legislation, it has not been integrated into a single legal corpus (P. Castillo, 2007, p. 92).

As the result of sustained increases in mining activities on agricultural lands and Amazonian forests, there has been an explosive growth of environmental conflicts in all the country (De Echave, 2008, 2009). In Perú there are approximately 5680 rural and indigenous communities. At the end of the twentieth century, 3326 communities had their lands occupied by mining concessions (De Echave, Hoetmer, & Palacios, 2009, p. 15).

In August 2007, the Ombudsman's Office recorded 76 conflicts in Perú, 35 of which were environmental conflicts: conflicts between rural inhabitants and mining companies.⁵ In July of 2008, 147 conflicts were recorded across the country, 75 of which were environmental conflicts.⁶ In August 2008, 78 out of 161 conflicts were environmental.⁷ In September 2009, 288 conflicts were recorded, 132 of which were environmental conflicts.⁸ As shown in figure 4, as conflict increases, so does the number of rural communities involved in these conflicts.

	Total of Conflicts	Environmental Conflicts	Number of Conflicts with Peasants Communities involved
August 2007	76	35	No data
July 2008	147	75	37
August 2008	161	78	59
September 2009	288	132	67

This chart was elaborated using Peruvian Ombudsman's Office reports

According to Oxfam America, in 2007, mining exports exceeded \$17 billion (62% of all exports from the country) and fourteen of the largest mining companies in the world are conducting operations in Perú (Oxfam, 2009). Finally, it should be noted that these conflicts are multiplying all over the country without achieving any effective representation at national level: most of these conflicts remain limited into regional scenarios (Meléndez & León, 2010).

GARCÍA'S SECOND GOVERNMENT AND NGOs

In 2006, Alan García was elected president again thanks to a successful election campaign in which he promised to change the country's economic policy, renegotiating

⁵ Peruvian Ombudsman's Office. *Reporte de Conflictos Sociales* #42. August, 2007.

⁶ Peruvian Ombudsman's Office. *Reporte de Conflictos Sociales* #53. July, 2008.

⁷ Peruvian Ombudsman's Office. *Reporte de Conflictos Sociales* #54. August, 2008

⁸ Peruvian Ombudsman's Office. *Reporte de Conflictos Sociales* #67. September, 2009

contracts with major multinational companies operating in Perú. In particular, he promised an increment in the taxes paid by mining companies. One of his most famous campaign promises was to ensure that he would never sign the Free Trade Agreement with the United States. However, since taking office, he continued the neoliberal policies introduced by Alberto Fujimori. Recently, only few days before completing his mandate, President García has celebrated publicly that his government has signed a total of thirteen Free Trade Agreements.⁹

Due to the participation of NGOs in socio-environmental conflicts, Alan García and other members of his political party have questioned the NGOs' interests. In 2006, the director of the governmental office in charge of supervision and control of international cooperation, Peruvian Agency for International Cooperation [*Agencia Peruana de Cooperación Internacional* - APCI] declared the following: "There is an ideological tendency in many cases that have targeted mining industries. We will monitor the use of those funds that in the government's opinion is being misused."¹⁰ Two months later, President García stated that it was important to know how NGOs manage their money. As reported in *El Comercio*: "Yesterday, the president said that he is in favour of NGOs, but since they are exonerated from paying taxes, they must explain whether the funds they receive go to the poor or serve to pay high wages."¹¹

The government implemented legal measures in order to force NGOs to give detailed information about their economic budgets. Due to the large number of judicial cases related to the violation of human rights in Perú, these measures raised political suspicions at national and international levels. The Inter-American Commission on Human Rights [*Comisión Interamericana de Derechos Humanos* – CIDH] expressed its disagreement with the government's efforts to control NGOs.¹² A year later President García said the following to a news reporter: "The confusion exists today, that there are small political parties that receive money from outside the country, and they appear to be NGOs, and there are NGOs that receive money from outside country to do politics."¹³

According to Aesop's Fable titled "The Dog in the Manger", sometimes in life we have to confront people who do not want to share what they do not want to use. Alan García published three articles between October 2007 and March of 2008 using this fable as a frame. According to President García, Perú is full of egotistical people who oppose the extraction of natural resources blocking the economic development of the nation. In his articles, President García established with clarity his political position regarding the use of natural resources and international capital.

For President García, the collective property of peasant communities constitutes a big obstacle to the economy that must be overcome. According to Peruvian law, the lands of Andean and Amazonian communities cannot be sold unless more than the two thirds of

⁹ *El Peruano* (May 14, 2011).

¹⁰ *Correo* (August 31, 2006).

¹¹ *El Comercio* (November 05, 2006).

¹² *El Comercio* (November 04, 2006).

¹³ *El Comercio* (September 10, 2007).

the community vote in favor of this motion in a public assembly. This law constitutes a great obstacle to mining companies intending to get access to the lands inside the communal territories. In his articles, President García proposes that this problem can be solved by reducing the required percentage: from more than two thirds to simply more than fifty percent.

In the first article titled “The Syndrome of the Dog in the Manger” [*El síndrome del perro del hortelano*] (García, 2007a) we can read how the indigenous and peasant communities have not been efficient in exploiting the natural resources inside the communal lands:

There exists true peasant communities, but also artificial communities, that have 200 thousand hectares in paper but they only use agriculturally 10 thousand hectares and the others are idle properties, of “dead hand”, meanwhile their habitants live in extreme poverty and wait for the state to bring them all the help they can get instead of putting a value their mountains and lands, renting them, selling them, because if they are not productive to them, they would be productive with a high level of investment or knowledge that would bring a new buyer.

In this article, García established an interesting historical continuity between communism and environmentalism. For the president, those who oppose capitalism, also oppose the development of the country. They want to keep rural people trapped in poverty to take advantage of them:

The old anti-capitalist communist of the XIX century dresses himself as a protectionist in the XX century and changes again its blouse in the XXI century to be an environmentalist. But always anti-capitalist against investment, without explaining how, with a poor agriculture, could there be a jump to greater development.

In the second article titled “Recipe to End with the Dog in the Manger” [*Receta para acabar con el perro del hortelano*] (García, 2007b) García noted the need to amend laws in order to facilitate the sale of communal property to private companies:

In the highlands, for the communal lands without use or for resources like marble, we will present a project of law that allows peasant communities to make decisions to sell, divide or rent. That would be done with half of the vote, plus one, of the convocated participants in the communal meeting. It is absurd, Law 26505 already allows coastal communities to make decisions with 50%, plus one, of the participating members, but its *Article 11* requires to highland communities “the vote of no less than two thirds of all the members of the community”, much of which have already emigrated. This must be corrected, because it condemns the commoners of the highlands to the level of second class citizens and without initiative. And nobody who is a leftist can surprised because in unions to declare a strike on a corporation half plus one of the assistants must agree and not half plus one of all registered labourers.

In the third article titled “The Dog in the Manger against the Poor” [*El perro del hortelano contra el pobre*] (García, 2008) García was much more severe with environmentalists who oppose the advance of mining activities:

The dog in the manger has already lost the battle that he maintained against the modern economy. (...) He writes and makes an opinion repeating his litany, encouraging, pushing the extremists to protests about everything and against everything, but never comes to mobilize in between blockades and marches of more than 10,000 aggressive street rioters.

In December 2007, aiming to modify the national laws and to comply with the standards required by the Free Trade Agreement (FTA) with the United States of America, the Peruvian Congress gave legislative powers to the executive. President García signed several legislative decrees which basically lowered the legal requirements for the purchase and sale of peasant and indigenous lands in the Andes and the Amazon regions. On May 20, 2008, President García promulgated Legislative Decree 1015. This Decree proposed that the communities only require reaching 50% of the votes to sell communal lands. This decree immediately raised a tide of protest. Members of indigenous communities of the Amazon took bridges, blocked highways and threatened to assault energy installations. Thus, Decree 1015 was denominated by the media as the “Law of the Jungle.” The Prime Minister, Jorge del Castillo, declared that some NGOs, allied with leftist political parties, were aiming to destroy Perú’s democracy. According to the Prime Minister, NGOs were using large sums of money to generate violence in rural areas. On August 19, 2008, the electronic version of an important newspaper, *Perú21*, reproduced the declarations of the Prime Minister given to a Lima-based radio station, *CPN Radio*:

There is a network of NGOs in the Amazon that have lied to people, in their total ignorance, the idea that they want to take their land away. They are lying to them so that they can manipulate them politically. In addition, they take them to violent scenes, taking advantage of their attitudes and way of being.¹⁴

A few days later, the Agricultural Minister, Ismael Benavides, referred to the NGOs, calling them “Vultures of the XXI Century”. To Minister Benavides, the NGOs were responsible for the violent reaction of the indigenous communities. The Minister accused the NGOs of manipulating indigenous peoples with the intention of keeping them trapped in poverty. In his opinion, NGOs made the indigenous leaders believe that the Decree was designed to take their land away:

There are people who evidently have political interests to keep people in poverty. NGOs, or many NGOs today, are the ones with the main interest in keeping people in poverty, because it is the way they receive resources from outside. I call them Vultures of the XXI century.¹⁵

On May 2009, the government declared the “state of emergency” in the five most critical areas affecting the geographical center of the indigenous mobilization. On May 22, the Minister of Justice requested the arrest of the most important indigenous leader, Alberto Pizango, under charges of conspiracy and terrorism. On the morning of June 5, a police squad tried to recover an important road section called the “Devil’s Bend,” in the Amazonian province of *Bagua*. In this operation, the police troops opened fire from

¹⁴ *Perú21* (August 19, 2008) [13:15] *Patria Roja y algunas ONG pretenden echarse abajo el gobierno.*

¹⁵ *Perú21* (August 22, 2008).

helicopters. In turn, protestors repelled the attack with spears and arrows. At the end of that day, the mass media reported that about nine indigenous peoples and twelve police officers were killed. According to some recounts, one hundred and sixty-nine indigenous and mestizo civilians and thirty-one police officers were seriously injured. The leader Alberto Pizango fled to Nicaragua seeking political asylum. Finally, on June 10, Congress passed a law that officially annulled all García's decrees.

Due to the limited information provided by the government and many witnesses claiming that the number of dead was greater, the Congress ordered an investigation. However, the facts were never clarified by Congress: four different reports were presented, each signed by different Congressional groups (Tanaka, 2010). Similarly, Amnesty International published a report entitled "Perú: Bagua, Six Months Later" (2009). The International Federation for Human Rights published a report entitled "Bagua - Bloodshed in the Context of Amazon Protest – Urgent Need for Good Faith Dialogue" (Stavenhagen & Monge, 2009). In 2010, a collective made up of NGOs and indigenous organizations filed with the Inter-American Commission on Human Rights, in Washington D.C., an extensive report entitled "Infringement of Rights of Indigenous Peoples of Perú Concerning Energy and Extractive Policies." Even today, the facts surrounding Bagua remain unclear and the Peruvian judicial system has not responded adequately.

MAJAZ CASE

The Majaz mining project has involved several different corporations. In 1994 this mine site was explored by a small Australian mining company (De Echave, Diez, et al., 2009, p. 49). In 2001 the legal rights for this project were acquired by a British company. Then, in 2008 the mining project was bought by a Chinese and Korean consortium (Sanborn, 2009). The current government of Perú (2006 - 2011), through its most important political representatives, has expressed its full support for this mining project. This project is considered of national interest. On many occasions, the current President Alan García has met with representatives of the Chinese government to reaffirm his full commitment to this mining initiative (Sanborn, 2009, p. 314).

In ecological terms, the Majaz case is complex because it is a mining project that aims to extract large amounts of copper and molybdenum from an ecosystem which is the most important source of water in the area. Typically in the rest of Peruvian territory, water falling from the Andes to the Pacific basin as well as to the Atlantic basin, comes from icecaps. However, in this case, the ore is located amidst the lowest point of the Andes. In this area, the water comes from the heavy rain falling over these semi-tropical mountains. According to local inhabitants and to scientists who have studied the water system in this area, the rivers in this region are fed by the water stored in the underground mountain aquifers (Torres Guevara, 2006). Water is so vital for agricultural activities that the protests have involved people from different watersheds at risk - from both sides of the Andes, from the Pacific basin and from the Atlantic basin. The massive popular rejection of this project has expanded along several political subdivisions connected by the water flowing down from these mountains.

In social terms, the Majaz case is complex because the mineral deposit is located in a geographical area with very high levels of social organization. There is an overlap between three types of organizations in this conflict: (a) The members of peasant communities rejecting mining activities in their territory; (b) Peasant patrols in charge of night surveillance known as *rondas*; and (c) Small-scale coffee producers linked to Fair Trade.

The ore is located on the boundary of two neighboring peasant communities: the peasant community called *Segunda y Cajas* and the peasant community called *Yanta*. In Perú, peasant communities are organizations comprised of multiple family units that share the legal ownership of large tracts of land. The origin of these communities goes back to the colonial domination of Spain in this part of the South American continent. Peasant communities were the result of the division of agricultural lands between the “private” land held by Spanish owners and the “collective” land held by the indigenous (Diez, 1998, p. 47). In this sense, the peasant communities are older than the Peruvian Republic (Diez, 2003).

The most important legal argument to oppose the Majaz mining project is that the peasant assembly of *Segunda y Cajas* was never convened to approve the use of its territory. Nevertheless, the mining company is still inside the territory of this community. In 2006, the Peruvian Ombudsman Office issued Report N°001/2006/ASPMA-MA in favor of the *Segunda y Cajas* peasant community, since the Majaz Mining Company failed to gain approval of the communal assembly for this project. However, this was not the only time that the government ignored the national laws in order to support this project.

The ore is located very near the border with Ecuador. For reasons of national security, according to Peruvian law, private companies may not operate along an international border. Private companies are required to operate, at least, fifty kilometres away from the frontier line. However, in 2003, the Peruvian government enacted Decree 023-2003-EM allowing the Majaz Mining Company to operate near the border with Ecuador. According to the government, the Majaz Project is of great national importance.

Since the 70s, the peasants of this part of Perú have been organized into groups known as night surveillance patrols or *rondas*. According to Orin Starn (1991, 1999), the *rondas* came as a response to the constant theft of livestock. Subsequently these peasant patrols took over the administration of justice due to corruption of the few judges and prosecutors. Finally, the peasant patrols became the guardians of morality and social order. From the village level upwards, these organizations have a strong structure covering all political subdivisions in this area. Peasant patrols were recognized by the Peruvian government in 1986 and since then its actions have been backed up by the legal framework provided by the state (Starn, 1999, p. 122).

Interestingly, due to the poor and inefficient presence of official representatives of the state, peasant patrols were the only organizations enforcing national laws. The *rondas* have an office in each town or village. This office functions as a kind of agora or forum in which peasants come together to solve - collectively - cases of theft, domestic

violence, or troubles in the distribution of water. These offices always have the coat of arms of Perú on the entrance door, mimicking the state government offices. Within these facilities, there is always the Peruvian constitution on the table, the main symbolic reference for the administration of peasant justice. Due to the pressures coming from mining activities in this area, peasant patrols are assuming new roles (Diez, 2007, p. 128). During my interviews the patrolmen recognized themselves as environmentalists and stewards of the natural resources.

In 1995, the local coffee growers founded a cooperative – CEPICAFE – in order to be part of Fair Trade (M. Castillo, 2001). It is important to note that the members of this cooperative are owners of very small amounts of land, most partners have a hectare - or less - devoted to coffee cultivation.¹⁶ This cooperative is the most important model of business in the Northern Andes of Perú. Therefore, this cooperative provides evidence for two things. First, small-scale Andean agriculture is viable and profitable, and it has a space in the international market. Second, mining is not the only developmental alternative; there is no reason to accept the huge environmental risks inherent in mining activities. After several decades of failure and mistrust, the cooperative movement is rebounding strongly in many parts of Perú and CEPICAFE stands as one of the most successful (Remy, 2007). The members of these cooperative have supported several publications explaining with scientific arguments why the Majaz mining project would jeopardize the entire complex of watersheds, and therefore, agricultural activities.

In 2003 there was an intense political mobilization within the peasant communities. The peasant *ronda* punished those authorities who had facilitated the entry of the mining company in the communal territory. The following year, in 2004, facing the mining threat, voters chose the most active *ronderos* as their new authorities (De Echave, Diez, et al., 2009).

On April 8, 2004 one important decision was taken by a *rondero* assembly: to set up a march toward the mining camp to expel the invaders (De Echave, Diez, et al., 2009). The mining camp is located in a very high part of communal territory. It is necessary to walk at least two days to reach the mountain top. These kinds of marches are known as “marches of sacrifice.” The march took place between April 20 and 21, 2004. *Ronderos* and authorities of the provinces of *Huancabamba* and *Ayabaca* marched towards the mining camp. Police repelled the peasants with violence: hundreds were wounded, women were battered, and one *rondero* died.

Because the mining company did not leave the territory, peasants staged a second march of sacrifice. Between July 26 and 27, 2005, the peasants marched towards the top of the mountain to evict the miners. This time, police repression was much more violent. On this occasion, to defend the camp, a police squad trained in special operations was deployed over the terrain. Another *rondero* was killed in this second march of sacrifice. For days, dozens of peasants were tortured inside the mining camp. In 2009, those who tortured the peasants released photos that prove their crimes. These photos were

¹⁶ Data provided by CEPICAFE office in June 2009.

published by the national newspaper *La República*¹⁷ with an introduction made by the famous priest Marco Arana.

The violent police repression against peasants in these marches (especially the shocking deaths of two *ronderos*) generated a series of public meetings involving government representatives, senior representatives of the Catholic Church, provincial and district mayors, *rondas* and NGOs (De Echave, Diez, et al., 2009). The most important result of such political meetings was the founding of The Front for Sustainable Development of the Northern Border of Perú [*Frente por el Desarrollo Sostenible de la Frontera Norte del Perú* - FDSFNP]. This Front was formed by mayors, peasant leaders, and local environmental organizations coming from both sides of the Andes. This front articulated, in a single organization, the efforts of municipal authorities, peasants and local professionals concerned with environmental protection. The Front demanded the immediate departure of the mining project from the territory of peasant communities.

The Front received technical and financial support from a coalition of Peruvian NGOs called the *Muqui Network* (De Echave, Diez, et al., 2009, p. 63). This is a consortium of Peruvian NGOs along with various vicariates, dioceses, and archbishops. All these institutions have considerable experience in environmental protection in various regions of Perú. Because the Peruvian territory is geographically very diverse, this consortium has formed special working groups for each single case. One case in the *Muqui Network* is the Majaz mining project.

Under Peruvian law, municipalities can organize referendums. Knowing the law, *rondas* of *Segunda y Cajas* as well of *Yanta* demanded that the mayors call for a referendum in order to have a democratic debate. 2006 was an electoral year and absolutely all municipal candidates declared themselves as friends of the environment and promised the needed referendum. Members of peasant communities constitute the majority of voters in the Andean region of Piura.

Cutivalú Radio is an old local radio station. It constitutes one of the most important manifestations of the work of members of the Catholic Church in Piura. This station was founded in 1984 by priests of the Society of Jesus, grouped in an NGO committed to democracy, human rights and agricultural development. Thanks to the high quality of its programs (and their strong commitment to social justice) *Cutivalú Radio* has a great reputation among the peasants of Piura. From the beginning, this radio has supported peasants in their resistance against the Majaz project.

Cutivalú Radio decided not to transmit radio-spots produced by the Peruvian government against the popular referendum that was held by peasants on the 16th of September 2007. This decision angered the government representatives. Five days prior to referendum, Prime Minister Jorge del Castillo denounced the rejection by *Cutivalú Radio* to transmit the spots as a violation of freedom of expression. The aim of the governmental spots was to boycott the event.¹⁸

¹⁷ <http://www.scribd.com/doc/18322371/Violacion-de-derechos-humanospor-minera-Majaz-en-Piura2009>

¹⁸ *La República* (September 11, 2007).

The same day as the referendum, President García attacked the priests and religious organizations that have supported farmers in their rejection of the Majaz project. It has to be noted that García referred to national sovereignty as part of his argument. President García said that the participation of some members of Catholic Church in matters of this kind is an intrusion made by the Vatican representatives in a foreign country. The words of García were registered by the official newspaper, *El Peruano*:

We have a concordat with the Church. The Church is a State: the Vatican State. The relationships with the Church are based on international treaties between States. Just as I do not like the intrusion of Venezuelan government or Argentinean government in Perú, the intrusion of the Vatican State it is not good. (...). The foreign priests must go to fight for revolution in their countries and not just here.¹⁹

A day later, the president of the Peruvian Episcopal Conference said that the relation between the Peruvian State and the Catholic Church was very strong.²⁰ He also noted that *Cutivalú Radio* is not an official apparatus of the Catholic Church in Perú, which is entirely true: *Cutivalú* is a private radio, founded by Jesuit priests and guided by Christian values.

The popular referendum was held on September 16, 2007. Ninety-seven percent of voters rejected the Majaz mining project, this referendum was the biggest success of *The Front* (FDSFN). After the referendum, local mayors were attacked by the government. First, the mayors were threatened with lawsuits. The National Electoral Jury [*Jurado nacional de Elecciones* - JNE], the government office in charge of electoral processes, accused the local mayors of illegally performing functions that were not theirs. Second, they were charged with misappropriation. That is, they were accused of using financial resources of the state to fund activities that do not belong to the municipalities.²¹ All these legal attacks failed. The mayors acted according to what the Peruvian constitution says: the municipalities can organize referendums by their own. Mayors proved that the money used for the popular referendum was provided by international NGOs. Public money was never used, international partners supported this referendum. The government response was to declare the referendum as a non-binding consultation. That is, the results of the referendum can not bind the decisions of the government with any wishes given by the *rondas* or mayors.

A year later, in 2008, President Alan García signed the Decree 024-2008-DE. With this decree, the Peruvian government approved the takeover of the Majaz project by a Chinese-Korean consortium. This decree was necessary because under current laws, foreign companies cannot operate near the national border. The promulgation of this decree was criticized by some sectors of the national mass media because, again, the government was violating national sovereignty.

¹⁹ *El Peruano* (September 17, 2007).

²⁰ *El Peruano* (September 18, 2007).

²¹ *La República* (September 17, 2007).

In November 2009, the new general manager of the company, reported that the mining camp was attacked and burned by fifteen strangers.²² Immediately, the government deployed a special police squad to find the culprits.²³ A month later, police entered a village and opened fire on the villagers. As a result of this action, two peasants were killed and nine other villagers were seriously injured.²⁴ According to the police, the peasants attacked first, using firearms.²⁵ But a week later, the Ombudsman contradicted this version stating that according to forensic examinations, the peasants were shot in the back.²⁶

²² *Perú21* (November 3, 2009).

²³ *El Comercio* (November 3, 2009).

²⁴ *El Comercio* (Diciembre 3, 2009).

²⁵ *Perú21* (Diciembre 4, 2009).

²⁶ *La República* (Diciembre 16, 2009). This event was recorded by Michael Watts on a shocking documentary that can be viewed at the following address: <http://vimeo.com/19680941>

CONCLUSIONS

(1) The role that NGOs have had in Perú coincides with the main presuppositions of *the greening of sovereignty* approach. International and domestic NGOs are trying to change the environmental behavior of the Peruvian state from the grassroots level.

(2) The recommendation made by Karen Litfin regarding the use of Joel Migdal's theoretical approach has proven very functional for the study of environmental conflicts in Perú. Grassroots organizations are trying to change the state's political agenda, but at the same time, these organizations are also part of the state. The boundaries between state and society are real, but extremely porous. For several decades, the peasant organizations in Northern Perú have enforced national laws in large areas of the country.

(3) At the same time, the ongoing environmental conflicts in Perú constitute a good opportunity to test some assumptions of *the greening of sovereignty* approach. This approach assumes that it is possible to change the state's agenda, but is not an easy task. Such policy changes are the result of long and painful political struggles. In Perú, the state has been able to block all sorts of pressures, domestic and international.

(4) The Peruvian case is also instructive to test theoretical approaches studying the relationships between NGOs, states and grassroots organizations. Regarding the first approach - global civil society - the actions of NGOs in Perú are consistent with the approaches proposed by Paul Wapner and Ronnie Lipschutz. As described by Paul Wapner, when NGOs are unable to modify the behavior of states through direct relationships, they start working on the grassroots level in order to generate political changes through civic engagement. Majaz case, the popular referendum organized by peasant organizations, district municipalities and NGOs constitutes an example of this type of civic strategies. At the same time, as noticed by Lipschutz, grassroots organizations have the ability to use other means, like violence. There is room for civic strategies as well for non-civic strategies in the global civil society.

(5) Regarding the second approach - world polity - the current Peruvian government does not seem very interested in maintaining a positive reputation in front of the world community. Reports written by non-governmental organizations have not had the intended effect. The key seems to be in the third approach. The transnational advocacy networks approach considers that not all target states are equally vulnerable to pressure from NGOs. Moreover, this approach suggests that the position of a country on the international market defines their levels of vulnerability.

(6) Perú is an important place for extractive industries. As it has been noted by the report of Oxfam International, fourteen of the largest transnational corporations in the world are nowadays operating in Perú. It seems that this kind of insertion into the global market represents an important source of leverage for the government. It is possible that such position in the world trade system - as a major supplier of raw materials - is accompanied by considerable rates of invulnerability. Of course, this is just an observation that requires further research.

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