CONFLICTING PERSPECTIVES:
NEOLIBERAL RESOURCE DEVELOPMENT, INDIGENOUS COMMUNITIES, AND
MODERN CANADIAN IMPERIALISM IN GUATEMALA

by

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ABSTRACT

Indigenous communities in post-authoritarian states are actively resisting foreign-driven resource development on their territories. Resource companies are increasingly encroaching upon the traditional territories of indigenous peoples as these lands hold significant natural resources. Large-scale resource development is driven by the global processes of globalisation, neoliberalism, and democratisation, all of which affect local land rights. Indigenous rights are actively repressed in post-authoritarian states where governments often pursue economic development at the detriment of social well being. Canadian companies are among the world's leading resource companies and, as a result, are involved in the active repression of indigenous rights, including in Guatemala. Four weeks of fieldwork in Guatemala in 2004 and a literature review demonstrate that indigenous communities in Guatemala are demanding to be consulted prior to any development on their territories. As economic pursuits supersede indigenous rights in many post-authoritarian states, indigenous peoples are rarely consulted about resource development and, as a result, these peoples are increasingly resisting imposed development schemes on a worldwide scale.
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INTRODUCTION

Many indigenous communities are resisting large-scale resource development on their territories. This clash between global development and local peoples is especially apparent in post-authoritarian countries where indigenous communities find themselves fighting both international actors and their own state governments. Resource development occurs the world over and is central in fuelling the global economy. Large portions of the world's natural resources, however, are found on indigenous traditional territories (Clay 1994:21). Indigenous perspectives of resource development differ significantly from Western perspectives, and thus indigenous communities have a strong interest in protecting the resources on their lands. Indigenous rights are a debated topic and, although international law recognises the rights of indigenous peoples, many countries do not promote or protect the rights of their indigenous citizens, including indigenous claims to lands or resources (Anaya 1996). Many countries have indigenous rights legislation, but the implementation of such legislation often remains weak. In reality, indigenous rights are often actively repressed and violated in countries in transition from authoritarian to democratic systems.

Guatemala is a post-authoritarian state in the process of democratising. A former Spanish colony in Central America with a majority indigenous, Maya, population, Guatemala has just emerged from four decades of authoritarian rule. Guatemalans experienced ten years of democratic rule from 1944 to 1954, until the United States backed the Guatemalan army in overthrowing democratically-elected President Jacobo Arbenz (Schlesinger and Kinzer 1999; Smith 1990). Subsequently, the Guatemalan population lived under successive military dictatorships, culminating in a 36-year internal armed conflict from 1960 to 1996 during which time the United Nations-sponsored Historical Clarification Commission (CEH 1999) estimates that 200,000 people lost their lives. In 1996, Peace Accords were signed between the national
government, the *Partido de Avanzada Nacional* (PAN) or National Advancement Party, and the leaders of the guerrilla opposition forces, the *Unidad Revolucionaria Nacional Guatemalteco* (URNG) or Guatemalan National Revolutionary Unity. The Peace Accords resulted in Guatemala holding democratic elections and establishing a series of human and indigenous rights accords (see Warren and Jackson 2002; Handy 2002); however, scholars including Booth (2001), Jonas (2001), Robinson (2001), and Yashar (1999) argue that a truly democratic Guatemala is far from being realised.

Guatemala is a unitary republic led by President Oscar Berger, who was democratically-elected in December 2003 (Sorenson 2004). Berger is leading a minority government where his party, the conservative *Gran Alianza Nacional* (GANA) or Grand National Alliance party, holds a mere four more seats than its closest opposition, the right-wing *Frente Republicano Guatemalteco* (FRG) or Guatemalan Republican Front, the party in power during the most violent years of the internal armed conflict (ITC 2005). Latin Americanist historian Ralph Lee Woodward (2005) explains that Guatemala's 1812 Constitution ensures elected municipal councils throughout the country but that, in practice, political authority is centralised in Guatemala City, the national capital, limiting the influence of local government. Woodward (2005) adds that municipal governments in Guatemala's major cities have played stronger roles since the 1985 Constitution, but political power remains largely centralised. The current Berger government is initiating changes such as compensating some victims of the internal conflict and reducing the size of the army, but a number of the perpetrators of the internal conflict remain in powerful positions and true democracy remains elusive at best (Economist 2004a, 2004b).

While the Berger government is making institutional changes, the transition to democracy remains obstructed by Guatemala's authoritarian past. The most notable legacy from
the authoritarian period is the military. In a special report for the Washington Office on Latin America (WOLA), Susan C. Peacock and Adriana Beltrán (2003:6) state that,

...throughout the country, military commissioners and individual ex-PAC [paramilitary units formed by the Guatemalan army during the armed conflict] members fill leadership positions in local government as mayors, city council members, teachers, and police. Many have allegedly used their positions of local authority to reap disproportionate benefits from state funds and development projects.

Political scientist J. Mark Ruhl (2004:144) explains that Alfonso Portillo, Guatemalan President from 2000 to 2004, was affiliated with former military dictator Efraín Ríos Montt and the FRG. According to Ruhl (2004:144), Portillo increased the military's budget and "largely delegated day-to-day control over the armed forces to an unsavory trio of discredited former army officers allegedly associated with past human rights abuses."

Political scientist J. Patrice McSherry (1998) argues that a number of factors impede genuine democracy, including new internal security roles for the military, ongoing impunity for human rights violators, and acts by paramilitary groups. In the case of Guatemala, the military remains Guatemala's main source of gathering information and "a 1996 law granted amnesty for most politically motivated crimes committed during Guatemala's 36-year civil war" (Ruhl 2004:145). Peacock and Beltrán (2003:3) add that clandestine groups continue to carry out violent attacks against human rights defenders. Peacock and Beltrán (2003) attribute such authoritarian legacies to the "hidden powers" – an informal network of former members of the military governments – that continue to hold significant influence in Guatemalan society. Peacock and Beltrán (2003:6) directly associate these hidden powers with the FRG who controlled both the legislative and executive branches of government from 2000 to 2003.

The situation in El Estor, a predominantly indigenous community in eastern Guatemala, demonstrates the reality of Guatemala's authoritarian past and the impact of neoliberal development models. Through resistance to large-scale mining developments, the case of El
El Estor presents a local experience of global forces. Since the International Nickel Company (INCO), a Canadian multinational mining company, arrived in El Estor in 1965, local struggles for lands and resources have been fuelled by global economic and political policies and, most notably, Guatemala's 36-year internal armed conflict. The nickel mine in El Estor was operational from 1977 to 1983, the most violent years of the armed conflict (Astritis 2003). In a 1999 report on state violence in Guatemala, Patrick Ball, Paul Kobrak, and Herbert F. Spirer (1999:18) detail Guatemala state concerns over the growing protests against the nickel mine in the 1970s, resulting in President Arana suspending the right to assemble and the killing of Julio Camey Herrera, a university law professor outspoken in his opposition to the mine. As state violence increased in the late 1970s and early 1980s, the El Estor mine continued to produce while local peoples were continually relocated from their lands and the Guatemalan military quelled opponents of the mine and land appropriations, most notably culminating in the Panzós massacre of 1978 (Astritis 2003; Ball, Kobrak, and Spirer 1999; CEH 1999, vol.6). Although the El Estor mine ceased production in 1983, local opposition continues as indigenous farmers continue to fight for their traditional lands that are still occupied by the mine.

Land is central to the ongoing conflicts surrounding development in Guatemala and around the world. In speaking of El Estor, law student Andy Astritis (2003:3) states: "Nickel mining in El Estor demonstrates the centrality of land to broader political issues, and the interconnectedness of domestic and international power structures to the economic decisions made by governments." When studying the impact of resource development on indigenous communities and the subsequent response of these communities to development, it is imperative to take into account the larger context. Resource development occurs in relation with local and global economies, political ambitions, and multinational corporations, and the impact of these global forces is situated in the land. Therefore, land is the site where local and global forces
meet. Land is central to Maya identity and has been a source of conflict between Maya and non-Maya for centuries (Carey Jr. 2001; Lovell 2000; Menchú 1998; Wearne 1994). The impact of colonial forces and later of Guatemala's armed forces is reflected in the land, either through displacement or destruction (Galeano 1973; Johnston 2003; Lovell 2000; Russell and Albo 2000; Wearne 1994). In post-authoritarian states such as Guatemala, land continues to lie at the intersection of global and local forces. Therefore, while globalisation, democratisation, development, and rights are all enormous topics, it is important to discuss each of these areas in order to truly understand the resistance of indigenous communities to particular kinds of resource development on their territories.

CORE RESEARCH QUESTIONS

My central research questions concern the reaction of indigenous peoples to resource development on their lands.

- Are indigenous peoples resisting resource development on their territories and, if so, why is this occurring in post-authoritarian states?

- What are the scales of this resistance?

- Are these indigenous peoples interested in international solidarity?

- Why are the rights of indigenous peoples actively restricted and violated in post-authoritarian states?

- Will democracy be a positive or negative force for indigenous peoples?

RESEARCH FOCUS

Resource development is central in the economies of world states. Consequently, states attempting to democratise after years of authoritarian rule place an emphasis on developing strong economies (Grugel 2002). While globalisation and democratisation often free indigenous
peoples from state oppression, these same factors increase the economic oppression of indigenous peoples. My central research questions allow me to understand the conflict between indigenous peoples and globalisation by exploring why indigenous peoples are resisting particular kinds of resource development. My research presents the status of indigenous rights in post-authoritarian countries and ascertains whether democracy is beneficial for indigenous peoples. Finally, I investigate whether or not local indigenous movements can find solidarity with one another in the fight against resource development, both within post-authoritarian countries and throughout the world.

What follows is my interpretation of research material and participant observation during fieldwork in Guatemala. As anthropologist Margery Wolf (1992:5) explains, "anthropologists can only convey their own understandings of their observations in another culture in their ethnographies." I do not intend to represent another culture or group of people. I do, however, believe that the conflict between indigenous communities and resource development is significant, and that indigenous peoples are actively resisting the development of minerals on their traditional territories. Anthropologists Chris Ballard and Glenn Banks (2003:287) argue that ethnographic studies of mining have the potential to address questions of indigenous rights and globalisation and, yet, "the anthropology of mining remains largely under-researched and under-theorized." Subsequently, I believe it is imperative to not only conduct a study of the impact of particular kinds of resource development on local communities, but also to incorporate the voices of indigenous peoples faced with the presence of resource development on their territories and bring a voice to the very real concerns of these peoples.

In discussions of democratisation and the global economy, it is essential to consider the role of the "developed" or "first world" countries. These states have a great influence on the rest of the world, both driving and defining the global economy. These states have defined
democracy, individual rights, and neoliberal economics as the ideal for the countries of the world (Escobar 2004; McChesney 1998). Canada is one of these leading states. While the United States is seen as the leader among the "first world" nations and has been very active both directly and indirectly in the actions and policies of countries around the world, the role of Canada and Canadian companies should not be underestimated. Canadian society is based on democratic principles such as the rule of law, the promotion of the individual rights of its citizens, and neoliberal trade schemes (Government of Canada 2004; AIC 2003). Canadian companies operate in a world of capitalist exploitation and individualism and they apply these values to the foreign communities in which they operate.

The main goal of multinational corporations is capital gain. Companies at home and abroad generally place their drive for economic success ahead of the social conditions of the people affected by their operations (Clark 2003; Astritis 2003). Canadian resource companies are prime examples. Operating throughout Canada and across the world, Canadian mining companies are involved in large-scale development projects requiring the acquisition of large tracts of land, the displacement of peoples, and collusion with foreign governments who may or may not have the best interests of their citizens in mind (AIC 2003; Drohan 2004).

Resource development projects in Guatemala provide an insight into the practices of state governments and foreign multinational companies whose main concern is resource extraction and capital gain, not necessarily sound business, social, or environmental practice. While Canada prides itself on its humanitarian practices, Canadian companies are actively involved in non-humanitarian projects in a number of developing, post-authoritarian countries, including Guatemala.

My research demonstrates a clash between local indigenous groups and globalising forces, in the form of resource development companies, and argues that this clash is occurring
throughout the world. In examining the existing literature on indigenous peoples, rights, and resource development, and in presenting examples from Guatemala, I will demonstrate the manner by which the transition from authoritarian to democratic government actively continues to restrict indigenous rights and the roles of democratisation and globalisation in the formation of the new common oppressor among indigenous peoples, the global drive for natural resources.

The first chapter of this thesis provides an overview of the methodology of my research. The methodology section outlines the guiding theories and methods that I use in my research. The second chapter, "Globalisation, Rights, and Democracy," provides an overview of the literature on globalisation, neoliberalism, democratisation, human and indigenous rights, and the interaction of these domains. The third chapter, "Development Models and Canadian Imperialism," leads from the discussion of globalisation and democratisation into an exploration of the largely negative impact of globally-driven neoliberal development models on indigenous peoples. I also highlight the role of Canadian companies and the Canadian government in promoting these negative development models.

The fourth chapter, "Resistance to Western Development Models and the Global Drive for Natural Resources," builds on the previous chapters to demonstrate how and why local peoples are resisting Western development schemes. In this chapter, I begin to answer the central research questions of why indigenous peoples are resisting development on their territories and the scales of the resistance. I include a brief case study from Guatemala to illustrate the resistance of indigenous communities to globalisation, democratisation, and neoliberal development. The fifth chapter, "El Estor: The Case of Maya-Q'eqchi' Resistance and a Canadian Mining Company," provides a more in-depth case study of indigenous communities resisting resource development. This main case study is based on fieldwork in Guatemala in May.
and June 2004 and illustrates the possibility for international solidarity, as well as the interaction of globalisation, democratisation, development, and rights in one clearly-defined conflict.

The concluding chapter summarises the previous chapters in providing a discussion of globalisation, democratisation, and resource development. My research questions of why resistance to resource development occurs in post-authoritarian states, why indigenous rights are actively restricted in post-authoritarian states, and whether democracy will be a positive or negative force for indigenous peoples, are all discussed. This chapter also highlights the strong voice of indigenous peoples and the importance of exploring alternative development models.
Chapter 1 –

METHODOLOGY

The investigation of the conflict between certain indigenous communities and the large-scale resource development projects on their lands requires a broad array of research methods. My thesis incorporates multiple theories and methods to investigate the violation of indigenous rights due to certain forms of resource development. My research does not follow any one theory, but it is guided by bodies of work on indigenous movements, postcolonial theory, advocacy anthropology, and feminist theory. These theories help to define my study populations and research design, which involves participant observation and attendance at community meetings. Secondary source analysis comprises the majority of the thesis.

GUIDING THEORY

Indigenous Movements

The last few decades have seen increasingly active international indigenous movements. While indigenous identity is located in particular territories, indigenous peoples share a commonality in their territorial identities and subsistence economies (Anaya 1996:3; Maiguashca 1992:9). Indigenous peoples also share a common oppressor: the colonial system. Anaya (1996), Cook and Lindau (2000), Hodgson (2002), and Maiguashca (1992) all document the growing desire among indigenous peoples to strengthen their local battles by joining forces with other indigenous groups fighting the same global forces. Indigenous rights scholar Bice Maiguashca (1992:1) states that indigenous movements have become internationalised since the 1960s. The existence of international movements is apparent through groups such as the World Council of Indigenous Peoples (WCIP) and the International Work Group on Indigenous Affairs (IWGIA).
International human rights law professor S. James Anaya (1996:45) elaborates that indigenous peoples "have ceased to be mere objects of the discussion of their rights and have become real participants in an extensive multilateral dialogue." In presenting a comparison of indigenous demands in Canada and Mexico, political scientists Curtis Cook and Juan D. Lindau (2000:3) argue that, while different in almost every way, both countries are at the centre of "the most important global issue confronting the contemporary world, namely, the clash between globalizing and localizing forces." Anthropologist Dorothy Hodgson (2002:1043) expands on the impact of globalising forces, arguing that recent trends of democratisation and economic liberalisation are intensifying the inequalities facing indigenous peoples around the world. These same forces are at work in Guatemala.

Anthropologist Kay Warren (1998) identifies the existence of a pan-Maya movement in the Americas. The pan-Maya movement began in Guatemala in the 1980s and seeks to promote Mayan cultures. Warren (1998:49) explains that Mayanists want to incorporate all Maya peoples, including educated city dwellers and rural workers. The pan-Maya movement promotes solidarity among all those Maya who suffered and were displaced from their lands during years of political violence (Warren 1998:159). Warren's (1998) example of the pan-Maya movement is just one of the growing indigenous movements throughout the world. Indigenous peoples share a number of commonalities despite the diversity of their territories, their cultures, and their political situations (Cook and Lindau 2000). Although examples from Guatemala inform this thesis, the situation in Guatemala is not unique. Similar conflicts over resource development and land rights occur throughout the world, demonstrating that global forces are localised in multiple places. Furthermore, I believe that the strong connection of indigenous peoples to their lands explains the similar forms of indigenous resistance to resource development in diverse localities, in keeping with political scientist James C. Scott's (1990:21-22) assertion that where similar
forms of dominance (i.e., imposed development models) exist, similar resistance movements will form.

Postcolonial Theory

Postcolonial theory provides a good starting point for analysing the global processes at work in Guatemala and their subsequent impact on local peoples. Ilan Kapoor (2002:647), professor of environmental studies with a focus on theory and development, describes postcolonial theory as "a suspicion of Western liberal modernity, a historical-global analysis, and a critical politics." Western liberal ideology is central in the current wave of globalisation and, subsequently, in fuelling the global drive for natural resources. Geographer Cheryl McEwan (2001) describes postcolonialism as a powerful critique of development and imperialism. April R. Biccum (2002) adds that postcolonial theory identifies that current divisions of global power are a direct product of colonialism and that development and colonialism are linked.

In researching issues of indigenous rights and representation, postcolonial theory is central, as McEwan (2001:95) states, in its "attempts to recover the lost historical and contemporary voices of the marginalized, the oppressed and the dominated." A postcolonial critique of the conflict between resource development and indigenous communities is useful in identifying the oppressive nature of globalisation and liberalism but, as Kapoor (2002:661) remarks, "it remains unclear how postcolonial interventions impinge...on global power." McEwan (2001:102) adds that postcolonialism is often critiqued for not having a stronger impact on issues of human rights, control of resources, and other urgent issues: "postcolonialism cannot easily be turned into action on the ground." McEwan (2001:107) concludes in arguing for the combination of postcolonial and feminist ideals:
Postcolonial feminisms, therefore, have the potential to contribute to the critical exploration of relationships between culture power and global economic power. Moreover, they point towards a radical reclaiming of the political that is occurring in the field of development and in the broader arena of societal transformation.

Therefore, postcolonial theory is among a variety of theories and methodologies that inform my research.

Advocacy and the Social Sciences

Social scientists have long been involved in the realm of advocacy, especially the field-based disciplines of geography and anthropology. Anthropologist and advocate Penny Van Esterik (1985:60) defines advocacy as "the act of interceding or speaking on behalf of another person or group." Geographers Catherine Nolin Hanlon and Finola Shankar (2000) draw links between academia and their own participation in local, national, and international solidarity groups. Fellow geographers Linda Peake and Audrey Kobayashi (2002) argue that basing geographical studies in activist rather than academic settings encourages social change and builds geographic theory.

Van Esterik (1985:61-62) explains that "small 'a' advocacy results in rethinking the way questions are asked, the way issues are defined, and helps shape the way people view themselves in relation to issues." The anthropologist who acts as a mediator between a marginalised group and government or corporate forces is an example of a small 'a' advocate. By contrast, Van Esterik (1985:63) defines large 'A' advocacy as "taking a more active position with regard to a well-defined and often narrower goal." The academic that acts as a large 'A' advocate moves beyond the role of mediator or cultural translator to take a more direct role within social causes or movements. Geographer Don Mitchell (2004) discusses large 'A' advocacy when he argues that geography is well placed to advocate for social change and justice. Van Esterik is herself an
advocate for nutrition and breastfeeding and continues to publish works in favour of the anthropologist acting as an advocate. Her recent works include the role of anthropologists in policy debates over infant care and breastfeeding (Van Esterik 2002) and in studying the impact of media reports on breastfeeding women (Van Esterik 2004).

Hodgson (2002:1044) explains the range of anthropological research as advocacy and collaboration to scholarly detachment. Hodgson (2002) believes there is a need for all forms of social science research in order to maintain a connection between the worlds of activism and scholarship. Collaboration between these domains goes beyond indigenous rights, Hodgson's (2002) own focus, to dialogue between academics and institutions, organisations, and policy makers. Van Esterik (1985:71) discusses the importance of communication. Advocacy communication is direct and emotional, whereas scholarly communication is indirect and detached. In this regard, advocacy and academia are seen as opposites. However, Van Esterik (1985:75) argues that academics who are able to adopt communication styles that appeal to the wider population while still conforming to academic standards could prove invaluable to advocacy causes. This thesis has the dual purpose of a scholarly and advocacy document, with value for academia and the wider public. Therefore any subsequent reports that I write, including an open letter in protest of mining in El Estor, Guatemala circulated in July 2004 (Appendix A), will be written in plain and accessible language and, if necessary, translated.

Anthropologist Kirsten Hastrup and psychologist Peter Elsass (1990:388) believe that anthropology is well placed, and possibly more so than any other discipline, to advocate the causes of others. The anthropologist's relevance as advocate is partly due to the discipline's strong cross-cultural perspective, allowing the anthropologist a greater understanding of different situations. Merrill Singer (1990:548), the director of the Research Center for Community Health in Connecticut, acknowledges that anthropology, as "putting knowledge to
use for the purpose of social change," is directly linked to advocacy. Therefore, anthropology can be viewed as a continuum of advocacies. I believe that it is important for my research to include advocacy for the resistance activity and organising of the community members I met during my time in Guatemala.

In dialogue with Hastrup and Elsass (1990), anthropologist Heinen (1990:388) argues that "ethnographic fieldwork almost unavoidably leads to a moral commitment to the people among whom the anthropologist works." This position reflects anthropologist Gaynor Macdonald's (2002:90) comment that feminist researchers are responsible to their research subjects/partners. Heinen (1990:388) furthers his argument for advocacy in anthropology in quoting Robert Rubenstein, who states that "learning and helping through advocacy is anthropology." Van Esterik (1985:62) too believes that social science fieldworkers develop responsibility to their research subjects:

Land rights, legal disputes, forced relocations, changes in food habits, etc. change the total configuration of people's lives. We are trained to recognize the interconnections between different parts of the social and ecological systems, and to explain the relations between changes in one institution and another. Our broad approach to human adaptation gives us a different perspective on advocacy issues than those of narrower more specialized disciplines such as economics or political science.

Van Esterik (1985:62) identifies the benefit of having academics act as advocates as these researchers have the ability to connect local struggles to larger systems. Therefore, it is not only reasonable for the social scientist to act as advocate, but for the advocate to be trained in social science.

Anthropologist David Maybury-Lewis (1985), co-founder of Cultural Survival, an organisation in support of indigenous rights, provides insight into the role of the anthropologist as advocate specifically for indigenous groups protecting their land rights. Maybury-Lewis (1985:131; 1997:4) identifies the conquest for resources as a major threat to indigenous ways of
life. Destruction of indigenous territories occurs in the name of development, and indigenous peoples who oppose such destructive development are labelled as obstructions to modernisation. Maybury-Lewis (1985:132) believes that advocates for indigenous groups must create a space to discuss the future, rather than the assimilation, of indigenous peoples: "Pro-indigenous advocates must work to create a similar climate of opinion in which we can look back with bemusement at the plausible falsehoods that were generally and conveniently believed by those who condemned indigenous cultures to extinction." In more recent work, Maybury-Lewis (1997:38) follows up on the same thought, arguing that indigenous cultures are not frozen in time or incapable of change, as is all-too-often perceived: "it is clear that the stereotype of indigenous cultures being bound to disappear because they cannot deal with the modern world is quite wrong."

Maybury-Lewis (1985:138) argues that advocacy for an indigenous group fighting development includes helping that community in their struggle, but also contextualising the fight so that the community understands what is and is not possible. The advocate can then persuade the opposing forces to respect indigenous rights and summon public support for the indigenous community. If the community realises that opposing development is either not in their best interest or is unlikely to succeed, Maybury-Lewis (1985:140-41) argues that the role of the advocate "becomes a matter of persuading the powers-that-be... to include indigenous representatives in the development planning for a given region." Maybury-Lewis (1985:147) is also careful to state that, while academic advocacy is important, the goal should always be to assist indigenous groups conduct their own advocacy.

Hastrup and Elsass (1990:389; see also Maybury-Lewis 1985) argue that advocacy is relevant to a range of anthropological topics, but warn that, unlike academic disciplines, advocacy itself has no set guidelines or "scientific standards for intervention." Van Esterik
(1985:59) agrees with this warning, stating that the social sciences have no "universally held advocacy assumptions" to guide their work, and that the discipline of anthropology has only concepts like cultural relativism to guide any advocacy work. Maybury-Lewis (1985:147) acknowledges that advocacy work in the past has been seen as "unscientific," but that many anthropologists now see that it is rigorous anthropology that drives researchers to become advocates. As advocacy alone does not provide any guidelines or standards and advocates face issues of unequal power relations and the possibility of speaking for and not with community members, I draw upon feminist methodologies to bring together the ideals of postcolonial theory and advocacy anthropology and to build rigour and accountability into my research.

Feminist Theory as Advocacy

My research is strongly informed by feminist thought. As sociologist Judith Stacey (1997) and geographers Alison Mountz et al. (1997) remind us, feminism developed through an interest in countering the subordination and silencing of women, but current feminist thought focuses on larger issues of power, voice, and marginalisation. Geographers Heidi Nast (1994) and Claire Madge et al. (1997) explain that feminist methodologies aim to seek out power relations and propose new ways to interpret and write research. The applicability of feminist theory to issues of rights, lost lands, and issues of powerlessness can be summed up by Stacey's (1997:116) statement that,

Discussions of feminist methodology generally assault the hierarchical, exploitative relations of conventional research, urging feminist researchers to seek instead an egalitarian research process characterized by authenticity, reciprocity, and intersubjectivity between the researcher and her "subjects."

I also agree with Stacey (1997) that the anthropological tradition of community-based studies is more compatible with feminist principles than with many other, more widely practiced methodologies.
Macdonald (2002) explains that feminism has long sought awareness for the political representation and restored voices of the marginalised in society. Macdonald (2002:90) states,

Feminist anthropology in particular has sought to develop approaches that explicitly write in the anthropologist as a fieldworker, analyst and author who is accountable to her or his subjects and is responsible for and responsive to community struggles of various kinds.

It is this desired commitment to the peoples involved in one's research that partially drives my research in the area of community resistance to resource development. Macdonald (2002:103) adds that the combining of advocacy and anthropology allows anthropologists to become "morally responsible and accountable." While my research is driven by a desire to further academic knowledge, it also fulfils my desire to highlight the violations of indigenous rights that are occurring in Guatemala and around the world.

One major concern in the area of advocacy is the fear that the advocate will guide the concerns of the community rather than allowing the community to speak through and drive the advocate. Macdonald (2002:103) addresses this concern in arguing that these communities often require anthropologists (or others in similar positions) to speak on their behalf in order to get others to listen to their plight. Although anthropologist James Clifford (1986) points out that anthropologists were not always culturally sensitive in the past, Macdonald (2002:103) believes that anthropologists have the skills to advocate in a culturally-sensitive manner. Anthropologists are in a position to provide access to the people or information that an isolated or powerless community needs to improve their situation and feminist theory provides methods for dealing with such power imbalances. Geographers J. K. Gibson-Graham (1997) and Madge et al. (1997) argue that the feminist ideal of involving those people who have traditionally been excluded from the research process creates a political space for these peoples; the involvement of research subjects as co-researchers is one means to alleviate unequal power relations between researcher and subject. Feminists argue that all academic work is positioned (Haraway 2002; Macdonald...
Therefore, the advocate social scientist is merely demonstrating his or her position more clearly, as all social scientists approach their work from a certain belief or bias.

Feminist thought provides insight in terms of power hierarchies and objectivity in research. Feminist theorist Donna Haraway (2002) explains that scientific research prides itself on its objective nature and its ability to reach objective conclusions; Haraway (2002) disputes this claim in stating that 'objectivity' is merely a social construction and that all research is subjective. Haraway (2002:365) calls for "situated and embodied knowledges and an argument against various forms of unlocatable, and so irresponsible, knowledge claims." Ultimately, Haraway (2002) believes that all knowledge comes from a certain viewpoint and therefore all knowledge is partial or situated. Prior to Haraway (2002) and other feminists, some social scientists argued against true objectivity. Clifford (1986:7) uses the concept of "partial truths" to discount the possibility of knowing anything for certain. While not only attributed to feminist research, feminist theory has increased awareness of situated knowledges and the use of feminist epistemologies allows me to approach my research knowing that I will be uncovering only partial truths. Therefore, I believe that the use of key voices and stories rather than extensive interviews of a large sample of people is relevant to understanding the resistance of some indigenous communities to particular forms of resource development on their traditional territories.

STUDY POPULATIONS DEFINED

Guatemala

I focus on indigenous populations in Guatemala to provide examples of the reality of certain large-scale, transnational resource development projects on indigenous communities. Guatemala is a transitional state, in the process of democratising after decades of authoritarian rule. Successive military dictatorships in Guatemala forced Mayan communities off their lands

Although the signing of the Guatemalan Peace Accords in 1996 (Warren 1998) promised democratisation, true democracy has not been achieved in Guatemala and the rights of indigenous peoples continue to suffer. Historian Jim Handy (2002:41) argues that despite the democratic nature of the Guatemalan Peace Accords, few conditions of the accords have been implemented, including those of the indigenous rights accord, and Latin America specialist William Robinson (2001:89) demonstrates that Guatemala will have to undergo a "radical redistribution of wealth and power toward the poor majority" before any form of democracy will be possible. Exploring the inequalities situated in the land in this post-authoritarian state provides insight into the status of indigenous rights in countries in transition and common resistance of indigenous groups to harmful globalising forces.

Defining the Field of Research

Geographer Cindy Katz (1994) and anthropologists Akhil Gupta and James Ferguson (1997b) explore the power relations inherent in research, especially in terms of defining one's field of study. Katz (1994:68) suggests that imposing boundaries upon one's research creates a power differentiation between researcher and subject. While I am creating certain power imbalances by defining my research site and subjects, this imposition is necessary for the manageability of the research project. My research populations are largely defined as indigenous peoples in Guatemala.
Anthropologists Barry Michrina and Cherylanne Richards (1996:41) argue for an intersubjective approach, where the researcher takes into account the group members' opinions on group membership. This approach involves the members of a community designating those people who are and are not part of the community. The intersubjective approach guards against generalising group identities (Michrina and Richards 1996:42). In allowing communities to define their own identities, I will be able to identify members as distinctively or generally as they choose. In the case of El Estor, Guatemala, I learned that the indigenous inhabitants identify themselves first as Q'eqchi', one of the linguistic divisions of the Maya, and as Maya or Guatemalan second (see also Wilson 1995).

While I recognise and respect the internal definitions of "indigenous" that vary among indigenous communities, for simplicity I will use the broad definition proposed by the Draft of the Inter-American Declaration on the Rights of Indigenous Peoples (IACHR 1995) that "indigenous peoples" are those whose identity is tied to ancestral occupation of the same territories these peoples inhabit today and who both self-identify as indigenous and are recognised as such by their indigenous community. I focus on Mayan communities in Guatemala, including the more specific Maya linguistic groups of Q'eqchi' in eastern Guatemala and Mam and Sipacapense in the western highlands. I have selected these indigenous communities based on instances of resistance to resource development on traditional territories. In terms of resource development, I focus on the large-scale exploitation of natural resources, with a specific focus on mining developments, on indigenous territories. In Guatemala, transnational corporations such as INCO and Glamis Gold Ltd. are conducting mineral exploration on Mayan lands.

Sociologist Mike Featherstone (1993:171) and Gupta and Ferguson (1997a) argue that globalisation is creating an interconnected world where local cultures are relational to the larger global world. I believe that it is nearly impossible to ignore these transnational, interconnected,
spaces in today's world. The boundaries between study populations become blurred when incorporating the presence of transnational corporations and international non-governmental organisations (NGOs), as well as solidarity from outside indigenous groups. While indigenous identity may be localised, identity must also be understood in terms of these outside forces and international indigenous movements. Not only are the most remote indigenous communities becoming drawn in to the global economy, but these same communities are linking themselves with other communities in order to preserve their traditional ways of life.

RESEARCH DESIGN AND METHODOLOGY

My thesis aims to understand the processes at work in the resistance of certain indigenous communities to particular forms of resource development. To understand these processes, I have conducted a review of literature concerning the issues of indigenous rights, human rights, globalisation, democratisation, and perspectives on resource development and I have incorporated case studies from Guatemala based on literature reviews and fieldwork. My research follows a multi-method approach. A multi-method approach ensures validity and reliability in research, through the triangulation of participant observation, local first-hand knowledge (in the form of community meetings), and secondary source analysis. While secondary sources make up the largest part of my research, both speaking with and observing people are necessary to understand the different perspectives that exist surrounding my area of study (Bradshaw and Stratford 2000:43).

Fieldwork

Fieldwork in Guatemala was carried out over a four-week period in May and June 2004. This period of fieldwork incorporated visits to a number of villages and organisations across
Guatemala, including two weeks in El Estor, the site of Maya-Q'eqchi' resistance to INCO mining. The two weeks in El Estor were devoted to collecting information relating to the history and impact of INCO mining in the area, the reaction of local communities to mining, and the current state of mining in the country.

Geographer Robin Kearns (2000:114) stresses the importance of gaining access to the field site. Access during my four weeks of fieldwork came through my affiliations with the Geography Field School in Guatemala (http://web.unbc.ca/geography/whatsnew/guatemala2004/), through the University of Northern British Columbia (UNBC), and Rights Action, (http://www.rightsaction.org), a community development and human rights organisation with its main office in Guatemala City. The first two weeks of my fieldwork in Guatemala were spent participating the Geography Field School. During this two-week period, Dr. Catherine Nolin, nine other UNBC students, and I interacted with local community members, NGOs, and other foreigners and scholars. The co-director of Rights Action, Grahame Russell, was integral to the field school, providing us with access to these community members and organisations. Rights Action is affiliated with grassroots groups and communities struggling with resource development throughout Guatemala. We also attended the Conference of the Association of Latin Americanist Geographers (CLAG) in Antigua (http://www.du.edu/~mtaylor7/CLAG%202004/CLAG_2004.html) which enhanced my understanding of the situation in Guatemala and the ongoing academic interests and research projects in the country and throughout Latin America.

Following the field school, I returned to the community of El Estor in eastern Guatemala, to conduct two weeks of additional research. Through Grahame Russell, I was introduced to Daniel Vogt, director of the Asociación Estorera para el Desarrollo Integral (AEPDI),

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the El Estor Integral Development Association. AEPDI is a local Q'eqchi' organisation devoted to promoting indigenous rights and community-driven development. Daniel, an American and former Catholic priest, is not Q'eqchi' but is well aware of the problems facing the Q'eqchi' people having lived in the community for the past 17 years. Consequently, he is actively involved in the resistance to mining in the region and is a founder of AEPDI. Daniel offered me the use of his office and expertise in return for help in compiling a report on the use of spirituality as a legal basis for realising indigenous land rights.

Methods

Participant observation was my main method of data collection during both the field school and my research in El Estor. Kearns (2000) and Bernard (2002) both outline participant observation as a method that involves researchers placing themselves in situations where they can participate in daily life and gain a greater understanding of local behaviours and experiences. I participated in many community meetings in Guatemala, including meetings with the Centre for Human Rights Legal Action (CALDH), the Guatemalan Forensic Anthropology Foundation (FAFG), the Association for the Integral Development of the Victims of Violence, Maya-Achi (ADIVIMA), AEPDI, the Guatemalan subsidiary of INCO - Exploraciones y Explotaciones Mineras Izabal (EXMIBAL), the Campesino Committee of the Highlands (CCDA), and the Canadian Ambassador to Guatemala, James Lambert. These meetings provide the basis of my primary source material.

As recommended by Kearns (2000:117), I kept comprehensive field notes and some tape recordings to aid in my data collection during these meetings. Geographer David Silverman (2000:829) discusses the importance of notes and tapes to supplement memory during later analysis. To ensure the privacy and comfort of all those involved in the meetings, I always asked
permission to record the meetings. As a result, I only tape-recorded a few meetings but was always able to take notes. While the use of a tape recorder certainly helped in the analysis of my fieldwork, a number of community members continue to fear reprisals for speaking out against the government, military, or resource developers. I believe that, in these cases, the mere fact that I have no tape recording to back up my field notes is itself strong documentation of the intense conflict that continues between indigenous communities and globalising forces.

Ethics

Another aspect of research, as identified by Kearns (2000:118-19), is the ethical obligation involved in interacting with research participants. Prior to my departure for Guatemala, I successfully passed my proposed research through the UNBC Ethics Review Board (Appendix B). My ethical obligations towards the people I met during my fieldwork included informing them about my study, obtaining consent from those individuals with whom I spoke, and making my research available to local communities and organisations. In terms of confidentiality, I incorporate information from community meetings throughout this thesis. These meetings were all public meetings and therefore, although I did not request written consent to use the information presented, I feel comfortable repeating the concerns highlighted during these meetings. The community members involved in these meetings were all informed as to our interest in learning of their current struggles with government officials, resource development, and ex-military personnel and, while many chose not to be tape recorded, they all made it clear that they want their stories to be heard. As a result, I have chosen to incorporate many of the points made during these meetings in this thesis, but I source this information only by community and date and do not identify any of the community members by name.
In the tradition of feminist research, I want to involve the research participants in the research process as much as possible (Gibson-Graham 1997; Gilbert 1994:94; Mountz et al. 2003:39-40; Wolf 1992:120; see also Clifford 1986:17). However, due to the brevity of my research in Guatemala and limited Spanish, developing my research project with local communities was not realistic. My affiliations with Rights Action and AEPDI did, however, facilitate my interactions with community partners. I had initially planned to share my research with the communities I visited by sending them a copy of my final work. However, as Wolf (1992:121) points out, sending an academic report in a foreign language back to a small community may not be appropriate. While in El Estor, I prepared a report for the AEPDI on the legality of indigenous spirituality in terms of land rights. This report remains with the organisation and, although I wrote it in English, the information I collected is available to the community. The AEPDI also has a copy of my open letter to INCO that outlines some of the concerns that local Q'eqchi' peoples highlighted during our community meetings (Appendix A).

I continue to stay in touch with the AEPDI and some of the other organisations that facilitated my time in Guatemala and, if at any point community or organisation members are interested in this thesis or any portions thereof, I will happily prepare and, if necessary, organise translation for the requested materials.

Limitations

Before embarking on my fieldwork journey, I acknowledged a number of limitations in my research. One limitation was time; I spent four weeks in Guatemala. While I initially planned on conducting interviews, community meetings proved to be the most efficient means of gathering information. The knowledge I gained during these meetings was invaluable. Prior to my departure, I felt that time would be the main limitation, but after collecting an amazing
amount of data during the first two weeks, and much less during the second two weeks, during which time I was on my own, I realised that the major limitation to my research was language.

Language was especially limiting with regards to interviewing. The majority of the people I met in Guatemala spoke either Spanish or a Mayan language. While I have some Spanish language training, I do not speak fluently enough to conduct interviews. As Geographer Daniel W. Gade (2001:376) argues, in an ideal world, all researchers will be fluent in the language spoken in the field; however, it is no longer realistic for researchers to spend upwards of a year in the field becoming proficient in a second language. I agree with Gade's assertion and the use of interpreters and my basic knowledge of Spanish certainly allowed me to collect ample data to further my research objectives. During the UNBC Field School, we had translations from Spanish to English, courtesy of Grahame Russell, and while in El Estor (both as part of the field school and on my own), Daniel Vogt provided translations. At one community meeting in Chichipate, Guatemala, there was translation from the indigenous Q'eqchi' language into Spanish, and then into English. I had the opportunity to attend another community meeting in the Q'eqchi' community of Aguacate with the Defensoria Q'eqchi', the justice section of AEPDI. This meeting was also conducted almost entirely in Q'eqchi' and, although some translation into Spanish was available, it is apparent that even with greater fluency in Spanish, language will remain a limitation when conducting research in indigenous Guatemala.

While these limitations have influenced my research project, I believe that the information I gathered in the field provide a strong basis for my thesis. Clifford (1986) and Marcus and Fischer (1986) promote the need to move beyond the impossibility of reaching a "whole truth" to establishing a means of representing social and cultural realities through ethnographic writing. As I myself am not an indigenous Guatemalan facing resource development on my lands, I will never fully understand what these peoples are experiencing.
However, after meeting a number of key individuals, including community leaders, members of organisations, government officials, and company representatives, I believe I have developed a greater understanding of the situation. I do not intend to represent entire communities in this thesis; rather I allow the voices of these key individuals to be heard, including members of local communities and non-profit groups, and present place-particular details of the impact of certain forms of resource development in post-authoritarian countries as it has become known to me.

Secondary Source Analysis

The largest component of my research is the analysis of secondary literary sources. These sources, stemming from books, journals, newspapers, and the internet, form the basis of my thesis. Bernard (2002) explains the importance of literature reviews as a starting point for research and as a means of supporting primary research. Secondary texts provide me with knowledge on pre-existing research, theoretical debates, historical context, and both absent and represented voices and viewpoints (Forbes 2000:139). In critically examining the existing information and interpretations on my subject areas, I am better able to represent and situate the knowledge I have gained through my primary research. While my research in Guatemala enriches my research findings, the majority of my thesis is based on secondary content analysis.

Secondary source analysis is particularly important to this research project as I frame my first hand research in Guatemala within larger global processes. I acknowledge the conflict that is occurring between indigenous communities and certain global forces throughout the world, not only in one or two Guatemalan communities. Therefore, I present the land conflicts in Guatemala as examples of similar patterns of conflict and resistance occurring throughout the world. An analysis of the literature on global forces, resistance, and development schemes is imperative to understanding the intensity of the land conflicts in Guatemala and beyond.
The following chapter, "Globalisation, Rights, and Democracy," overviews the global processes that influence both resource development and the protection of indigenous rights. The processes of globalisation and democratisation open countries to foreign-driven resource development, often resulting in the repression of local rights, as demonstrated in Chapters 3, 4, and 5. Chapter 2 investigates the larger concepts that affect local indigenous groups in Guatemala who are resisting large development projects to protect their lands and their livelihoods.
Chapter 2 –

GLOBALISATION, RIGHTS, AND DEMOCRACY

Free trade has hijacked our most powerful aspiration — the will to be free. It has substituted corporate for personal freedom, and passed off increased freedom for corporations as the expansion of democracy and human rights. (Vandana Shiva 2003:87)

The conflict between large-scale resource development and indigenous communities is a result of increasing global processes that are encroaching on indigenous traditional territories and life ways. Two of the dominant processes in the world today are globalisation and the spread of democracy (UNDP 2004). In the case of Guatemala, the transition to democracy is increasingly opening the state to globalisation and neoliberal policies. The issues of rights and development are directly linked with globalisation and the transition to democracy. This chapter explores the processes of globalisation, neoliberalism, and democratisation and demonstrates the inescapable connection between these phenomena and indigenous communities.

Global processes affect indigenous rights through policies and laws aimed at establishing and enforcing rights throughout the world, but these same global processes are responsible for violating and repressing the rights of indigenous peoples by promoting development schemes and transnational corporate practices that place economic gain ahead of social well-being. In order to understand the resistance of indigenous peoples to certain forms of resource development, it is necessary to understand these global phenomena and their connection to local struggles. Sociologist and world systems specialist Christopher Chase-Dunn (2001) explains that studying the global system and comparing issues such as democratisation in developing countries around the world is important in the understanding of particular countries, as he does to better understand contemporary Guatemala.
Globalisation and the Extension of Colonisation

Geographer Derek Gregory (2004) illustrates the relationship between colonialism and the present globalising world. In particular, Gregory (2004:10) links the current "global crisis" that erupted with the terrorist attacks on the United States (US) on September 11, 2001, with the colonial histories of the US and Britain in Iraq, Afghanistan, and Palestine. These colonial histories continue with the current foreign policies of the US and Britain. Gregory (2004:13) strongly argues that colonisation has not passed in referring to current American foreign policy: "I regard the global 'war on terror' — those scare-quotes are doubly necessary — as one of the central modalities through which the colonial present is articulated." Like colonisation, increased globalisation is leading to a heightened imbalance between the social classes of the world.

Globalisation specialist William Robinson (2001:90) states that globalisation as a phenomenon has existed for centuries, but that the current phase of globalisation is unique and defined by the spread of global capital. Robinson (2001:90) argues that, from the 1960s onwards, world states have been drawn into a world economy where "nations are no longer linked by external flows and relations but integrated organically through the globalization of the production process itself." Ultimately, globalisation is leading away from the possibility of a global system driven by popular majorities to a world driven by transnational capital.

Political scientists David Cameron and Janice Gross Stein (2000:16) describe globalisation as a set of processes "that first connect and then integrate societies, fragmenting and transcending the traditional social structures they confront." Sociologist Maria Eugenia Sánchez et al. (2003:133) explain globalisation as a "multidimensional process that involves economic, political and cultural dimensions." Historian John Coatsworth (2001:24) defines globalisation as a "significant, long-term increase in the flow of information, commodities, or people between distant regions of the earth." In these terms, globalisation began with the first
migrations of peoples thousands of years ago. However, more commonly accepted is that
globalisation has become a force in the last 500 years. Therefore, Coatsworth (2001:23) identifies
the beginning of globalisation in the Americas with the arrival of Columbus and the onset of
colonisation. Cameron and Gross Stein (2000:16) concur, arguing that globalisation is centuries
old. Sánchez et al. (2003:133) link the roots of globalisation to the establishment of economic
bonds between the five continents in the 16th and 17th centuries. In all cases, globalisation
encompasses the connection of multiple places and the economic interdependence of these
locations.

Globalisation must be thought of in terms broader than its traditional economic analysis
to incorporate both the social and cultural consequences of globalisation. Anthropologist Arturo
Escobar (2004:208), who focuses on development and theories of modernity, argues that the
present globally driven market economy commands "the world to be organised for exploitation
and that nothing else will do." Robert W. McChesney (1998:13), professor of communications,
argues that globalisation encourages corporations to dominate national economies without
holding any obligations towards the peoples of these nations. Michael Freeman (2000:45), a
specialist in political theory and human rights, argues that markets generally favour the rich over
the poor as it is the rich in society who bring the "purchasing and bargaining power to the
market." Furthermore, Freeman (2000:45) states that global markets focus on the increase of
wealth and not on the protection of human rights:

Capitalism was for centuries until recently, and still is to a considerable extent, compatible with patriarchy
and gender discrimination. But, even if these views are not accurate, capitalist markets might be dangerous
for human rights by stimulating the very ethnonationalist hatreds with which they are in theory
incompatible.
Escobar (2004:209) follows up on Freeman's thoughts, arguing that the globally driven market economy results in development projects that are socially and ecologically destructive, rather than fulfilling development's primary goal of creating a minimum of well-being.

Anthropologist Dorothy Hodgson (2002), geographer Michael Watts (2002), and political scientist Graham Harrison (2004) all argue that globalisation increases social inequalities. Hodgson (2002:1043) states that three main processes involved in globalisation, economic liberalisation, privatisation, and democratisation, all intensify inequalities faced by indigenous peoples. Watts (2002:1314) furthers the discussion of inequality, stating that "economic globalization is creating a dangerous polarization between haves and have-nots but little in the way of regulatory structures to counter the risks and threats conferred by it." Harrison (2004) rounds out the discussion, arguing that both development and inequality are central to globalisation.

Escobar (2004:209) believes that the result of neoliberal development is an "oppressive globality" where violence becomes a key factor in regulating the peoples and economies of the world. Globalisation, thus, constructs spaces of inclusion and exclusion, resulting in what Escobar (2004:213) terms "a new type of social fascism":

This fascism may operate in various modes: in terms of spatial exclusion; territories struggled over by armed actors; the fascism of insecurity; and of course the deadly financial fascism, which at times dictates the marginalisation of entire regions and countries that do not fulfil the conditions needed for capital, according to the IMF [International Monetary Fund] and its faithful management consultants.

Escobar (2004:214) furthers his argument of oppressive globalisation by discussing growing world militarism: "It is clear that this new Global Empire...articulates the 'peaceful expansion' of the free-market economy with omnipresent violence in a novel regime of economic and military globality – in other words, the global economy comes to be supported by a global organisation of violence and vice versa."
A prime example of growing militarism and oppressive globalisation is the United States-led invasion of Iraq. The US aims to protect its neoliberal view of the global economy and its own space within the current world order (Chomsky 1999, 2003; Gregory 2004; Escobar 2004). According to Escobar (2004:209), the invasion of Iraq demonstrates the current approach of treating the "symptoms but not the cause of the social, political and ecological crises of the time... [that result] in multiple 'cruel little wars' in which the control of territories, people and resources is at stake." Watts (2002) expands the discussion of globalisation and violence to include Nigeria. Nigeria is rich in oil and its reserves are highly sought. Therefore, as Watts (2002:1373) explains, violence and the military play a strong role in maintaining oil production. Geographer David Slater (1995), who focuses on global politics, returns the focus to the US, highlighting past aggressive acts such as the 1989 invasion of Panama and the 1992 air strikes against Baghdad.

The proposed Free Trade Area of the Americas (FTAA) provides another example of oppressive globalisation. The US government and many Latin American leaders are promoting the FTAA, but Escobar (2004:226) believes that any country that opposes such an agreement "is bound to incur the ire of empire, risking military action." Globalisation activists Jerry Mander et al. (2003) also mention the World Bank, IMF, and World Trade Organisation (WTO) as leading human and environmental assaults. Oxfam America (2004a; 2004b) links the Central American Free Trade Agreement (CAFTA) and free trade generally to increases in poverty and hunger throughout Latin America. Currently, protests against CAFTA are very strong in Guatemala. The Resource Center of the Americas (2005a) documents that the Guatemalan government is meeting strong popular resistance to its ratification of CAFTA with violence, injuring at least 11 people in the days following the beginning of the ratification process on March 8, 2005. Rights activist Grahame Russell (2005) adds that one protester, Juan Lopez, a poor farmer, was killed by
Guatemalan security forces during the anti-CAFTA demonstrations. Sánchez et al. (2003:135) return to the larger world, connecting weapons trading, prostitution, organised crime, and human organ trafficking with free trade and globalisation. The United States and other global powers believe in the expansion of capitalism and private enterprise and, ultimately, the dominance of a neoliberal agenda.

*Neoliberalism and the Economics of Globalisation*

Richard Sandbrook and David Romano (2004:1008), professors of international studies and political science respectively, explain globalisation as "external and internal market liberalisation." Robinson (2001:91) describes neoliberalism as the economic component of globalisation and is a model that aims to achieve the "mobility and free operation of capital:"

This model aims to harmonize a wide range of fiscal, monetary, industrial, and commercial policies among many nations as a requirement for fully mobile transnational capital to function simultaneously, and often instantaneously, among numerous national borders.

Neoliberalism is coupled with structural adjustment, which includes the liberalisation of trade and the privatisation of certain public spheres, both of which open a state's economy and increasingly shift decision making from the state to private interests. Susan George (2003:32), associate director of the Transnational Institute in Amsterdam which focuses on the disparities between rich and poor peoples and nations, adds that neoliberalism was built by Western economists, politicians, and businesses (see also Slater 2002:367). McChesney (1998:7) sums up the impact of neoliberalism:

Neoliberalism is the defining political economic paradigm of our time – it refers to the policies and processes whereby a relative handful of private interests are permitted to control as much as possible of social life in order to maximize their personal profit.
The dominance of neoliberalism is apparent throughout Guatemala. During community meetings with campesinos (farmers) in Morales (May 18, 2004), San Lucas Toliman (May 23, 2004), and Aguacate (May 29, 2004), the local use and understanding of the term neoliberalismo (neoliberalism) was astounding, again highlighting the impact of global forces on rural settings.

Chase-Dunn (2001:114) defines neoliberalism as the global integration of the capitalist class and provides a brief description of this phenomenon:

Neoliberalism began as the Reagan-Thatcher attack on the welfare state and labor unions. It evolved into the IMF's structural adjustment policies and the triumphalism of global business after the demise of the Soviet Union. In U.S. foreign policy, it has found expression in a new emphasis on "democracy promotion." Rather than propping up military dictatorships in Latin America, the emphasis has shifted toward coordinated action between the CIA [Central Intelligence Agency] and the U.S. National Endowment for Democracy to promote electoral institutions there and in other semiperipheral and peripheral regions.

This passage highlights the interconnection of globalisation, neoliberalism, and democracy. Furthermore, it provides a basis for the continued repression of social needs and rights in the name of economic pursuits.

Sandbrook and Romano (2004:1007) build on Chase-Dunn's comments, stating that neoliberalism began to gain strength in the early 1980s, with the belief that "neoliberalism's triumph would usher in a more peaceful and prosperous world." Neoliberalism is based on the belief that free global markets facilitate the free movement of ideas and products and that free trade is a large step towards the eradication of poverty. George (2003:32) argues this belief, stating that the neoliberal claim that "everyone will eventually benefit from their model is demonstrably false. Their system is a vast, planetary experiment which I deeply fear is going to blow up."
Escobar (1995), Kiely (2002), and Slater (1995) discuss the negative impact of neoliberalism in terms of Latin America. Escobar (1995:93) explains that neoliberalism has been dominant among elites in the Americas and much of the Third World since the 1980s, leading to trade liberalisation, privatisation, and the increased presence of the IMF. Slater (1995:367) supports Escobar's (1995) assertion that neoliberalism entered Latin America in the 1980s and describes the process as a "wave" of Western "truth" that "purported to offer the sole prescription for development and progress." Escobar (1995:90) states that crises began to emerge in Latin America when countries could not meet their debt obligations and he likens the industrial decline in Latin America resulting from neoliberal policies to a "reversal of development." Ray Kiely (2002), sociologist and development specialist, turns attention to movements against neoliberalism. Kiely (2002) calls for a focus on the negatives of unequal trade, production, and global free trade rather than stating that all trade is negative. Kiely (2002:105) lists the anti-IMF riots and WTO protests as examples of movements against the harmful outcomes of free trade.

Sandbrook and Romano (2004:1007) agree that liberalisation has a dark side, one that compels extremist movements by those who oppose the dominance of the market economy. Sandbrook and Romano (2004:1009) do concede that, while globalisation and liberalisation have fuelled extremist movements, in some cases "globalisation has had just the benign impact that the sanguine neoliberal perspective forecasts: a broadly based prosperity together with democracy and peace." Regardless of any ability to build democracy and peace, Sandbrook and Romano (2004:1011) fear that neoliberalism continues to breed insecurity, intolerance, and anger. George (2003) outlines the increasing poverty levels and financial crises around the world as a result of neoliberal globalisation. These "losers" in the process of globalisation include individuals and nations. George (2003:21) expands on the inequalities inherent in globalisation,
explaining that corporations do not promote job security and that foreign investment actually destroys rather than creates jobs. Furthermore, as global commodity prices continue to fall, a product of World Bank and IMF policies, primary producers grow increasingly poor. Sandbrook and Romano (2004:1012) argue that growing inequality is responsible for class conflict and the development of leftist movements, such as increased indigenous movements against globalisation.

Globalisation and Indigenous Solidarity

Globalisation does have some positive contributions to the fight for indigenous rights. While economic globalisation often proves detrimental to indigenous peoples and this particular version of globalisation drives destructive development practices, globalisation also enables indigenous peoples from all over the world to communicate with one another. Information on the negative impact of certain development schemes and policies on specific communities is available to a wider audience, and indigenous and non-indigenous peoples alike have the opportunity to aid one another in their local battles. According to the United Nations Development Programme (UNDP 2004:86),

Globalization has made it easier for indigenous people to organize, raise funds and network with other groups around the world, with greater political reach and impact than before. The United Nations declared 1995-2004 the International Decade for the World's Indigenous People, and in 2000 the Permanent Forum on Indigenous Issues was created.

Thus, while globalisation may be the cause of many injustices among indigenous peoples, it allows these same peoples to tell their stories and gain support from the larger world.

Cameron and Gross Stein (2000:22) believe that globalisation is active in marginalising certain peoples, but concede that it concurrently provides new means of giving voice to community struggles. The UNDP (2004:89) further argues that resisting globalisation completely
in the aim of preserving tradition can be detrimental to human development. Globalisation has the ability to expand the rights and freedoms of all peoples. However, the UNDP (2004:89) believes that, "globalization can expand cultural freedoms only if all people develop multiple and complementary identities as citizens of the world as well as citizens of a state and members of a cultural group."

Anthropologists Kay B. Warren and Jean E. Jackson (2002:2) both focus on indigenous movements in Latin America and discuss the role of the mass media in increasing public awareness of indigenous activism. Images of indigenous activists and the issues, such as environmental destruction, they are fighting encourage sympathy and support from the outside world. However, Warren and Jackson (2002:2) argue that indigenous activism is little known outside of public conferences and that the bulk of what indigenous peoples have to say does not get media coverage:

Coverage has chronicled Mayan involvements in Guatemala's war and peace process, focusing on the excavation of clandestine cemeteries that bear witness to the violence directed at rural families. Yet the images have been fleeting. Just as quickly, the attention skips to indigenous vigilante attacks on their neighbors who support the Zapatista rebels in Mexico. Therefore, while the increased global reach of issues can help the cause of indigenous peoples, globalisation has been most useful in its ability to connect indigenous peoples and activists from around the world.

The transition to democracy is also creating public spaces for indigenous activism. Warren (2002:152) argues that the growth in indigenous activism in Latin America is consistent with the democratic opening in many Latin American countries in the 1980s and 1990s:

As dictatorships were pressured by international organizations to liberalize their regimes, hold elections, and honor basic civil and political rights, indigenous groups emerged publicly to press for concerns that had no legal channel in the repressive years before. Throughout this period, indigenous organizing was a
transnational affair with frequent regional and international meetings that focused on articulating a
common language of rights-based demands addressed to national governments.

It is apparent that both globalisation and the transition out of authoritarian rule have positive
implications for indigenous rights. However, while these processes are partially responsible for
organising indigenous peoples and activists in common causes, it must be remembered that
these same processes have created many of the realities that indigenous peoples are fighting.

*Democracy and the Politics of Globalisation*

Robinson (2001:91) identifies democracy as the political component of modern day
globalisation. Political scientist Jean Grugel (2002:238) defines democracy is "a way of making
decisions collectively and establishing rules and policies through popular decision-making."

International human rights scholar Jack Donnelly (1999:615) explains that democracy is based
on the will of people who are open to freely determine their own social, political, and economic
systems. Democracy comes from the Greek, *demokratia,* "which literally means rule or power
(*kratos*) of the people (*demos)*" (Donnelly 1999:615). Political scientist Christian Davenport
(1999:92) defines democracy as "achieving status as a full democratic political system," and
democratisation as "moving toward full democracy in some manner."

Robert Dahl (1982:11), professor emeritus of political science and senior researcher at
Yale University, proposes eight criteria for determining whether a state is democratic. These
criteria are inclusive citizenship, rule of law, separation of powers, elected power-holders, free
and fair elections, freedom of expression and information, associational autonomy, and civilian
control over security forces. Grugel (2002:5) states that, at minimum, democratisation requires
the "regular holding of clean elections and the introductions of basic norms...that make free
elections possible." Bell and Staeheli (2001:177) also focus on the necessity for free and fair
elections. Grugel (2002:5) argues that the definition of democratisation should also include the extension of citizenship rights and individual rights. Rachel Sieder (1999:103), a lecturer in politics and Latin American studies, highlights the central role of rule of law and citizenship to solidifying democracy after authoritarian rule or civil war. These criteria are useful in observing countries in the process of democratising.

Political scientist Adrian Leftwich (2002:269) argues that democracy is considered "radical" as it is the only political system that both promotes and protects individual rights and civil liberties equally. While Leftwich (2002:269) argues that such characteristics are radical, democracy remains conservative as democratic governments tend to be wary of exerting "their political power in the public domain into the private domain of the system of wealth which would inevitably be required to foot the bill." Leftwich (2002:271) argues that development is often not conducive to a consensual or democratic approach and therefore democracies tend to be conservative when it comes to development. Leftwich (2002:272) provides the example of land reform:

Land reform is a good example of the kind of non-consensual step often necessary, since it is widely recognised that this can be an important condition for both rural and industrial development. But landowners in general do not consent to land reform! As in Latin America and Asia, they have often constituted a very powerful interest with intimate connections to the dominant parties and the state. In consequence, Third World democracies have seldom been effective in overcoming such vested rural interests to achieve the restructuring of both rural wealth and power which land reform is designed to bring about.

Political scientist Evelyne Huber (2002:274) furthers the discussion of land owners in developing countries, stating that land owners maintain "much economic and political power and have used it to obstruct democratisation and land reform to the best of their abilities."
The discussion of land, resources, and rights in Guatemala, as in transitional states worldwide, is linked to the larger societal transition from authoritarian to democratic rule. The transition to democracy should lead to a more stable environment for human rights protection. However, as Grugel (2002) and Freeman (2000) argue, the transition itself is a radical change, often emanating from a period of authoritarian rule and rights violations; subsequently, rights violations often persist, although now in the name of democracy. Political scientist Laurence Whitehead (2002) explains that democratisation is a process, one driven by the intention of becoming a democracy, but a process that does not necessarily result in democracy. Whitehead (2002:33) refers to the transition as "long-term and open ended." Davenport (1999) acknowledges that studies show a correlation between states with higher levels of democracy and lessened use of political repression. However, while a shift to a more democratic style of government may bode well for human rights in the long-term, the transition to democracy often puts human rights at risk. Based on a study of 137 countries over a 40-year period, Davenport (1999:99) found that "new democracies might be more dangerous in terms of their willingness to employ repressive behaviour than regimes that have been democratic for some time."

Political scientist Ken Jowitt (1992) identifies the authoritarian legacy as a main obstacle in building democracy. Jowitt (1992:286) states, "all cultural and institutional legacies shape their successors." Basing his argument on the transitions in Eastern Europe after the fall of the Soviet Union, Jowitt (1992:296) states that the difficulty in creating democratic institutions and culture is linked to the reality that former officials still hold leading roles in economic, political, and administrative life. Political scientist Adam Przeworski (1986:58-59) explains that the transition from authoritarianism to democracy presents a full ideological shift, from a system where one group, often the armed forces, can influence given outcomes, to a system where "no group is
able to intervene when outcomes of conflicts violate their self-perceived interests." Ultimately, the transition is a shift from certainty to uncertainty, creating a situation where, as Przeworski (1986:57) argues, the emergence of democracy is unpredictable.

Gills and Rocamora (1992), Linz and Stepan (1996), O'Donnell (1986), and Whitehead (2002) concur that proto-democracies are often influenced by the established power structure emanating from the authoritarian period. While democratic transitions are unique and unpredictable (O'Donnell 1986), the role of authoritarian legacies is a consistent feature. In the case of Guatemala, the future of democracy is uncertain but the lingering "hidden powers" (Peacock and Beltrán 2003) are quite real and responsible for ongoing human rights violations, only now under the guise of democracy. This authoritarian legacy is notable in cases where officials from the authoritarian government initiate the transition to democracy themselves. Whitehead (2002:248) uses the example of Chile in speaking of the strong influence of history in the success of a state's transition. Whitehead (2002:248-49) argues that,

...the contours and dilemmas of democratization in contemporary Chile...are barely intelligible in the absence of some familiarity with the history of the Allende government and the Pinochet coup. Both the biographies of the key individuals and the outlooks of collective actors are heavily influenced by their experiences and memories of past conflicts. In a similar manner, even the most 'consolidated' of post-communist democracies — say Hungary or Poland — turn out on closer inspection to be almost obsessively preoccupied with these antecedents.

One transition path initiated by the authoritarian government is the pacted transition. Professor of government Alfred Stepan (1986:72) argues that pacted transitions are a forum where "the power-holders can attempt to construct formal and informal rules of the game that guarantee their core interests even in the context of the successor democratic regime, and thus yield only a limited democracy." Transition pacts have occurred in both Eastern Europe and Latin America. Political scientists Juan J. Linz and Alfred Stepan (1996:265) explain that in both...
Poland and Chile, democratisation began with the authoritarian regime. Poland began its transition in the 1980s but, although its transition was the first pacted transition in Eastern Europe, Linz and Stepan (1996:267) argue that its transition was delayed due to authoritarian legacy: "Poland's pacted transition delayed its own full transition, and, most importantly, the legacy of its path to transition had an unforeseen harmful effect on Poland's efforts to create the political institutions necessary for democratic consolidation." While Poland's transition is unique in Europe, Linz and Stepan (1996:269) link this transition with transitions in Brazil, Uruguay, and Chile, three South American countries where a strong opposition agreed to pacted transitions with the ruling regimes.

South American transitions have more in common with Guatemala, as they are more commonly linked with military regimes, than do the transitions of Eastern Europe. Stepan (1986:75) argues that most modern authoritarian governments are military regimes and, therefore, the most common transitions in authoritarian regimes are those initiated by the "military-as-government." Linz and Stepan (1996:151) argue that military transitions have both positive and negative aspects: "...hierarchically led military authoritarian regimes normally present a potential advantage for transition...but a potential obstacle for democratic consolidation."

Linz and Stepan (1996:67) expand on the positive side of military-led transitions, stating: All hierarchical military regimes share one characteristic that is potentially favorable to democratic transition. The officer corps, taken as a whole, sees itself as a permanent part of the state apparatus, with enduring interests and permanent functions that transcend the interests of the government of the day. This means that there is always the possibility that the hierarchical leaders of the military-as-institution will come to the decision that the costs of direct involvement in nondemocratic rule are greater than the costs of extrication.
Whitehead (2002:216) argues that, while the military is perceived as a leading actor in some transitions, one reason why military officials may decide to initiate the path to democracy "is that authoritarian rulers are cut off from accurate neutral information about what their subjects think and desire that they are structurally prone to strategic miscalculation." Whitehead (2002) uses the decision of military leader Augusto Pinochet in Chile to hold a plebiscite "that would unite the opposition and force his ousting" as a prime example. Whitehead (2002:215) expands on the negative side of military-led transitions, which is the presence of the military itself: "the subordination of the armed forces to legitimately constituted civil authority is obviously a key component of democratization." These examples of pacted transitions led by military government officials and the need to subordinate the armed forces are parallel with the transition occurring in Guatemala.

Guatemala's Authoritarian Legacy

Understanding Guatemala's transition towards democracy and the strength of authoritarian legacy within the country is integral to understanding the internal conflicts over lands and resources. Guatemala's transition is also linked with shifts occurring throughout Latin America and globally. Alain Rouquié (1986:117), a specialist in comparative politics and the Director of International Research at the National Foundation of Political Science in Paris, argues that Guatemala's military regimes worked to legalise their governments within a constitutional framework in order to both legitimise and further their regimes' power. Rouquié (1986:117) uses Guatemala as an example of how the institutionalisation of the military leads to governments that are "elected, constitutional, and anti-democratic." More recently, Whitehead (2002:175) states that Guatemala is a newly built democracy that is struggling with demilitarisation and securing reforms. Susanne Jonas (2001), professor of Latin American
studies, and geographer Juanita Sundberg (2002) acknowledge the transition to democracy in Guatemala began in the 1980s, with a return to democratic elections and civilian rule in 1985. While Sundberg (2002:75) attributes the transition to the military "permitting" a democratic system, Jonas (2001:18) highlights the debate in Guatemala over whether the military was truly responsible for democratic transition, or if the military conceded only partial power to civilian leaders.

Rouquié (1986:118) explains that the Guatemalan state was highly militarised during the 1970s and 1980s: "the army not only occupies power but also fulfills numerous civilian functions...[and] the military high command supervises nominations to all posts of responsibility." According to Rouquié (1986:118), Guatemala held regular elections and had no single military party but that all three presidential candidates in 1974 were generals and, since the overthrow of Jacobo Arbenz in 1954, "anti-Communist' governments supported by the army have occupied power with or without popular ratification." Rouquié (1986:118-19) details the changes in military regimes through the 1970s, arguing that the armed forces continually chose presidential candidates then negotiated with "one or two parties on the Right or extreme rights which provide the incumbent with his label and his electoral base," thus resulting in the continued election of military presidents.

Political theorist Rachel McCleary (1999:27) traces the transition to the 1970s, a period where "the Guatemalan military regimes lacked coherent economic policies, frequently imposing fiscal strategies that played one economic sector against the others and handicapped the private sector's ability to compete internationally." As a result, some government officials came to the conclusion that political reform would be necessary to defeat the insurgency in the country, leading to a coup d'état on March 23, 1982. McCleary (1999:29) explains that the coup d'état introduced procedural democracy, or "a return to constitutional order, civilian rule, and party

This return to procedural democracy did not occur because the military suddenly developed democratic values. Rather, exogenous conditions – the fall of the Somoza regime in Nicaragua, high international interest rates, and the cancellation of foreign private credit – as well as endogenous circumstances led the two elite groups [the military and the private sector], for different reasons, to conclude that capitalism (private sector interests) and military dictatorship were incompatible.

The unification of these two elite groups, in particular that of the private sector which McCleary (1999:14) argues did not occur in neighbouring Latin American countries, allowed for both democracy and economic liberalisation.

The 1996 peace accords, which marked the end of the 36-year internal armed conflict, are a defining moment in Guatemala's history and an important component of democratic consolidation. Handy (2002), Jonas (2001), McCleary (1999), and Sieder (1999) acknowledge the importance of the peace accords for democracy in Guatemala, particularly in the areas of demilitarisation and balancing structural inequalities and racism within the country. Jonas (2001:11) explains that, although the transition began in the 1980s, the democratically-elected Cerezo government (1985-1991) "stubbornly refused to negotiate [for peace], insisting that the insurgents had been 'defeated.'" Barry Gills and Joel Rocamora (1992), specialists in international politics, add that military control and repression continued during the Cerezo regime. McCleary (1999:72) explains that Cerezo's government was ultimately an alliance with a military faction led by General Gramajo. Jonas (2001:12) states that pressure to end the internal armed conflict continued both within Guatemala and internationally but not until a second civilian government,
led by Jorge Serrano (1991-1993), did negotiations with the URNG begin. In 1993, Serrano attempted to seize complete control of the country and Jonas (2001:12) explains that it was not until the Human Rights Ombudsman, Ramiro de León Carpio, ascended to the presidency in 1993, that peace negotiations resumed the following year.

Gills and Rocamora (1992) liken Guatemala to an elite democracy, a form of low intensity democracy emanating from an authoritarian period, continuing to keep power in the hands of a small elite, and often co-existing with a military dictatorship. Such a description parallels McCleary's (1999:29) statements that the military leaders in Guatemala initiated political changes not to establish democracy, but to improve the economy. McCleary (1999:188) summarises the transition:

In the case of Guatemala, the transition to democracy occurred because of a stalemate between warring elites over economic policy. The military regimes of Ríos Montt and Mejía Victores proved incapable of adequately managing the economic transition from import substituting industrialization to international liberalization of trade, in part due to the unwillingness of the organized private sector to finance the counterinsurgency campaign against the guerrillas. (McCleary 1999:188)

Although the military was partially responsible for Guatemala's transition towards democracy (Dodson and Jackson 2004; Jonas 2001; McCleary 1999), the military continues to be the country's strongest legacy from the authoritarian period. Professor of government Guillermo O'Donnell (1986:11) argues that a high degree of militarisation impedes democratisation. Jonas (2001:18) believes that, "fulfillment of the peace accords, particularly on demilitarization, is the necessary precondition for full development of political democracy." In addition to militarisation, Gills and Rocamora (1992) argue that the maintenance of power in the hands of few is a major obstacle to democracy. Therefore, while Guatemala's military leaders are partially responsible for the transition to democracy, Guatemala's authoritarian legacy and in particular
the continued role of the military and ongoing impunity, remain major obstacles in Guatemala's path to democracy.

_Guatemala's Transition to Democracy in Global Terms_

McCleary (1999) argues that the shift from authoritarian rule in Guatemala led to liberalisation, a condition that Przeworski (1986:56) also associates with the collapse of authoritarian regimes. The onset of liberalisation in Guatemala links the country to the increasingly neoliberal global economy. Huber (2002:274) and Grugel (2002:8) argue that the international system has had an interest in promoting democracy around the world since the end of the Cold War. James E. Bell and Lynn A. Staehehi (2001:177) of the University of Colorado's Program for Political and Economic Change, argue that the US uses spreading democracy as justification for "overseas military interventions, the overthow of freely elected regimes, and support for authoritarian regimes." Huber (2002:274) points out that the international system has actually proven at odds with democratic transition through its practices of economic distribution and the implementation of international lending agencies. Linguist and activist Noam Chomsky (1999:30) likens the economic aid of 'developed' countries to "bad experiments," and Huber (2002:274) argues that economic aid causes less-developed countries to become accountable to lending agencies, often to the detriment of their own economic development:

The financial crises suffered by most developing countries at some point during the past two decades have given the International Monetary Fund and the World Bank tremendous influence on policy making in countries requesting assistance. Essentially, imposition by these institutions of their preferred policies has drastically narrowed the room for political choice and thus for democratic political participation.
Grugel (2002:9) further argues that policies aimed at promoting market economies, although they give the illusion of supporting democracy, can work against genuine democracy by proceeding too quickly and without compensation for the more vulnerable in society.

Democratisation is, in fact, part of a larger process to deepen the control of the developed world over the developing world. Robinson (2001:102) argues that elite actors both within and outside Guatemala are hampering efforts to democratise in order to push their own neoliberal agenda. Robinson (2001:102) states that, "the transnational elite wants to stabilize its project in Guatemala not to democratize and develop the country but to secure Central America for global capitalism." Jonas (1997) illustrates the argument with the 1996 Guatemala peace accords, which were signed in part to start the transition to democracy. Jonas (1997) worries that the Guatemalan government secured nearly $2 billion from the international community but none of these loans are contingent on any compliance with the peace accords. Such blind funding could lead to a "neoliberal peace" where, Jonas (1997) fears, the peace accords will serve to maintain the status quo in Guatemalan society rather than decrease poverty and improve the status of indigenous peoples. As a result, indigenous rights will likely continue to be repressed as the drive for resource development, in the name of neoliberalism, will continue to supersede the demands of Guatemala's indigenous inhabitants.

Freeman (2000:44) brings the discussion of globalisation, capitalism, and democratisation back to human rights:

The capitalist environment of new democracies is...likely to have complex effects on their long-term consolidation and their capacity to protect human rights. On the one hand, capitalism is the only economic system that has so far been found to be compatible with the relatively effective protection of human rights. On the other hand, global capitalism threatens human rights in at least two ways: (1) by promoting increased inequalities of wealth and thereby undermining democratic political systems, and (2) by exerting pressure to reduce protection for social and economic rights.
It is increasingly apparent that the protection of human rights is not the primary goal of globalisation or the transition to democracy. While these processes have the ability to bring about change in the world system, the current trend of neoliberalism is maintaining the supremacy of economic pursuits over basic human needs.

*Where Do Rights Fit In? The Incorporation of Indigenous Rights as Human Rights*

A discussion of globalisation and democratisation would not be complete without substantial reference to the role of rights. However it is becoming increasingly apparent that, regardless of the occurrence of "rights talk" (Ignatieff 2000), rights are all too often repressed with globalisation, development, and post-authoritarian transition. Grugel (2002:112) states that, although indigenous rights are gaining more attention in Latin America, the transition to democracy has largely ignored indigenous rights issues. Numerous organisations, including Oxfam and Amnesty International, continue to advocate for the primacy of rights above economic development.

The United Nations and the international community acknowledge the rights of indigenous peoples (Anaya 1996; Hodgson 2002; OHCHR 2002; UNDP 2004). These rights include the recognition of distinctive indigenous cultures and the need to protect indigenous cultures and lands. Unfortunately, the reality remains that, while indigenous rights are recognised internationally and in many states, the enforcement of these rights is weak (Anaya 1995:326; Barsh 1996:803). It is imperative that indigenous rights are promoted, for the well being of indigenous peoples and the world as a whole. As economic development specialist Simon Brascoupé (1992:15) highlights, land and natural resources are of utmost importance to indigenous peoples, but their knowledge of such resources is valuable for all of humanity.
Part of the reason why indigenous rights lack the authority they require is due to the ongoing debate over the validity of collective rights versus individual rights (Anaya 1995; Johnston 1995; Holder and Comtassel 2002). Political scientist Susan Moller Okin (2001:33) defines individual rights as those rights reflected in the 1948 *Universal Declaration of Human Rights*, these are rights belonging to all human beings indiscriminately and not dependent on membership in specific cultural or political groups. Rights scholar Michael Hartney (1995) defines collective rights as those rights belonging to groups of people based on a collective identity. Indigenous rights are collective, as are the rights of women and the rights of minorities. The line between individual and collective rights is not clear and group and individual rights often conflict.

S. James Anaya (1995:326), professor of human rights law, explains that international law recognises Western liberal philosophy, which is based on individual rights superseding collective rights. Darlene M. Johnston (1995:179), faculty of law at the University of Toronto, builds on Anaya's claims, stating: "Collective rights are seen as inherently dangerous and oppressive. The reaction stems from a perceived clash between individual rights and group rights. Collective and individual interests, however, are not inevitably antagonistic." Law professor Russel Lawrence Barsh (1996:797) explains that many states fear that granting collective indigenous rights will lead to secession and thus threaten the state's territorial sovereignty. Freeman (1998) adds the fear that a threat to state order is a threat to international peace. However, as Robert McCorquodale (1996:24), professor of international and human rights law, points out, granting the indigenous right to be self-determining also takes the form of increased autonomy over certain policies and laws or full control over language and education. Furthermore, professor of philosophy Cindy L. Holder and political scientist and indigenous rights advocate Jeff J. Comtassel (2002:129) argue that individual and group well-being is linked and indigenous peoples rely on the preservation of
their communal life for their individual well-being. Holder and Comtassel (2002:127) state that the notion that individual rights are superior or analogous to collective rights is a form of Western imperialism; rights are a Western discourse and the emphasis on individual needs "inadequately compares the collective nature of groups with non-Western world-views and priorities."

It is important to recognise that indigenous groups value both individual and collective rights. Aside from collective cultural survival, collective rights are important to protect the individual well-being, and thus the human rights, of indigenous peoples. As such, Holder and Comtassel (2002:143) state that the "recognition of collective and individual rights... [is] mutually interactive rather than mutually exclusive." The strong importance of kin systems, for example, emphasises the interdependence of individuals within indigenous communities. Individual rights alone do not have the power to preserve the link between indigenous people and their territories. Johnston (1995:194) argues that, without a right that protects against "the group-destructive practice of alienating native land" by the dominant group, indigenous identity will be threatened. Collective rights are vital to indigenous cultural survival; unfortunately, post-authoritarian states are far from recognising the collective rights of their indigenous citizens. Furthermore, countries such as Guatemala (Montejo 1997; Jonas 2001:31) do not have the judicial systems in place to recognise and enforce such rights. As a result, it remains common practice in post-authoritarian countries to repress indigenous rights and instead fuel development projects and state economies in the name of democracy.

*Human Rights and Democracy*

Democracy and human rights hold a number of principles in common. Additionally, democratic governments are necessary to fulfil international human rights norms by providing
governments run by and for the people, thus ensuring the respect of the rights of all citizens (Donnelly 1999). However, a growing number of scholars, including Donnelly (1999), Davenport (1999), and Freeman (2000), argue that democracy and human rights are not necessarily compatible.

Freeman (2000:35) uses the 1948 *Universal Declaration of Human Rights* as a starting point to understand the relationship between democracy and human rights:

There is a widespread belief that democracy is the best, and possibly the only, reliable form of government for the protection of human rights. A moment's thought should be sufficient to create doubts in our minds. The Universal Declaration was adopted in the immediate aftermath of the Second World War. It was, to a significant extent, a response to the evils of Nazism and fascism. No informed person could believe at that time that "the will of the people" was securely linked, empirically, to the protection of human rights. Was the will of the German people opposed to the human-rights violations of the Nazi regime? There is considerable scholarly controversy about the state of public opinion in Germany during the period of Nazi rule. It is clear, however, that the will of the German people was not favorably disposed towards the universal protection of human rights.

Freeman (2000:34) is using the term "the will of the people" because the 1948 *Universal Declaration of Human Rights* states that "the will of the people," not "democracy," "shall be the basis of the authority of government." The example of the will of the German people demonstrates that, while a democratic government is supposed to reflect the will of the people, the will of the people does not always reflect the protection of universal human rights.

Freeman (2000:33) explains that the end of the Cold War brought about a new world order based upon the ideals of human rights, democracy, and the market economy. However, ongoing dictatorships, ethnic conflicts, and resistance to universal principles have undermined the prescribed dominance of liberal democracy. Joseph E. Stiglitz (2003), former Chief Economist at the World Bank, weighs in on the relationship between rights and democracy. Stiglitz (2003:115) argues that a defining characteristic of democracy is transparency. However,
secrecy often permeates 'democratic' governments in order to pursue certain ends. Stiglitz (2003:154-55) argues that greater transparency could have avoided the extremes of the Cold War; instead, "the end of the Cold War has laid bare both the failures of the culture of secrecy and undermined the necessity of continuing it further. Perhaps the greatest irony of the Cold War is that in the attempt to preserve democracy and democratic values, we adopted policies that undermined democratic processes."

Vandana Shiva (2003:89), founder and director of the Research Foundation for Science, Technology, and Ecology in New Delhi, takes a more definitive stance in summarising the impact of globalisation and post-authoritarian transition on rights: "globalization does not globalize human rights. It globalizes inhuman rights and human wrongs." The United States, arguably a leading democratic state, illustrates the incompatibility of rights and neoliberal globalisation through its own policies. Shiva (2003:92-93) states that at the World Food Summit in 1996, "the US Secretary of Agriculture, Dan Glickman, announced that the US could not recognize the right to food, since it infringes the right to trade. Since then, the right to food has been dismantled in favour of the right to trade." In response to such statements, Shiva (2003:107) provides a warning to all of us: "The human rights movement must address globalization as the most basic and universal threat to human rights in our times."

The Rights-Based Approach: A Possible Solution?

One means of addressing indigenous rights is to pursue a "rights-based approach" to development, where human rights are placed at the centre of debates over development policies. The Washington Office on Latin America (WOLA 2003:2) states that focusing on human rights forces every development project to be evaluated by whether it is promoting and protecting local rights, or if the development will impede local rights. Development projects can improve access
to these rights, and the rights-based approach calls for all projects to promote basic human rights. When state governments follow a rights-based approach, the development projects they involve themselves in will be beneficial to all those involved and, as WOLA (2003:6) points out, free-trade agreements would promote, rather than prevent, laws and practices ensuring the well being of all citizens. Development projects firmly based in human rights will not only ensure basic human rights, but also indigenous rights, environmental rights, and increase the success of the development projects themselves.

One way to achieve a rights-based approach is to combine Western and indigenous knowledge. Barbara Ann Hocking (2002:165), faculty of law at the Queensland University of Technology, expresses the need for collaboration between indigenous and western knowledge systems. Geographers John Briggs and Joanne Sharp (2004:661) call for "the inclusion of the local knowledges of groups at whom development projects are aimed, rather than assuming and relying on the universal applicability and superiority of scientific knowledge and 'developmentalism.'" Education scholar Padmakar Sapre (2000:303) concurs with the idea of collaboration, stating that the modern and traditional are "complementary, not contradictory forces." Sapre (2000) centres his argument on the divide between modern Western and traditional Eastern forces in India. His proposal for a collaboration of Western and Eastern perspectives in terms of leadership and management parallels Hocking's (2002) call for a fusion of Western and indigenous knowledge systems. Sapre (2000:303) believes that including traditional knowledge in modern society is imperative for the future of the planet: "Future is only an extension of the past and the present; it is determined partly by history and physical reality, partly by human choice, and partly by chance." Future sustainability is dependent upon the inclusion of modern and traditional knowledge.
Linda Clarkson et al. (1992:64), of the International Institute for Sustainable Development, have identified the link between the fate of the natural world and the fate of indigenous peoples. It is therefore necessary to promote indigenous cultural survival and follow indigenous teachings. Ultimately, as Brascoupe (1992:15) states, promoting the land rights of indigenous peoples will also secure the future health of the planet. Incorporating indigenous knowledge into Western development practices will create more ecologically sound resource development. Raymond Obomsawin (2000-2001:10), the President of Circle of Nations Institute of Life Sciences and Sustainable Development, believes that a combined model would include community involvement, holistic approaches, and self-sustainability. Brascoupe (1992:13) acknowledges that the Western world is beginning to recognise the value of indigenous knowledge, specifically as environmental and ecological problems become more imminent. As the world becomes more global, leaders need to draw from all the sources available to them.

Globalisation and the spread of democracy are two rapidly growing processes in today's world. Although both phenomena have the ability to spread and entrench indigenous rights, they often merely continue the repression and violation of such rights. As demonstrated in this chapter, globalisation often causes exploitation and decreased living standards, while authoritarian legacies often impede the transition to democracy and increase the spreading capitalism and neoliberal development models, resulting in continued rights violations. Many development projects are responsible for the active violation of indigenous rights and, as demonstrated in Chapter 3, Canadian companies and the Canadian government are no exception.
Chapter 3 –

DEVELOPMENT MODELS AND CANADIAN IMPERIALISM

Development was — and continues to be for the most part — a top-down, ethnocentric, and technocratic approach that treats people and cultures as abstract concepts, statistical figures to be moved up and down in the charts of "progress." Development was conceived not as a cultural process (culture was a residual variable, to disappear with the advance of modernization) but instead as a system of more or less universally applicable technical interventions intended to deliver some "badly needed" goods to a "target" population. It comes as no surprise that development became a force so destructive to third world cultures, ironically in the name of people's interests.

(Arturo Escobar 1999:384)

Development encompasses a broad spectrum of activities, including social, economic, and political development. My research focuses specifically on resource development, but it is important to understand the broader concept of development, especially economic development and the competing views of development, in order to understand the premise of resource development and the conflicts that such development projects create. This chapter explores the concepts of development, resource extraction, and foreign investment. The negative impact of neoliberal development schemes and the importance of indigenous knowledge is highlighted and the role of Canadian companies in unsound development practices is explored in order to begin to understand the global characteristics of indigenous resistance to particular forms of resource development.

Political scientist Jack Donnelly (1999:623) discusses development in terms of economic growth. He explains that, despite much criticism, development continues to be defined in terms of gross domestic product (GDP) and level of industrialisation. The level of industrialisation of a country is considered a primary measure of the potential growth of that country's GDP.
Anthropologist Arturo Escobar (1999: 383) comments on the development discourse of the 1940s and 1950s, where a belief in the need for modernisation justified industrialisation and urbanisation to the detriment of indigenous peoples. Geographer Paul Routledge (1995:264) expands on this development discourse, stating that the concepts of modernisation and industrialisation led to the division of the world into developed and underdeveloped regions. Routledge (1995:264) explains this division as "part of the process by which the 'colonial world' was reconfigured into the 'developing world.'"

Donnelly (1999:623) proceeds to discuss the dependency theory of the 1970s and 1980s, which argues that underdevelopment "is a condition of maldevelopment produced by incorporation of a less developed state into the capitalist world system in a position of structural subordination." Economic development specialist Osvaldo Sunkel (1969:24) was among the first to draw attention to the subject of external dependence, which in the late 1960s was "remarkably absent from writings of Latin American economists, sociologists, and political scientists." Other dependency theorists, including André Gunder Frank and Amir Samin, discussed external dependence as the centre developing at the expense of the periphery (Velasco 2002). Donnelly (1999) and Routledge (1995) state that, while dependency theory was most prominent in the 1970s and 1980s, attention remains focused on the negative aspects of development as concerned solely with industrialisation.

Sociologist and development specialist Ray Kiely (2002) furthers the discussion of development and dependency, linking it with the capitalist system. Capital is attracted to areas of abundance, and not areas of poverty, as abundant areas alone provide the fuel to continue the accumulation of capital and economic growth. Kiely (2002) argues that it is the capitalist economy that has caused uneven development and globalisation is responsible for spreading
capitalist ideologies. As a result, Kiely (2002:101-02) argues that capitalism is the cause of uneven development and continued rights violations in local communities.

Donnelly (1999:626) identifies two common tradeoffs in terms of development: "the equity tradeoff (sacrifice of distributional equity in favor of rapid capital accumulation, and thus growth) and the liberty tradeoff (sacrifice of civil and political rights in the name of efficiency or a concerted national war on underdevelopment)." Political theorist Michael Freeman (2000:44) believes that such trade-offs are too common within the market economy, where inequalities and the pressure "to reduce protection for social and economic rights" increase. According to the neoliberal model (Chapter 2), efficient market systems are seen as the best method of economic growth, even though, as Freeman (2000:44) states, market economies "lack democratic accountability and are not designed to protect human rights."

Donnelly (1999:628-29) links the ideals of markets and democracies, furthering the divide between human rights and democracy:

Like (pure) democracy, (free) markets are justified by arguments of collective goods and aggregate benefit, not individual rights (other than, perhaps, the right to economic accumulation). Markets foster efficiency, not social equity or the enjoyment of individual rights for all. Rather than ensure that every person is treated with concern and respect, markets systematically deprive some individuals in order to achieve the collective benefits of efficiency.

Markets distribute growth without regard for individual needs and rights (other than property rights) necessarily and by design. Market distributions are based on contribution to economic value added, which varies sharply and systematically across social groups (as well as between individuals). The poor tend to be "less efficient": as a class, they have fewer of the skills valued highly by markets. Therefore, they are systematically disadvantaged. Their plight is exacerbated when economic and political disadvantage interact in a vicious rights-abusive cycle.
It is increasingly apparent that the goals of human rights, democracy, and development are often incompatible. Ultimately, as Donnelly (1999) highlights, markets are advantageous for some and detrimental for many in terms of social stability and rights.

Not all development is economic. The United Nations Development Programme (UNDP 2004) argues for a needed focus on human development above economic development. Human development refers to the expansion of human choice and capability. While economic development has the potential to bring about human development through the creation of jobs and the accumulation of wealth for social programs, economic development, as previously stated, often helps those less in need of help. The UNDP (2004) argues that human development, unlike economic development, is compatible with human rights. Both seek human freedom through the realisation of rights. Furthermore, human development and human rights both aim to achieve universal human dignity and well-being.

Notions of Nature and Development

The development of natural resources is the site of much conflict between indigenous communities and large corporations. Traditional indigenous territories are generally rich in natural resources, thus making these territories of great interest to resource developers (Clay 1994; Gedicks 1994, 2000; Johnston 1994; UNDP 2004). The UNDP (2004:91) describes this conflict as the debate between "promoting national economic growth through extractive industries and protecting the cultural identity and economic livelihood of indigenous people." According to Barbara Ann Hocking (2002:183), professor of justice studies, "Nature is the site of power which represents the most elemental common ground shared by settlers and indigenous peoples." Unfortunately, these two groups often do not agree on the use of nature, nor is one group often willing to concede to the other. Hocking (2002:183) argues that the
Western or "settler" mentality is based on wealth accumulation and individual ownership. Many indigenous peoples, conversely, prefer to live in harmony with nature and use its resources only to fulfil their basic survival needs. Indigenous peoples do not perceive to own nature; rather, they share nature with all living beings. In October 2002, the Centre for Research on Latin America and the Caribbean (CERLAC) and Mining Watch Canada held a conference at York University focused on Canadian mining companies in Latin America. In a report resulting from the conference, Tim Clark (2003:7) acknowledges these two competing perspectives as the corporate perspective and the community perspective. The corporate perspective focuses on "the primacy of profitability," while the community perspective focuses on sustaining livelihoods and protecting traditions.

*Western Perspectives of Development*

Western perspectives of development are driven by the market economy and involve accumulating resources in excess to increase the wealth of those involved. Such development projects often involve exploiting lands in foreign countries, including traditional indigenous lands. Geographer Michael Watts (2002) describes Western development in terms of capital and economic globalisation. Watts (2002:1313) explains that in Western thought, conservation is considered a personal moral or virtue, and thus industries are left to regulate themselves. Conservation and environmental sustainability take a back seat to economic gain. Early imperialism began the divide between the developed and underdeveloped worlds but, according to Watts (2002:1314), current economic globalisation is creating a more dangerous divide between these worlds by providing "little in the way of regulatory structures to counter the risks and threats conferred by it." Ultimately, the capitalist system creates governments concerned
with regulating, policing, and governing the environment, rather than living in harmony with nature (Watts 2002:1316).

Sociologist Maria Eugenia Sánchez et al. (2003) and historian John Coatsworth (2001) also discuss Western development in terms of globalisation. Sánchez et al. (2003) list the common concepts between development and globalisation as market liberalisation, industrialisation, the deregulation of capital, and a new international division of labour. These processes are all aimed at one main goal: the accumulation of capital for the benefit of the "developed" world at the expense of the rest of the world. Sánchez et al. (2003:134) explain,

The free market is mainly a political instrument of the groups and nations that unlawfully hold economic power, thus being able to justify the protectionism in their countries and demanding the indiscriminate opening of the subordinate countries' markets.

The capitalist system is built upon the exploitation of others, allowing for those in power to accumulate wealth and depending upon the lower classes to live in relative poverty.

Ironically, while Western development models and globalisation are linked in multiple ways, geographer David Slater (1995:367) argues that the Western perspective falsely attempts to encompass a "global" perspective: "these 'global perspectives' tend to conceal a limiting, enclosed and particularly centred position that is characterised by historical and geopolitical amnesia." Therefore, Slater (1995:376) believes that Western culture "is very much unglobalised." Slater (1995:376) further argues that Western culture is more interested in spreading its own values than in welcoming values from around the world, even though the capitalist and exploitative characteristics of Western resource development are both ecologically and socially unsound.

Coatsworth (2001) describes how resource development results in deforestation to create towns and mines, the poisoning of water systems due to chemical run-off and mining wastes, and the draining of lakes for large-scale agriculture. The arrival of colonisers brought not only
Western practices but also Western diseases, which killed large numbers of indigenous peoples and facilitated the accumulation of indigenous lands for the imperial powers, as Lovell (1992) documents in Guatemala. Coatsworth (2001:28) explains that cash-cropping and resource exploitation also caused the forced enslavement of many indigenous peoples. Slater (1995:369-70) adds that Western perspectives of development are based on the notion that the West needs to "help" the weaker nations that do not have the skills to civilise themselves, which is linked to Escobar's (1999) discussion of modernisation.

Slater (1995:375-76) provides the example of Western bodies such as the World Bank and the IMF, that are involved in a number of countries worldwide under the guise of helping to develop these countries; in reality, these institutions are merely vehicles for furthering "the interests of the industrialised West and their transnational corporations." Jonathan A. Fox, professor of Latin American studies, and L. David Brown, president of the Institute for Development Research (1998:1), provide the example of the World Bank funding unsound development projects and "the Bank's commitment to technocratic, export-led growth models favors the rich and blocks more equitable and environmentally sustainable development alternatives." Western development is characterised by waste and over-consumption and, as anthropologist William Loker (1999:21) suggests, is contradictory to the notion of sustainability. Indigenous development, which is centred on the principle of sustainability, is therefore at odds with Western perspectives of development.

*Indigenous Perspectives of Development*

Indigenous development is holistic and centred on notions of respect and sustainability. Indigenous peoples have been using resources for thousands of years, but use is based on the minimum needed for survival thus ensuring the sustainability of their lands. It should be noted
that not all indigenous groups have practised sustainability. Geographer William M. Denevan (1992) explains what he terms "the pristine myth," or the belief that pre-contact populations in the Americas lived in perfect harmony with nature. In fact, Denevan (1992) argues that the peoples of the Americas significantly altered forests and landscapes prior to European colonisation. Geographer Jared Diamond (2003) uses the example of the Maya civilisation as an example. Although Maya peoples exist to this day in Mexico and Central America, Diamond (2003) explains that the population suffered a significant decrease long before colonisation due to the over consumption of resources. Diamond (2003) attributes the collapse to the destruction of needed environmental resources and an over-dependence on technology. While resource depletion and over consumption are certainly not foreign concepts to some indigenous peoples, Diamond's (2003) example of the "Classic Maya" could be likened to more "Western" nations based on their size, level of industrialisation, and disconnect from the land, rather than comparable to the smaller, land-based indigenous communities discussed in this paper. The differences among indigenous practices point to the uniqueness of each situation. Geographers John Briggs and Joanne Sharp (2004:672) argue that indigenous knowledge encompasses respect for the uniqueness of each development project, noting the importance of understanding the very local and specific characteristics of each situation.

The indigenous perspective of resource development differs radically from the large-scale industrial practices of Western development. Stephen Hill (1995), co-ordinator of the Jakarta office of UNESCO, terms these conflicting views as a tension between indigenisation and globalisation. Anthropologist Jason Clay (1994:21), a co-founder of Cultural Survival, expands on the clash, explaining that indigenous nations "account for 10 to 15% of the world's population but have traditional claims to 25 to 30% of the earth's surface area and resources."
The states of the world want to exploit the resource bases within and beyond their borders, but many of these resources lie on traditional indigenous territories.

According to Raymond Obomsawin (2000-2001:1), President of the Circle of Nations Institute of Life Sciences and Sustainable Development, there are approximately 5,000 distinct indigenous groups in the world today, and rights advocate Miriam Aukerman (2000:1015) argues that "no single definition can capture their diversity". Even if the concept of indigenous peoples is narrowed to one geographical area, such as Western Canada, there is still great diversity among indigenous groups. Consequently, attempting to define 'indigenous people' on a worldwide scale is a near impossibility. Aukerman (2000:1016; see also Clay 1994) explains that a number of indigenous groups prefer not to find a firm definition of "indigenous" considering their history of living with "externally-imposed group categorizations." This definition problem explains why many indigenous groups rely on the self-identification of members to define their groups.

Although each indigenous people is distinct, indigenous peoples do share a number of commonalities allowing for them to be spoken of as one large group. Obomsawin (2000-2001:1) describes these commonalities as peoples with strong connections to particular territories, descending from the original inhabitants of an area, and having philosophies and social systems based on communal and kin ties. Clay (1994:21) argues that the identity of indigenous peoples stems from their strong attachment to specific territories. There are, however, certain accepted definitions for state governments and international agencies, such as the United Nations (Chapter 2).

Economic development specialist Simon Brascoupé (1992:11) explains indigenous development as based on ecological knowledge and centred on the long-term use of natural resources. Indigenous resource use is also based on the principles of conservation and respect. Briggs and Sharp (2004:610) highlight the balance between conservation and exploitation based
on need. Linda Clarkson et al. (1992:63; see also Obomsawin 2000-2001), of the International Institute for Sustainable Development, argue that indigenous knowledge is local knowledge, "adapted to the culture and the ecology of each population, and matured over a period of time encompassing thousands of years." This strong link between indigenous peoples and their territories allows for these peoples to have an incredible understanding of the local ecosystem. This ecosystem includes plant and animal life and the human impact upon the environment. It seems logical that such a wealth of local knowledge would be respected and followed. Brascoupe (1992:15), however, points out that indigenous development is often ignored even though it has proven "sustainable and self-sufficient for millennia."

Indigenous communities have suffered under colonial rule and Western development schemes, but Clarkson et al. (1992:37) underline that indigenous peoples are not against development: the indigenous economy is based on the use of resources, but indigenous philosophy "ensure[s] the viability of the land and resources for seven generations into the future." Indigenous knowledge systems go beyond the specific, technical focus of Western knowledge. Obomsawin (2000-2001:3) highlights that the indigenous perspective is holistic. This holism allows indigenous peoples to maintain a balance in the local ecosystem by adapting their resource needs to suit their particular territory. Western resource development, conversely, is not holistic and does not maintain the balance within the ecosystems it exploits. Therefore, Obomsawin (2000-2001:3) explains, natural resources become exhausted and not only are environments destroyed, but so are the indigenous cultures that rely on these environments. Large-scale resource development affects every aspect of the local indigenous peoples' livelihoods.
Sociologist and environmental activist Al Gedicks (1994) discusses the conflicts over natural resources as "resource wars." These conflicts certainly are wars, with a number of resource exploitation projects taking place in regions of the world embroiled in armed conflict. Furthermore, armed forces are often used to protect resource operations or to acquire resource-rich lands. Gedicks (1994) traces the beginning of resource wars to the 1960s and the revolts that occurred throughout the Third World. Unstable governments and weak laws and regulations allowed resource companies to enter countries in the Third World and begin mineral exploration projects. Resource companies intensified their operations during the 1970s amid fears of an impending global resource scarcity and possible resource wars with the Soviet Union. This onslaught of resource development led many companies to indigenous lands rich in mineral deposits. Anthropologist David Maybury-Lewis (1997:4) describes the violence associated with development:

The killing of indigenous peoples is usually resorted to when outsiders wish to seize the lands and resources they control or when the indigenous populations are simply considered to be "in the way" of national destiny, development, resource extraction, dam building or anything else.

Political ecology researcher Barbara Rose Johnston (1994:220) argues that environmental abuse is common in the name of Western development. Clay (1994:22) explains that states create laws to determine the ownership of natural resources, and these laws often deny indigenous peoples' rights to lands and resources. Russian anthropologist Aleksandr Pika (1999:16) describes the tensions between the state and indigenous peoples in Russia:

The numerically small peoples of the north [indigenous peoples] live on lands rich with oil, natural gas, gold, uranium, tin, timber, and other resources. Society has not yet learned to take these resources without damaging nature. Society cannot live, in fact, without touching these resources. The peoples of the North are often guilty simply in that they live on these lands and their very existence poses problems for the state.
Indeed, many feel that without these peoples of the North, there would be no such problems, and that the peoples of the North should understand this, and not complain too loudly or too often.

Ultimately, as Johnston (1994:219) states, resource development means the "loss of critical resources and the hardship of living in degraded settings" for many indigenous peoples.

The UNDP (2004:91-92) identifies four ways in which indigenous communities are threatened by extractive industries. Firstly, the recognition of the significance of indigenous territories to their inhabitants is inadequate. Secondly, the large-scale displacement of peoples due to mineral extraction affects the identities and livelihoods of indigenous peoples. Thirdly, consultations regarding mineral extraction between corporations and local communities, when they occur, are minimal. And fourthly, "indigenous peoples feel cheated when their physical resources are misappropriated without adequate compensation."

Anthropologist Tuula Tuisku (2002:149) sums up the clash over resource development using a Russian example:

Reindeer herding and the oil and gas industry differ significantly in their time perspectives, economic significance, and attitude toward nature. Reindeer herders' vision of the future extends to several generations, and they want to ensure that future generations will be able to live on the land. Companies' vision of the future extends only until all resources have been extracted, perhaps a few decades. Reindeer herding has only local significance. It produces meat for local markets and employs only a small number of people. The oil and gas industry has statewide and global significance.

This example helps to explain why Western development is often valued over indigenous development: large-scale resource development tends to have global consequences, while indigenous development often involves only the local community. While different scales of development are a reality, Clarkson et al. (1992:63) argue that large-scale Western development has detrimental effects while indigenous development systems are important for health of the
entire planet, as indigenous peoples have developed strong ecological knowledge over thousands of years and understand how humans can live in harmony with the environment.

*Mining and Mining Corporations*

Anthropologists Chris Ballard and Glenn Banks (2003:295) argue that mining practices have created the realisation that resources "can be a curse that gives rise to a lack of development, internal tensions, human rights abuses, and conflict at the national level." Hodgson (2002) and Watts (2002) document similar rights violations associated with oil developments. Ballard and Banks (2003:298) state that mining companies around the world have subjected indigenous communities to harmful acts such as dispossession of lands, rights abuses, murder, and mass killings. The UNDP (2004:86) voices the concern that the past 20 years have seen a promotion of investment in extractive industries in more than 70 countries around the world. Many of these targeted natural resources lie on indigenous territories, thus linking resource development with the survival of indigenous communities. The UNDP (2004:86) believes that, "if current trends continue, most large mines may end up being on the territory of indigenous people."

Geographer Leah M. Gibbs (2003:18) argues that "relationships between the mining industry and indigenous peoples offer a fertile arena for considering the nature and implications of historical and ongoing colonialism." In her research on mining and indigenous peoples in Western Australia, Gibbs (2003) explains that the mining industry imposes considerable pressure on indigenous rights. Clark (2003:8) argues that mining corporations continue to drive mining developments by dominating "the language within which negotiations take place and public information is circulated." In controlling the arena within which mining discussions and decisions occur, large corporations maintain the power imbalance that exists between large
resource developers and local communities and organisations. Therefore, even when indigenous communities or local development initiatives are included in mining development discussions, the large corporations dominate the discussions and guide the decisions. Gibbs (2003) links the dominance of mining corporations to lingering colonial oppression and indigenous subordination. Professor of Environmental Studies Saleem Ali and law professor Larissa Behrendt (2001) add that mining companies maintain substantial power within their communities of operation due to their presence as often the only source of stable development and employment.

Clark (2003:8) introduces the concept of Corporate Social Responsibility (CSR) as a means for corporations to maintain their power structures: "CSR implies that the primary objectives of corporations...are inherently compatible with community objectives." Clark (2003:8) calls the notion that large corporations and poor communities can be equal partners an "enormous misrepresentation." Due to the unequal nature of mining negotiations, communities are often forced to find alternative sources of power to protect their interests. Clark (2003:12) argues that, due to the localised nature of mineral activity and the large capital needed to begin mining, communities hold significant power if they are able to delay production. Solidarity among workers and solidarity strikes also propose a means of turning a local community struggle into a global solidarity movement, thus rivalling the "global reach and power of transnational corporations" (Clark 2003:12).

Modern Canadian Imperialism

Canada is a strong member of the Western world, espousing the rule of law and values of democracy. Canada, with institutions like the International Centre for Human Rights and Democratic Development (http://www.ichrdd.ca/), CANADEM (http://www.canadem.ca/),
dedicated to international peace, and the International Development Research Centre (IDRC, http://www.idrc.ca/), is seen as a leading figure in fighting for international and universal human rights. While Canada has a history of humanitarian missions, non-intervention in armed conflicts, and participation with the United Nations, the Canadian government is also a strong proponent of neoliberal trade, individual rights, and big business (Government of Canada 2004; Lambert 2004), all of which deny local community rights and sustainability.

In its 2003 Submission to the Dialogue on Foreign Policy, Amnesty International Canada (AIC 2003:8) issued a concern relating to Canada's increased promotion of global liberalism:

Canada has...actively sought to promote Canadian trade and investment abroad on a bilateral basis. Free trade agreements exist with Chile, Costa Rica and Israel and possible free trade agreements with the European Union, the Dominican Republic, the Andean Community and the Caribbean Community are presently under consideration. Government trade missions, sometimes led by the Prime Minister, have promoted increased commercial links around the world, including in countries...where Amnesty International has documented serious ongoing human rights violations.

Such global trade deals and investment schemes often overlook the human rights of local citizens for the benefit of economic pursuits.

The Canadian government and Canadian companies are currently involved in trade and investment with Guatemala, where human rights violations are a concern. Of specific concern in this former authoritarian state is Canadian investment in natural resource development. Canadian law student Andy Astritis (2003) details the connection between the Canadian and Guatemalan governments during Guatemala's successive military dictatorships. Astritis (2003:3-4) explains that the Canadian government stayed quiet during the CIA-sponsored overthrow of Guatemala's democratically-elected government in 1954 and Canadian multinational corporations continued doing business in Guatemala. Ballard and Banks (2003:296) refer to a
Mining, Minerals and Sustainable Development project report that states that human rights abuses are most likely to occur in relation to mining where mining corporations work within countries with weak governments or repressive regimes. In the case of Guatemala, the Canadian government and Canadian companies remained on amicable terms with Guatemalan authorities in order to stay active in mineral exploitation, especially in the area of El Estor, Department of Izabal (Chapter 5).

In Guatemala, natural resources are often located on indigenous lands, although these peoples have few rights to the resources (Cojti Cuxil 1996:32). Indigenous communities in this country have few concrete rights to their own lands, and the presence of multinational corporations on their territories only exacerbates their struggle for ownership of land and resources. AIC (2003:9) details the negative impact of free trade and globalisation on indigenous communities:

> Worldwide, Canadian companies expand their reach, investing in countries such as Sudan, Myanmar and Colombia. Initiatives such as the FTAA will only accelerate this trend. Very often this involved companies from the natural resources sector, including mining, petroleum and forestry, traditional Canadian strengths. But new mines, oil wells and logging operations frequently bring companies to areas of countries which are experiencing armed conflicts, where there may be disputes about the land rights of Indigenous peoples, and where human rights violations associated with efforts to move communities off of lucrative lands are commonplace.

To date the Canadian government has left it in the hands of companies to design and implement their own voluntary codes of conduct as a means of guarding against the risk that corporate operations will contribute to human rights violations.

While Canadian companies are responsible for their own actions, the Canadian government does little to enforce sound business practices in those companies' operations abroad.

The Canadian government and Canadian companies are both active in Latin America, as demonstrated at the CERLAC and Mining Watch Canada conference in October 2002. Clark
(2003:5) notes that Canadian state policy has both a direct and indirect impact on mineral exploitation throughout Latin America:

Canadian governments have played a leading role in the promotion of international agreements and institutions that serve to promote and regulate worldwide market integration and liberalization, such as the World Trade Organization (WTO), the North American Free Trade Agreement (NAFTA), the International Monetary Fund (IMF), and the World Bank (WB).

These agreements and institutions all promote neoliberal trade and investment, often resulting in the dependence and further debt of developing countries to developed countries, such as Canada and the United States, and international funding agencies, such as the WB and IMF (see Escobar 1995; Slater 1995). While the Canadian government supports such a neoliberal agenda, Clark (2003:5) notes that the government has not put the same degree of support behind international conventions to protect community and environmental rights or support the stronger regulation of the activities of Canadian corporations around the world.

Rights advocate Sandra Cuffe (2005) makes the connection between the Canadian International Development Agency (CIDA), and the promotion of Canadian business interests. Cuffe (2005:7) associates CIDA aid with mining developments in both Zimbabwe and Colombia. Cuffe (2005:8) also mentions the role of other Canadian entities, including the Department of Foreign Affairs and International Trade (DFAIT) and the Export Development Corporation (EDC), that support Canadian mining companies around the world. CIDA has been involved in Guatemala since 1969 and has supported numerous grass-roots development projects and Guatemala's peace process (CIDA 2002). Currently, CIDA funds youth internships in various Guatemalan regions with local organisations focused on building education and gender programs (Tatamagouche Centre 2005). The Canadian government is supporting important projects in Guatemala through CIDA but, as described by Cuffe (2005), the government also uses CIDA to facilitate its own business interests overseas.
The Canadian Ambassador to Guatemala, James Lambert, reflects the Canadian government's pro-business, pro-mining stance. The Canadian government and their embassies around the world support neoliberal trade arrangements and promote Canadian investment in foreign countries (Government of Canada 2004). As documented in Chapter 2, neoliberal development models are often associated with human rights abuses and an unwillingness to incorporate local knowledge or allow for locally-driven, smaller-scale development. Neoliberal development models give limited regard to the social implications of such investment. During a meeting with Ambassador Lambert on May 26, 2004, the Ambassador stressed that both the Canadian government and its embassies encourage all Canadian companies to operate with sound business practice and to comply with the standards of the International Labour Organisation's (ILO) Convention 169, adopted in June 1989 (OHCHR 2002), which requires that indigenous peoples be consulted prior to any development on their traditional territories. ILO 169 (OHCHR 2002) states that governments shall consult and give consideration to all peoples affected by development, promote the participation of these peoples in decision-making processes, and facilitate the development of local initiatives and institutions. Although the Canadian government and its embassies encourage all Canadian companies to comply with ILO 169, the Canadian Government has not ratified ILO 169. Furthermore, while government and outside pressure can encourage ILO 169 compliance, there is no mechanism in place to enforce any consultation process with indigenous peoples (James Lambert, personal communication, May 26, 2004).

Ambassador Lambert's statements in support of Canadian mining in foreign countries, and specifically in Guatemala, are reflected in an opinion piece he wrote for the Guatemalan national newspaper, Prensa Libre. Lambert (2004) argues that Canada is a major mining country and yet is also recognised as being one of the most environmentally and socially responsible
countries in the world. Lambert (2004) argues that Canada is a leader in sustainable development practice and is a responsible exploiter of resources both in Canada and around the world. Lambert fails to discuss the business practices of Canadian companies in foreign countries in his short article. While the practices of Canadian companies in Canada may not be as stellar as Lambert (2004) declares, those concerned with Canadian mining companies operating in foreign countries are more concerned with the practices of these companies abroad, which differ significantly from their practices in Canada. Guatemala and Canada are very different countries, as Magali Rey Rosa (2004), of the Guatemalan environmental organisation Madre Selva, points out in her response to Lambert's article. Canadian companies operating in Guatemala are held to Guatemalan law, not Canadian law (James Lambert, personal communication, May 26, 2004). As there are no bodies able to enforce ILO 169 or any other business practices, Canadian mining companies are largely left to govern themselves.

It is increasingly apparent that Canadian companies and the Canadian government are leading forces in resource development around the world. As Cuffe (2005:9) summarises,

From NGOs entrusted with indigenous rights and the environment, to government 'development' 'aid,' to diplomats, to direct financing and insurance, Canada's involvement in the mining industry worldwide reveals the truth behind their 'promotion of corporate social responsibility': like other global actors, Canada actively implements the 'development' model that represents and serves the transnational business agenda.

Resource development is especially prominent in post-authoritarian countries, where governments need economic development to foster political and social development. Unfortunately, these post-authoritarian countries often pursue socially and environmentally unsound development practices in order to achieve maximum economic return. The examples of mining developments demonstrate the destructive nature of many development projects on local indigenous peoples and the lack of consultation with these peoples. As a result, indigenous
resistance to mining and other development projects is occurring around the world, especially in post-authoritarian Guatemala. The following chapter focuses specifically on indigenous resistance to resource development, including examples of local resistance to foreign-driven development projects in Guatemala.
Chapter 4 –

RESISTANCE TO WESTERN DEVELOPMENT MODELS AND THE GLOBAL DRIVE FOR NATURAL RESOURCES

We have been victims of pillage throughout the history of this country. Now it is the natural environment’s turn. For the international capital the environment is just a “resource,” but for us it is our life; it is a right. We understand that this situation is not an isolated case; it is part of a global policy, a policy promulgated by multinational financial organizations that promote “development”, by the governments of the “developed” countries, and by a part of the population that is choked by its own opulence. They have as allies a few Guatemalans, who practice discrimination and racism and act as their lackeys, and the transnationals, that in their haste to serve the god Money, are not concerned that they are acting as hired killers of the environment.

(Frente por la Vida, December 2004)

The aforementioned phenomena of globalisation, democratisation, and development are strong global forces. While these forces touch every corner of the world, resistance movements reach just as far, fuelled by peoples fighting for rights and local control of lands and resources. This chapter will explore notions of resistance, identifying both how and why indigenous peoples are resisting resource development. A current example from San Marcos, Guatemala, will highlight the resistance of indigenous peoples to foreign-driven, neoliberal, resource development.

WHAT IS RESISTANCE?

Political scientist James C. Scott (1985:290) argues that resistance in all its forms is difficult to define, but proposes one inclusive definition useful to my research:

Resistance includes any act(s) by member(s) of a subordinate class that is or are intended either to mitigate or deny claims (for example, rents, taxes, prestige) made on that class by superordinate classes (for example,
landlords, large farmers, the state) or to advance its own claims (for example, work, land, charity, respect) vis-à-vis those superordinate classes.

Scott (1985:290) highlights that resistance can be individual or collective and that resistance is an intent rather than a consequence, as "many acts of resistance may fail to achieve their intended result." Ethnic groups, including indigenous groups, use resistance to maintain their culture when faced with an imposing dominant culture. According to activist and scholar Ward Churchill (2002:154), "resistance to extermination, whether physical or cultural, is a natural and predictable human response." Anthropologist Ted C. Lewellen (1992:169) adds to this statement: "Throughout the world, despite attempts by powerful state governments to force assimilation, ethnic groups have been able to maintain and even strengthen their cultural identities" with the use of resistance.

Scott (1985:29) calls for more focus on the everyday forms of resistance, or those acts that require little or no planning and often avoid any direct confrontation with authority. These acts include "foot dragging, dissimulation, false compliance, pilfering, feigned ignorance, slander, arson, sabotage, and so forth." Although arguing that everyday resistance is most common, Scott (1985:32) acknowledges more open and confrontational acts of resistance, such as "a public invasion of land that openly challenges property relations." Sociologist Ray Kiely (2002:105), a specialist in development studies, provides an example of large-scale resistance to global neoliberalism:

This [global movement] can be seen with the rise of anti-IMF riots, struggles against privatisation and trade agreements, demonstrations against multilateral institutions and international summits, environmental protests, and general strikes, all of which have increased in recent years.

Both everyday forms of resistance and public confrontation share the same goal, described by Scott (1985:32) as the intention "to mitigate or deny claims made by superordinate classes or to advance claims vis-à-vis those superordinate classes." Resistance is an important tool in the fight
against corporate oppression, not only because it can bring about change in individual circumstances, but also because it reminds governments, corporations, and resource developers that they must respect the rights and beliefs of local peoples.

*The Power of Resistance*

Resistance is a form of power. Partha Chatterjee (1993:161), professor of economics, explains that domination and resistance form a power relation:

If domination is one aspect of this relation of power, its opposed aspect must be resistance. The dialectical opposition of the two gives this relation its unity. This opposition also creates the possibility for a movement within that relation, and this makes it possible for there to be a history of the relation of dominance and subordination.

Chatterjee's assertion implies that where there is dominance or oppression, there must be resistance. Without resistance, there would be no power relation and thus no dominance. Geographer Steve Pile (1997), however, believes that resistance is only partially formed by domination; resistance and domination are not binary but rather encompass multiple spaces. Geographers, including Gill Valentine (2001), acknowledge that resistance occurs on multiple scales and in various spaces, including individual spaces of the body, community spaces, regional spaces, national spaces, right up to international or global spaces. These sites of resistance include the act of placing one's body on the line to resist a dominant force, participating in community organisations, and joining international social movements. Pile (1997:2-3) argues that people are differently positioned within power relationships, and that all people are involved in creating relationships of authority, "but that resistance seeks to occupy, deploy and create alternative spatialities from those defined through oppression and exploitation." Therefore, communities resisting forms of neoliberal resource development on very local scales are not only defined in their relationship with these companies, but are in fact seeking to create new global
spaces where they can diminish the dominance of the resource companies and maintain their own livelihoods. Although Pile (1997) states that resistance is not solely a product of domination, political scientist James C. Scott (1990:21-22) argues for a clear connection between the two: "similar structures of domination...tend to provoke responses and forms of resistance that also bear a family resemblance to one another." Scott (1990:22) acknowledges that different histories and cultures affect both domination and resistance but that when similar forms of repression appear, such as neoliberal development projects, similar acts of resistance will occur regardless of a group's location or culture.

Pile's (1997) concept of multiple spaces also enables international solidarity and global powers to enter the equation: indigenous resistance is not a binary relation between communities and mining companies, but multiple relationships between communities, activists, solidarity groups, international organisations, corporations, and governments. The concepts of multiple spaces and relationships are also applicable within communities. Although I define the resistance to forms of neoliberal resource development as community or local resistance, there are often divisions within communities. Scott (1985:244) highlights the role of kin and class ties that differentially affect the desire of community members to resist a specific act or action. These differences within communities are apparent in both the cases of San Marcos (this chapter) and El Estor (Chapter 5) where community members with jobs at the mine or connections to richer families in the area are often supportive of mining activities while others, who risk losing land or who are not employed by the mine, often oppose mining activities.

Geographer John Allen (2003) elaborates on the connection between power and solidarity. Allen (2003:53) argues that power is a collective force; individuals are empowered by others and the ability to exert power disappears without support. Therefore, when an indigenous community resists the power of a mining company, that community's members are empowering...
each other. As the community resistance continues and local and international support develops, power starts to grow within the community and subsequently drops within the corporation. Eventually, the power relation will become balanced between the two sides. While balanced power relations among rural indigenous communities and large mining corporations are unlikely, Scott (1985:29) argues that peasant uprisings are rare and are "nearly always crushed unceremoniously" when they do occur, the use of resistance does enable the flow of power from one group to the other.

This flow of power is also connected to the spatiality of power. Power itself is an abstract concept so, as Allen (2003:17) describes, power arises when a person or institution has the capacity to achieve certain outcomes or objectives:

The likes of Shell Oil, Texaco and Exxon Mobil, for instance, are assumed to be powerful on the basis of what they have done, or are alleged to have done, around the globe – dictate the terms of negotiation with host countries, play off local interests, dominate particular markets – regardless of whether or not they are presently engaged in such activities.

The capacity of such institutions relates to the spatiality of power – these institutions are involved in multiple networks and activities in multiple places. Allen (2003:23) explains such power as "accumulated over extensive regions of space and time and deployed on the basis of 'reserves' which are continually reproduced by the firm." Indigenous communities do not have the same multinational resources as do large resource companies, partially explaining the uneven power relations between the two. However, alliances with international NGOs and other indigenous communities worldwide increase the capacity of local community members to exert their own power against large corporations when trying to protect their lands and livelihoods.
Why Does Mining Cause So Much Opposition?

Professor of sociology and environmental activist Al Gedicks (1994) argues that mining developments often create very strong opponents among social and environmental activists. Geographer Leah Gibbs (2003) explains that there is a long and antagonistic relationship between indigenous communities and the mining industry, stemming from the high percentage of minerals on indigenous territories and the often negative impact of mining on the environment. Gedicks (1994:38) discusses the threat of a variety of resource development projects on indigenous peoples and specifically highlights the negative impact of mining:

After surveying the major threats confronting native peoples worldwide, Julian Burger, the director of research at the Anti-Slavery Society in London, concluded that "Mining is the greatest single threat to indigenous people. It pollutes vital water supplies, it imposes a debilitating economy and alien social values, it destroys sacred sites, disfigures familiar landscapes, and separates people from their homes, their past, and each other. It causes deep pain, cultural disintegration, and sometimes death."

In addition to damaging surrounding environments, mining developments require access to large amounts of land. Anthropologists Chris Ballard and Glenn Banks (2003:298) point out that mining projects often result in the massive relocation of indigenous populations. When mining projects end, environments will no longer be as productive and will likely be unable to sustain any returning indigenous population. For example, Tuisku (2002:149-50), Vakhtin (1994:63-65), and Schindler (1994:105) all document the ecological impact of heavy industry in Russia and the resulting situation for local indigenous peoples. In many cases, such as the EXMIBAL mine in El Estor, Guatemala (Chapter 5), the mining site remains open even after production has ceased, making a return to the land impossible for displaced indigenous communities.

Resistance occurs on various scales and among numerous actors. Resistance to mining, due to its impact on the environment, is often as strong among environmentalists as it is among indigenous groups. For this reason, some indigenous groups find local and international support
for their struggles against harmful mining projects. Gedicks (1994:44) describes the benefits of joining forces with international activists:

...native communities, who are otherwise isolated from the centers of political and economic power, can forge effective links with environmental, labor, religious, and human rights organizations in the home territory of the multinational mining corporations.

Saleem H. Ali (1999), Professor of Environmental Studies with a focus on the conflicts between mining and indigenous communities, believes that environmental and indigenous concerns are complimentary. However, Ali (1999) points out that while many environmental groups promote complete moratoriums on some development projects, many indigenous groups do not. The goals of the two groups often differ as most indigenous concerns are localised in their lands while environmental groups and NGOs are concerned with the global environment and thus have different connections with the lands they are trying to protect.

While the core goals of indigenous peoples and environmental activists may differ, these groups often hold common values and can be of use to one another. Indigenous communities, in particular, can benefit from the skills of NGOs that participate in arenas unfamiliar to isolated indigenous groups. Ballard and Banks (2003:304) add that some alliances between environmental, indigenous, and human rights activists have been successful in publicising environmentally-harmful mining practices and affecting shifts in corporate environmental and social policies. Global alliances between environmental and indigenous organisations are situated locally in Guatemala. Indigenous communities in San Marcos (this chapter) and El Estor (see Chapter 5), Guatemala, are allied with NGOs including Rights Action and the Social Justice Committee. These alliances empower local communities by increasing the transnational networks of communities (Allen 2003:23) through international pressure and support.

Opposition to mining occurs around the world and Guatemala is among the countries where conflicts between mining companies and indigenous groups are currently very significant.
The Catholic Bishop of San Marcos, Álvaro Ramazzini, is vocal in his opposition to certain mining projects in Guatemala. A local voice with international reach, Ramazzini (2005) is quoted in the national newspaper *Prensa Libre* as saying that it is a falsity that mining necessarily creates employment and that the Guatemalan government has made a big mistake in granting mining concessions to Canadian company Glamis Gold without proper consultations with local peoples. Bishop Ramazzini has recently received death threats for his opposition to the San Marcos mine and Sergio Morales, the Guatemalan Human Rights Ombudsman, has publicly denounced a plan to assassinate the Bishop (Kathryn Anderson, personal communication, January 22, 2005). Guatemala-based activist Daniel Vogt (2004:6) explains that indigenous peoples across Guatemala are organising against the Guatemalan government's granting of mineral concessions to mining companies:

Since promulgating a new Mining Code in 1997, Guatemala has granted over 300 mining concessions to mostly Canadian companies interested in gold, silver, and nickel. According to an analysis done by the El Estor Development Association (AEPDI), these concessions cover approximately 10 percent of Guatemala's total territory, and ninety percent of the concessions are situated on lands belonging to or used by indigenous communities.

Guatemala is but one country with a wealth of mineral resources lying on predominantly indigenous territories. Multinational corporations are increasingly searching out these mineral resources and are, consequently, coming into conflict with local groups wanting to preserve these rich lands.

**INDIGENOUS RESISTANCE TO RESOURCE DEVELOPMENT**

*Indigenous Resistance – How and Why?*

Canadian resource companies are working throughout the world. While Canadian companies maintain a certain level of operating standards, these standards often differ in
accordance with the expectations of the country within which the company operates. Journalist Madelaine Drohan (2004:92) explains that these local standards are often less rigorous than Canadian standards:

While mining techniques are much the same wherever you go, Canadian companies venturing abroad have discovered that political mores, public expectations, environmental regulations and labour codes vary widely, and they sometimes take advantage of these differences. Placer Dome dumped tailings from its Philippines copper mine into the ocean, a practice outlawed in Canada. Ivanhoe Mines uses government roads and electricity lines built with slave labour for its copper mine in Burma.

As a result, Canadian resource companies, and specifically mining companies, often have poor reputations with local peoples in many foreign countries. The practices of the Canadian government and Canadian companies are reflective of numerous Western national and multinational economic pursuits throughout the world. Canadian mining companies are operating in Guatemala (Figure 4.1), a country where mining codes are written with little regard to indigenous peoples (Clark 2003; Daniel Vogt, personal communication, November 3, 2004) and governments are prone to corruption and collusion with resource companies (Amnesty International 2003; Taylor 1998:113-14).

The history of mining in Guatemala has not been widely studied, although current conflicts between indigenous communities and mining companies are receiving increased public attention. According to the Guatemalan Ministry of Energy and Mines (MEM 2004), minerals have been used for centuries. The mining of gold, silver, and lead began in colonial times and the first mention of gold mining after Guatemalan independence from Spain (in 1821) is of the Potts, Knight and Company gold mine in Izabal in the 1860s. The first mention of nickel mining in Guatemala is with the Hanna Coal and Ore Company (see Chapter 5) in the 1950s (MEM 2004). The following example from Guatemala provides a snapshot of the local experiences of resistance to a Canadian-based gold mining company.
Guatemala: San Marcos and Glamis Gold

Currently, mining is a source of intensifying conflict in Guatemala (see Figure 4.1). Widespread local opposition to mining is both a historic and current issue throughout Guatemala, with extreme consequences in the Departments of Izabal (Chapter 5) and San Marcos. Canadian-based transnational mining company Glamis Gold Ltd. (Glamis) is a gold mining company with projects throughout the Americas. Glamis' Marlin Project is located in the Western Highlands of Guatemala, in the Department of San Marcos (Figure 4.2), near the communities of San Miguel Ixtahuacán and Sipacapa, south of the major centre of Huehuetenango, and covers an area of 10,000 hectares (Glamis Gold Ltd. 2005b). Gold deposits were discovered in San Marcos in 1998, Glamis acquired a 100 per cent interest for the deposit in July 2002, and construction of the mine began in early 2004 (Glamis Gold Ltd. 2005b). The Marlin Project is owned by Montana Exploratory (Montana), a subsidiary of Glamis, and is partially-funded by the International Finance Corporation (IFC 2004), a branch of the World Bank.

Figure 4.1: Guatemala Map
(Fischer and McKenna Brown 1996:7)

Figure 4.2: San Marcos Department and Marlin Project Site (Montana 2003:9)
The peoples of San Marcos have reason to be concerned for the potential environmental damage caused by the Marlin Project. On July 21, 2003, Glamis served written notice of its intention to sue the United States Government under Chapter 11 of the North American Free Trade Agreement (NAFTA). Glamis is a registered Canadian company based in Vancouver, but it has two subsidiaries, Glamis Gold Inc. and Glamis Imperial, registered in the United States as American law only allows American citizens to mine on federal lands (Public Citizen 2005:52). According to the US Department of State (2003), Glamis claims the US breached its obligations under NAFTA in requiring Glamis to commit to environmental standards that diminish Glamis profits at its mining operation in Imperial County, California. In its notice of arbitration (US Department of State 2003:7), Glamis states that through environmental legislation, the State of California has "erected barriers that have effectively destroyed all economic values of Glamis Imperial's established mineral rights." Glamis is suing for US$50 million. Oxfam America (2004b) argues that Glamis' lawsuit displays the company's lack of concern with the environmental damage caused by its mining projects. The Glamis lawsuit also exemplifies the practice of economic profit over social and environmental well-being so characteristic of neoliberal resource development.

Canada-Guatemala Solidarity and the Response to Mining Opposition

Glamis' Vancouver-based operation is not the only connection between San Marcos and Canada. There is a long history of solidarity between Canada and Guatemala, especially with refugees returning to Guatemala (see Anderson 2003; Nolin Hanlon and Lovell 2000; Nolin Hanlon 1999). After the height of violence ended in the 1990s (Taylor 1998:109), many Guatemalans who had fled the country during the internal armed conflict chose to return. Political scientist and accompanist Barry Levitt (1998:238) discusses the numerous Canadians
and Canadian organisations involved in accompanying return refugees; accompaniment is a non-violent, non-confrontational process where "foreigners use their 'power' as foreigners in an attempt to safeguard the security of individuals or groups at risk of harassment or persecution."

Accompaniment co-ordinator Beth Abbott (2000) expands on the Canadian role in accompanying Guatemalan refugees. Canadians accompanied the refugees to find areas for resettlement and then remained with communities as they re-started their lives in Guatemala. Abbott (2000:170) states that 1400 Canadians acted as accompaniers in Guatemala from 1993 to 1999, laying the groundwork for current alliances between Guatemalan and Canadian communities and organisations.

Communities in the area of the Marlin Project turned again to their Canadian connections when threatened by the development activity. Father Ernie Schibli (2004), a member of the Montréal-based Social Justice Committee (SJC), explains that the Movimiento de Trabajadores Campesinos (MTC – Rural Labour Movement) requested the help of the SJC in persuading the Guatemalan government to delay the construction of the Marlin mine and temporarily stop the granting of new mining licenses until the country's Mining law is revised to comply with ILO 169. Father Schibli (2004) subsequently presented an open letter opposing the Marlin mine (Appendix C), to Guatemalan President Óscar Berger at a press conference in Guatemala in November 2004. Schibli (2004) notes that the open letter was a collaborative effort between the MTC, SJC, and several Canadian organisations, and it was signed by 73 organisations and over 50 individuals.

There is a perception among government officials and resource developers that local resistance to projects is often externally-driven. John Yates (personal communication, July 15, 2004), president of Canadian mining company Jaguar Nickel, states that he is unaware of local opposition to Jaguar's mining projects in Guatemala and any perceived resistance is driven by
activists outside of Guatemala. El Estor Mayor Rigoberto Chub (personal communication, May 17, 2004) argues that NGOs are pushing their own agendas when protesting against mining developments and they are falsely informing local peoples in order to get them to resist local mining projects. Chuck Jeannes, Glamis Senior Vice President of Administration, also speaks out against what he perceives as externally-driven resistance. Jeannes (in Kosich 2004) states that Glamis officials educated over 8000 local peoples in order to subdue the "anti-mining hysteria" that a regional anti-mining group, supported by Oxfam, tried to create. These positions are reflected in an article written by Tim Wood (2005) for the Resource Investor.

Leading the anti-Glamis charge in Guatemala is the familiar crusader cum priest, Father Ernie Schibli of Montreal. In keeping with the Catholic church's evident switch to social activism from preaching the Gospel, Schibli is a champion of numerous underdog causes in Central America. If he's not bemoaning the wealth gap in Honduras, he's stirring up resentment in Guatemala.

While Wood (2005) may believe that the peoples of San Marcos would openly welcome mining if not for Schibli falsely influencing them, Schibli is but one of a growing number of voices in the struggle against Glamis' activity in Guatemala.

In a letter to the IFC, dated May 26, 2004, El Estor activist Daniel Vogt urges the World Bank to cut their funding to the Marlin Project. Vogt (Appendix D) states concerns from AEPDI and local community members in the San Marcos area that Glamis has not adequately consulted with local peoples and thus urges the IFC to cut their funding of the Marlin Project. Vogt further states that Glamis itself has conducted all of the so-called consultations, which do not fulfil ILO 169's (OHCHR 2002) demand that the government, not the company, carry out consultations. In a response dated June 1, 2004, Kent Lupberger, the acting director of the Oil, Gas, Mining & Chemicals Department of the IFC (Appendix E), states that Glamis' consultation process meets IFC standards and, furthermore, states that most of Vogt's concerns are "misperceptions or misunderstandings."
The IFC (2004) states that the Marlin Project employed 1300 workers as of November 2004, with 800 of those jobs filled by local peoples. Although it is hard to dispute the importance of these jobs in an area of Guatemala in need of economic development, Vogt (personal communication, February 16, 2005) points out that there are no guarantees of job security and there are currently complaints that the majority of jobs are being sourced outside the San Marcos area. As a result, mining in San Marcos does not enjoy wide-spread popular support. Alberto Ramirez (2004) reports in *Prensa Libre* that the majority of the inhabitants living in San Miguel Ixtahuacán and Sipacapa oppose mining in the area. Ramirez (2004) states that, in a survey conducted by the Vox Latina Institute, 95.5 per cent of those surveyed oppose mining development in the area and believe that the only beneficiaries of the development will be the mining company owners. Another 83.5 per cent believe that gold extraction will harm the environment and only 11.5 per cent believe that the Marlin Project will benefit their communities.

Neoliberal development models often do create needed jobs for the local population. However, these jobs are short-term and lead to increased economic disparity. Successive Guatemalan governments have pursued neoliberal development models for decades, many of which created jobs, but the majority of the country's population still lives in extreme poverty. In El Estor, Guatemala (Chapter 5), neoliberal mining projects were initiated forty years ago, creating jobs for the local population, and yet the region is currently one of the poorest in the entire country. The issue of poverty again returns to the issue of land as the indigenous *campesinos* of Guatemala depend on their lands for subsistence. Although jobs are important to the peoples of San Marcos, their ongoing resistance to the Marlin mine demonstrates the strong importance of land and environmental health for both physical and cultural survival.
On December 3, 2004, indigenous people from the San Marcos Department gathered to block equipment destined for the Marlin Project from passing under a bridge along the Panamerican Highway, 130 kilometres northwest of Guatemala City. According to Guatemala-based reporter Jill Replogle (2005), over 2000 indigenous people participated in the first day of the protest. Guatemalan journalist Lorena Seijo (2004) explains that local concerns about open-pit mining date back to the first mineral explorations in the area in 1997 and escalated in 2003 when work on the mine began. Replogle (2005) states concerns that local peoples were not properly informed or consulted about the Marlin Project as called for by ILO 169. In addition to lack of consultation, local peoples are protesting Guatemala's mining laws (MEM 2004) that allow 99 per cent of mining profits to go to investors, rather than to local communities. Replogle (2005) highlights the fact that the Marlin Project brings 1000 jobs to an area of the country with 97 per cent poverty, but locals argue that the Marlin mine is not the type of development that will help them in the long term.

Figure 4.3: Protests in San Marcos (Toledo 2005, distributed by Kathryn Anderson, February 1, 2005)

On January 11, 2005, the forty days of protest came to an end when the Guatemalan government called in the military and one protester was killed. Vogt (personal communication, January 11, 2005) explains that at 3:00am hundreds of Guatemalan police and army soldiers
arrived at the blockade to escort the equipment convoy to the Marlin mine (Figure 4.3). The officers used tear gas and fired shots to disperse the protesters but, as the protesters refused to end their demonstration, police killed one man, Raúl Castro Bocel. After the incident, President Berger was widely reported as saying, "We have to protect the investors" (CNN 2005; Resource Center of the Americas 2005b; Global Response 2005). This statement clearly illustrates the Guatemalan government's position on foreign investment and demonstrates why local peoples worry that their rights are being repressed for the benefit of Guatemala's economic development. In a later report, Vogt (2005) states that ten other protesters and several police officers were hurt. The protest was mentioned in the Canadian national newspaper, the Globe and Mail, but reporter Wendy Stueck (2005) makes only passing reference to reports of one fatality while the article is accompanied by a photo of an injured police officer being carried away.

In response to police and military action, Canadian organisations, including Rights Action and Mining Watch Canada (Rights Action and MWC 2005), the Atlantic Regional Solidarity Network (2005) and the Union of British Columbia Indian Chiefs (2005) joined the Guatemala organisation, La Coordinadora Nacional de Organizaciones Campesinas (National Coordinator of Farmers Organizations, CNOC 2005) in denouncing the killing of Raúl Castro Bocel. These organisations call for the immediate suspension of the Marlin Project, stating that the mining concession was granted without community consultation. Furthermore, the Marlin Project has a history of conflict with local Mam and Sipacapense peoples. In its own response to the protests and police action surrounding the Marlin Project, Glamis (2005a) issued a statement stating that "anti-development activists" used misinformation to convince local villagers to join in blocking mining equipment from reaching the Marlin site. The blockade resulted in a confrontation between villagers and police and Glamis (2005a) "is saddened that this criminal activity may have resulted in injury and loss of life." Glamis (2005a) concludes by stating that the
Marlin Project continues to have the strong support of local residents, municipal officials, and the federal government.

Scales of Resistance and Current Government Response

The local Catholic Church is leading the opposition to the Marlin mine in San Marcos, but the resistance movement is truly global in nature, encompassing indigenous, environmental, and social justice activists both within Guatemala and around the world. American-based environmental group Friends of the Earth (FOE) has been active in the Marlin protests and an FOE and Oxfam America (2003) report documents the extensive environmental damage caused by open pit mining. FOE and Oxfam America (2003) explain that open pit mining requires large areas of land and water, and that both land and water systems risk contamination through the leaching of chemicals.

As aforementioned, the local protesters also have the support of other indigenous organisations, such as the Union of British Columbia Indian Chiefs (Canada) and the AEPDI (Guatemala), and social justice activists including the Atlantic Regional Solidarity Network (Canada) and Rights Action (Americas-wide). The reach of these international networks is strong and numerous articles are appearing in Canadian and American daily newspapers. Canadian newspaper \textit{The Vancouver Sun} ran two articles in three days (April 12, 2005 and April 14, 2005) detailing the role of the Catholic Church in the Marlin mine protests. The April 12\textsuperscript{th} article, written by Mark Stevenson (2005), states that local resistance to the mine has reached indigenous, environmental, farmer, and religious leaders. The April 14\textsuperscript{th} article, by Kevin Sullivan (2005), details the political and social activism of the local Catholic Church and acknowledges the death threats made against Bishop Ramazzini. Although the protests against the Marlin Mine are not everyday news in North America, the appearance of such articles in a major Canadian
newspaper, along with the continuing statements of Canadian and international solidarity groups (such as Mining Watch Canada and the Social Justice Committee), presents the way in which a very local protest can become an issue of international concern.

As a result of the ongoing local protests and international support, President Berger has agreed to revise the mining concessions in San Marcos. Reporter Luisa Rodríguez (2005) explains that President Berger invited San Marcos Bishop Ramazzini, Frank La Rue, director of the Presidential Commission of Human Rights, and Monsignor Víctor Hugo Martínez, archbishop of Los Altos, to discuss the controversy surrounding mining in Guatemala. As a result of the meeting, Rodríguez (2005) reports that the government will revise all mining concessions that have not yet been granted. These recent actions by the Guatemalan government demonstrate that the resistance of the peoples of San Marcos to the Marlin Project might bring about real change in the country. The fact that the Guatemalan government is only now discussing revisions to mining laws in the country highlights the continued power base of institutions such as Glamis and the World Bank. However, the events in San Marcos also demonstrate the collective power of people to resist imposed neoliberal development projects and the importance of local and global alliances in levelling the power relations between corporations and local communities.

*Fundamental Clash in World Views*

Indigenous peoples are resisting various contemporary development models because these models destroy traditional lands and are inherently at odds with traditional indigenous beliefs and world views. Mander et al. (2003:40) present the clash in world views in terms of globalisation:

> Where corporate globalists see the spread of vibrant market economies, citizen movements see the power to govern shifting away from people and communities to financial speculators and global corporations and
institutions dedicated to the pursuit of short-term profit in disregard of all human and natural concerns. They see corporations replacing democracies of people with plutocracies of money, replacing self-organizing markets with centrally planned corporate economies, and replacing diverse cultures with cultures of greed and materialism.

The indigenous peoples in Guatemala struggling with resource development on their territories do not want to see this form of corporate globalism overrun their lands and traditions. As a result, they are resisting large-scale development not necessarily to resist economic development, but to ensure that they have a voice in any development that has the potential to alter their livelihoods.

The next chapter, a case study of land conflicts and indigenous community resistance to mining in El Estor, Guatemala, is based on fieldwork conducted in El Estor in May and June 2004. The neoliberal development projects detailed in Chapter 4 and the ensuing community resistance is representative of the community resistance to Canadian mining company INCO and their Guatemalan subsidiary EXMibal in El Estor three decades ago. Currently, neoliberal mining developments again threaten the lands and peoples of El Estor and, much like the peoples in San Marcos, are fighting for a stronger voice in local development projects.
EL ESTOR: THE CASE OF MAYA-Q'EQCHI' RESISTANCE AND A CANADIAN MINING COMPANY

Lack of regulatory requirements and oversight also provide opportunities for abuse as the granting of a concession guarantees not that the company will extract the resource, but that the community will not. An instructive example was raised with respect to a nickel mine in Guatemala, where production began in 1980. By 1983, production had ceased, with the company promising to return once nickel prices had recovered. As of 2002, production had still not resumed, and the indigenous peoples inhabiting the land remain unable to put to use the productive resources of their land. (Tim Clark 2003:6)

The community of El Estor provides an excellent example of the negative impact of global forces on indigenous communities and a resulting resistance to mining operations. El Estor is a town in the department of Izabal in eastern Guatemala (see Figure 4.1). Lying on the shores of Lake Izabal, the largest lake in the country, El Estor is the largest of six municipalities in Izabal and agriculture and fishing are the mainstays of the municipality's people. The majority of the El Estor municipality's 42,956 inhabitants (Rigoberto Chub, personal communication, May 17, 2004) are Maya-Q'eqchi', making up approximately 85 per cent of the area's population. This Q'eqchi' population is spread over 185 communities in the municipality (Rigoberto Chub, personal communication, May 17, 2004). While the lands surrounding El Estor are lush and fertile, the majority of people in the area live in extreme poverty and El Estor is the poorest municipality in the Izabal Department, itself one of the poorest regions in the country (Rigoberto Chub, personal communication, May 17, 2004). Local activist Daniel Vogt (personal communication, May 16, 2004) explains that El Estor was founded in 1890 and named after "the store" on the lake. El Estor remains relatively isolated, situated 40 kilometres off the main highway to the coast by way of a dilapidated dirt road. The town itself is serviced by dirt and
gravel roads, with the presence of some paved roads, though the concrete begins and ends sporadically along the town's main roads.

![Figure 5.1: El Estor, Izabal and EXMIBAL Concession in the Area (Skye 2003:16)](image)

**How a Canadian Company Came to Exploit a Guatemalan Town**

The 1950s and 1960s saw an increase of activity in the quiet town with the discovery of nickel ore (see Figure 5.1). The Hanna Coal and Ore Corporation (Hanna) of the United States received its first exploration concession on July 25, 1957, to determine the existence of minerals in the municipalities of Los Amates and Morales in the Izabal Department. Concession lands are those lands granted to companies by the Guatemalan government to be used for the specific purpose of mineral exploration and exploitation. Hanna acquired a second concession on December 6, 1957, for further mineral exploration in the municipality of Panzós in the Alta Verapaz Department (which borders Izabal; see Figure 4.1). A third concession was granted on June 10, 1960, for mineral exploration in an area of 22,990 hectares in the Izabal Department (AEPDI 1957-2003). Hanna held these concessions for a few years but never developed any mining projects. On August 30, 1960, Hanna transferred all three concessions, a total of 83,915 hectares, to the newly formed *Exploraciones y Explotaciones Mineras Izabal, S.A.* (EXMIBAL), a joint venture between the INCO and Hanna (AEPDI 1957-2003). INCO held 80 per cent of the
common shares and Hanna held 20 per cent (Astritis 2003:4). EXMIBAL is now a Guatemalan company jointly owned by the Guatemalan government (30 per cent) and Skye Resources Inc. (70 per cent), another Canadian mining company that took over INCO's majority share in December 2004 (INCO 2004). In 1965, EXMIBAL obtained a 40-year exploitation concession for the lands the company held. This concession expires in 2005, and although the nickel mining plant has not been operating for the past 20 years, EXMIBAL is currently considering a return to mining in the area.

INCO's impact in El Estor began immediately as the company started building both the mining site and amenities for its workers. Vogt (personal communication, May 16, 2004) explains that the mining company fashioned the grid layout of El Estor and El Estor truly became a company town. INCO also built a "town within a town," a compound for its workers complete with row housing, tennis courts, and a golf course. The El Estor locals still refer to this "town" as *la colonia* (Figure 5.2). Vogt (personal communication, May 16, 2004) relates that the local population benefited from many employment opportunities during the construction of the mining plant and associated infrastructure, a period of roughly nine years, but that as the mine became ready to produce in 1977, many layoffs occurred as the majority of mining employment lies in the construction phase. In 1981, the company decided that nickel mining in the area was no longer profitable, and by 1982 all production had ceased.

**INCO and a New Guatemalan Mining Code**

INCO's presence in Guatemala was controversial from the beginning. INCO was granted the 40-year exploitation concession for lands in the El Estor area in 1965, which is the same year the Guatemalan mining code was changed to become more open to foreign investment. Vogt (personal communication, May 16, 2004) notes that the amendments to the
mining code were based on discussions with INCO representatives and English-language drafts. According to writer and activist Alison Acker (1980:6),

Inco wanted Guatemala to draft a new mining code to give it more attractive conditions, then Inco's own expert drafted the code and got it accepted, giving Exmibal a 40-year concession to a 150 square mile mining area for $30,000 a year and a small annual rent.

The *Recovery of Historical Memory Project* (REMHI 1999:207) documents the connection between EXMIBAL and the human rights abuses carried out in connection with the military government:

Christian democratic deputy Adolfo Mijangos Lopez was assassinated on January 14, 1971. Peasant leader Tereso de Jesus Oliva was killed a week later, on January 20. Julio Camey Herrera, a professor at San Carlos University, also lost his life during this period, and attorney Alfonso Bauer Paiz was shot at. Mijangos, Camey, and Bauer were members of a committee investigating a government contract with the Exploraciones y Explotaciones Mineras de Izabal, S.A. corporation, a mining company that operated in Izabal, mining nickel, copper, iron, and other minerals for export.

This example occurred during one of the most violent periods in Guatemalan history: the 36-year internal armed conflict. The armed conflict was dominated by massacres carried out by the Guatemalan armed forces against the civilian, predominantly Mayan, population (CEH 1999, vol.5:21). The United Nations' *Historical Clarification Commission* (CEH 1999, vol.5:49) has documented the genocidal nature of certain massacres against Maya communities. The first in a long series of open massacres against Maya communities was the massacre of Q'eqchi' peoples in the town of Panzós (FAFG, personal communication, May 13, 2004). The CEH (1999, vol.6:13) declared the massacre at Panzós as illustrative of the actions of the Guatemalan armed forces during the internal conflict.
The Panzós massacre demonstrates the ultimate land conflict between rural farmers and authoritarian regimes. On May 29, 1978, a large number of Q'eqchi' marched to the village of Panzós, Alta Verapaz, to protest their loss of lands. The CEH (1999, vol.6:13) explains that the inhabitants of Panzós and the surrounding area began losing lands in the mid-nineteenth century when then President Justo Rufino Barrios passed a decree facilitating the expropriation of indigenous lands for large-scale agriculture and new German settlers. The CEH (1999, vol.6:13-14) goes on to state that the majority Q'eqchi' campesinos (farmers) in and around Panzós began their current fight for their lands during the Agrarian Reform, which aimed to redistribute land holdings more equitably throughout Guatemala, instituted in 1952. However, as the Agrarian Reform came to an end with the overthrow of the ruling government in 1954, many Q'eqchi' remained without any title to land. The overthrow of the 1954 government, driven by US foreign policy aimed at maintaining American economic and land interests in Guatemala (Galeano 1973; Schlesinger and Kinzer 1999), again highlights the tensions surrounding land and land reform and, in particular, the power of the ruling elite and large land owners. The Q'eqchi' continued the struggle to reclaim their lands and the CEH (1999, vol.6:14) explains that, by the 1970s, the Q'eqchi' in and around Panzós were becoming quite organised. As a result, local military officials were becoming concerned and, a few days prior to the massacre, the CEH (1999, vol.6:15) documents that the army was in the municipality, ready to subdue the campesinos.

Guatemala resident and former Catholic priest Fernando Suazo (personal communication, May 15, 2004), concurs with the CEH (1999, vol.6:15), stating that the Guatemalan army, aware of the planned protest on May 29, 1978, arrived in Panzós ahead of the protest and opened fire on the campesinos. The International Work Group for Indigenous Affairs (IWGIA 1978:7) states that officially the army killed 34 and wounded 17 people, although
unofficial reports place the number of dead closer to 100. Although the IWGIA (1978:8) explains that the lands surrounding Panzós were of little value due to their isolated nature, local peoples were still forcibly removed (Chichipate, personal communication, May 17, 2004) as the presence of the EXMIBAL nickel operation and petroleum nearby increased outside interest in the area, further marginalising local Q'eqchi' peoples. According to Vogt (personal communication, May 16, 2004), a group of Q'eqchi' from the village of Chichipate, in the El Estor municipality, were aware of the protest and had planned to march to Panzós, a distance of 15 kilometres, to partake. However, EXMIBAL security forces who were also aware of the planned protest in Panzós and did not want the Chichipate community members taking part, intercepted and fired upon the group before they arrived in Panzós. The group fled back to Chichipate. While a number of these Q'eqchi' probably would have lost their lives had they made it to Panzós, Vogt (personal communication, May 16, 2004) points out that the interception provides a strong link between the Guatemalan armed forces who carried out the Panzós massacre and EXMIBAL operators who were warned of the impending massacre.

The massacre at Panzós is one of 86 documented cases (CEH 1999, vol.6-7) that are presented as exemplary of the Guatemalan armed forces rights violations against the civilian population. The Panzós massacre is an exemplary case of the influence of land owners to use the powers of the Guatemalan state to resolve land conflicts (CEH 1999, vol.6:21). According to anthropologist and Jakaltak Maya Victor Montejo (2002:137), the massacre at Panzós represents the beginning of "a strong politicization of the Mayan population." Montejo (2002:137) notes that numerous Maya communities wrote songs and poems denouncing the horrific actions of the army and honouring the victims: "This was a wake-up call for the Maya, who began more fully to recognize the terrible restrictions and lack of opportunities to which they were subjected."
Ex-Guatemalan Military and Collecting Wood

According to Daniel Vogt (personal communication, May 16, 2004), EXMIBAL always employed ex-Guatemalan military during the construction and running of the mine and Guatemalan soldiers continue to protect the abandoned mining site today. Security personnel are actively involved in ensuring that local people do not enter EXMIBAL property to scavenge or cut wood. Vogt (personal communication, May 16, 2004) relates the story of a major round-up of local residents cutting wood on EXMIBAL property in 1994. An article in *Americas Update* (1994) states that local authorities arrested a group of 21 campesinos on September 2, 1994 in El Estor for illegally cutting wood on EXMIBAL property. EXMIBAL requested the mass arrest and maintained that townspeople are not to remove wood from the EXMIBAL concession land, "not even fallen timber" (*Americas Update* 1994:1). This group was arrested and sent to Puerto Barrios (the capital of Izabal) to be tried for illegal logging. Among those arrested and sent to trial were three men found collecting pine needles to be used in a Q'eqchi' ceremony.

Astritis (2003:8) points to reports that EXMIBAL allowed logging companies to illegally log forests within their concession lands during this same period. Furthermore, *Americas Update* (1994:1,10) highlights the fact that, while local campesinos are not allowed to collect needed firewood, two large land-owning families in the area, the Ponces and the Garcías, have free access through EXMIBAL property to both their coffee and lumber operations. Vogt (personal communication, June 2, 2004) was directly involved in helping local campesinos in their attempts to gain access to fallen timber on EXMIBAL property and, as a result, received various threats, including some from EXMIBAL employees. *Americas Update* (1994:10) sums up the controversy over the wood cutting:
EXMIBAL's role in the highly suspect logging operation of the Ponce and García families, and its petition for the arrest of 21 campesinos, raises questions about the "moral" position of both this subsidiary and its Canadian company.

Current EXMIBAL Activities and the Mayor of El Estor

There are currently 32 people employed at the EXMIBAL site in El Estor, as maintenance workers, and these employees are anxious for mining operations to resume. The mayor of El Estor, Rigoberto Chub, is one of INCO/EXMIBAL's biggest supporters. Although Mayor Chub is Q'eqchi', his election campaign centred on the promise of jobs based on the return of mining to the area (Daniel Vogt, personal communication, May 16, 2004). Chub's connection to both the Q'eqchi' and to the mine demonstrate the complexity of the issues surrounding mining in El Estor and the divisions that exist within indigenous communities themselves. Furthermore, Chub was elected in November 2003 by only 28 per cent of the vote and, although he was the candidate with the most votes, his voice is not necessarily representative of the majority of El Estor residents (Daniel Vogt, personal communication, August 27, 2004). As a result of his allegiance to the EXMIBAL mine, Mayor Chub was invited on a ten-day tour of Ontario and INCO mining operations by INCO Limited in August 2004 (Daniel Vogt, personal communication, August 27, 2004). Canadian, American, and Guatemalan solidarity community members and organisations opposed INCO's invitation to Mayor Chub, and as of September 2004, Mayor Chub's tour is indefinitely postponed.

During a meeting on May 17, 2004, with Mayor Chub and EXMIBAL employees at the EXMIBAL site in El Estor, Chub's allegiance was unmistakable. Seated behind the desk in the main office at the EXMIBAL plant and surrounded by standing EXMIBAL employees (Figure 5.3; Figure 5.4), Mayor Chub flatly denied all of the allegations made against EXMIBAL, specifically those outlined in the CEH (1999, vol.1:152, vol.9:674,679). Chub (personal
communication, May 17, 2004) believes that many individuals and organisations seek out conflict where there is no conflict, and this is the case with the allegations against EXMIBAL. Other EXMIBAL employees, including Jorge Mario Cobar, a member of the Administrative Council of EXMIBAL flown in from Guatemala City for our meeting, immediately agreed with the mayor's comments. Cobar (personal communication, May 17, 2004) has worked with EXMIBAL for over thirty years and claims to have no knowledge of any abuses committed by or related to EXMIBAL. EXMIBAL employees argue that the many ongoing conflicts in El Estor and Guatemala generally relate to land issues and the fact that most communities in El Estor do not have secure land title; conflicts over land involve EXMIBAL in terms of EXMIBAL holding the concessions to certain lands, but the issue of land title for the communities is a problem for the government, not EXMIBAL.

After meeting with Mayor Chub and the EXMIBAL employees, we had the opportunity to meet with local Q’eqchi’ peoples in the nearby village of Chichipate (Figure 5.5), a Q’eqchi’ community in the El Estor municipality. Daniel Vogt arranged for the UNBC Field School to meet with Chichipate members, one of the communities that the AEPDI works with closely. The meeting was attended by members of Chichipate and neighbouring villages, as well as Vogt and Graham Russell, our co-facilitator from Rights Action. A local Q’eqchi’ village leader relates that, during a meeting with the representatives of the Consejo de Desarrollo (local village development council), Mayor Chub arrived with a representative of EXMIBAL. Community members were outraged as they share a common opposition to the return of mining operations in the area and many have clear memories of the forcible land acquisition and killings associated with EXMIBAL (Chichipate, personal communication, May 17, 2004).

Although Chub was elected as a Q’eqchi’ man, many Q’eqchi’ (Chichipate, personal communication, May 17, 2004) argue that Chub has shown no interest in helping local villages
and they do not understand his close association with EXMIBAL. While the return of mining would provide some jobs and there is little argument that the region needs economic development, many village members believe that they will not receive any benefits from mining. Mining companies continue to be associated with powerful local families, such as the Ponces and the Garcías, and community members are doubtful that all, or even most, of the local jobs will go to Q'eqchi' workers. Furthermore, those assembled in Chichipate (personal communication, May 17, 2004) state that there are no proposed projects in any villages until 2006, so even if the villages do see benefits from a return to mining, the results will take too long to materialise. Although the promise of jobs is positive, the peoples of El Estor, as in San Marcos (Chapter 4), remain impoverished and, if jobs are created, neoliberal development promises only short-term benefits.

Mayor Chub's position in El Estor is reflective of Guatemala's authoritarian legacy. Allied with the FRG party (Daniel Vogt, personal communication, June 2, 2004), Chub is supportive of foreign development projects and local land owners. Although Guatemala is in the process of democratising, past authoritarian practices of repression and land acquisition continue with the county's failure to reduce the role of the armed forces and address structural inequalities (Handy 2001; Jonas 2001; McCleary 1999). While a return to mining is poorly viewed by many local Q'eqchi', it is these authoritarian legacies and the continued power of people such as Chub and the Ponces and García families that are resisted. The Q'eqchi' peoples of the area (Chichipate, personal communication, May 17, 2004) are fighting for greater representation and rights in development projects, something that is unlikely to occur until Guatemala's authoritarian legacies are addressed.
The beginning of EXMIBAL's mining activity resulted in hundreds of families losing their farms and being resettled, many in Chichipate (Astritis 2003:9). The Chichipate community, thus, has been affected by EXMIBAL since its arrival. Members of the Chichipate community were targeted by EXMIBAL as documented in the march on Panzós, and they continue to protest mining in the El Estor region. The people of Chichipate found themselves in a better position than most communities to resist mining when INCO arrived in the 1960s. According to Vogt (personal communication, May 16, 2004), Chichipate had a solid population base of 1000 people, infrastructure, and location on a main road, making the community more difficult to relocate. During the 1970s, community members were actively involved in protesting against the land acquisition occurring in the area, specifically by EXMIBAL, and many community leaders were killed. Vogt (personal communication, May 16, 2004) explains that, in order to appease the
peoples of Chichipate, EXMIBAL "donated" a small parcel of the community's land to the
Guatemalan government who then sold the land to Chichipate and the community acquired real
title to this land.

A member of the Chichipate elder council gave a short account of his experience with
EXMIBAL (personal communication, May 17, 2004). Two of his sons were killed while
EXMIBAL was setting up its operation. His sons were community leaders who were vocal
against the opening of the EXMIBAL mine. As EXMIBAL continued construction on the mine,
the elder's crops were destroyed and his best lands were taken for the mining operation. His
current land is rocky and much less productive. Many Q'eqchi' families had been cultivating
lands before EXMIBAL arrived in El Estor. When EXMIBAL appeared, company
representatives told the Q'eqchi' families that these lands were no longer theirs and they could
no longer be used for agriculture.

This one elder's account is a common story in Chichipate and many other communities,
both Maya and non-Maya. Another Chichipate man (Chichipate, personal communication, May
17, 2004) speaks of his son who was killed on a nearby road by a death squad employed by
EXMIBAL. The community of Chichipate is currently trying to get land back from EXMIBAL
with the help of the AEPDI. The lands of Chichipate are mountainous and unsuitable to
farming. All around the municipality of El Estor are vast tracts of unused land, and the people
of Chichipate want some of these lands to farm. Members from various villages (Chichipate,
personal communication, May 17, 2004) stress that they are even willing to buy these lands, but
as of yet no progress has been made.

Another Q'eqchi' man speaks of his experience with EXMIBAL during our community
meeting in Chichipate (May 17, 2004). He comes from a village over the mountains from
Chichipate and he too speaks of the Consejo de Desarrollo meeting where Mayor Chub arrived with
an EXMIBAL representative. This man's village lies within EXMIBAL concession land, and the village members are generally unhappy with both the company and mining practices in general. The village understands the need for development in the area, but they do not support the type of development model or practice employed by EXMIBAL. The village is one of a number in the El Estor municipality that have presented a formal statement to Mayor Chub detailing their opposition to mining (Appendix F). Unfortunately, the presence of the EXMIBAL representative at their meeting and the obvious relationship of Mayor Chub and the EXMIBAL company is making village members very uneasy, especially when they think of past instances of EXMIBAL silencing its opposition, again highlighting Chub's connection with Guatemala's authoritarian past. Some of the people present at the Chichipate meeting (May 17, 2004) are also representatives in the Consejo de Desarrollo from 39 Q'eqchi' villages, who wrote a public declaration against mining on April 16, 2004 (Appendix G). One of these villages is the community of Rio Sauce, El Estor municipality, which lies within the EXMIBAL concession. Community members have held many meetings and achieved consensus that mining is socially and economically detrimental and they will do whatever they can to oppose a return to mining in the area (Chichipate, personal communication, May 17, 2004).

While EXMIBAL representatives argue that concession lands are the government's concern and not theirs, four separate villages have had property conflicts with EXMIBAL. These four communities are Agua Caliente Lote 9, Santo Domingo Lote 10, Sexan Lote 11, and Rio Sauce Sexan, and are all part of the 39 communities that wrote the April 16, 2004, declaration against mining. Community members reveal that official records of their ownership or history of land use have been changed or gone missing (Chichipate, personal communication, May 17, 2004). Any legal actions on the part of the community would find that these documents are missing and result in the communities losing any title to their own lands. These same
communities are outraged as they have not been made aware of EXMibal's interest in returning to the area or to new concessions being granted in the area. New concessions were granted to Jaguar Nickel, another Canadian mining company, in 2002 (Jaguar Nickel Inc. 2004). In fact, it was not until the AEPDI became aware of these new concessions and told the villages about them that the community members became aware of the possible return to mining and the potential for further land removal.

Among mining's Return to El Estor

Although the EXMibal mine in El Estor has been inactive since 1982, the company has retained its concession rights to the area. This concession, however, expires in 2005. On September 30, 2004, INCO announced that it had entered into a definitive agreement with Skye Resources Inc. (Skye) of Vancouver. On December 15, 2004, Skye (2004) fully acquired INCO's 70 per cent share in EXMibal, with the Guatemalan Government retaining its 30 per cent share. In a related press release, INCO (2004) states it has acquired such a number of Skye common shares that INCO now owns 13.93 per cent of Skye. While INCO will no longer be the majority share holder in EXMibal, the company will continue to have notable influence within Skye and, subsequently, EXMibal operations. Furthermore, EXMibal will remain a Guatemalan company with a majority Canadian owner.

The development model pursued by the Canadian Government and Canadian mining companies undermines the more important social needs of Guatemalans and works against locally-driven, long-term, sustainable development. While job creation is an important part of the equation, so are the vast lands that local Q'eqchi people have lost and stand to lose to resource development. Land is integral to indigenous cultures, and without lands on which to live, indigenous peoples are increasingly marginalised. Canadian mining company Jaguar Nickel
In its 2003 Annual Report (Jaguar Nickel Inc. 2003) that it holds 1200 square kilometres of land in Guatemala and that by using these mountainous lands for resource development, local land owners are able to use the more fertile lands for agricultural production. In reality, large landowners have already illegally expropriated the most fertile lands in Guatemala. In meetings with many indigenous and non-indigenous communities throughout Guatemala (ADIVIMA, May 14, 2004; Chichipate, May 17, 2004; CCDA, May 23, 2004), it is apparent that the local Maya peoples are rarely the land owners and that the land owners already pushed the indigenous peoples off their lands and into the mountains.

While INCO has sold its majority share in EXMIBAL, if mining operations return to El Estor they will still be conducted by EXMIBAL. Skye is relatively unknown to the peoples of El Estor but the presence of Canadian mining companies, especially INCO, do not inspire confidence in the local population. Jaguar Nickel Inc. (2003:11) states that they are committed to social responsibility in Guatemala. This responsibility is summed up in one small paragraph: "We have had positive preliminary meetings with mining and political authorities, contributed educational and medical materials to local residents, and helped furnish the school." Included in the report is a large colour photograph of one of their education contributions to date, a number of benches for a local school. There is no mention of any discussions with local community members or indigenous peoples. These promises are the sort of social benefits communities can expect from renewed foreign-driven, neoliberal mining development.

**A Question of Land?**

Mayor Chub and EXMIBAL employees continually state that land is the basis of conflict in Guatemala, not companies like EXMIBAL (personal communication, May 17, 2004). Although companies like EXMIBAL exacerbate the land crisis, travelling through Guatemala
has made it increasingly apparent that land is the basis of conflict throughout the country, as argued by Johnston (1994), Fischer and McKenna Brown (1996), Galeano (1973), Montejo (2002), and Suazo (2002). While the peoples and experiences are diverse, everything is tied to the land — indigenous identity, *campesino* livelihood, profit, power — and land use and ownership are what divide the rich from the poor in Guatemala. Land is especially central to the struggle between mining companies and indigenous peoples. In El Estor, EXMIBAL holds ten per cent of the municipality's lands in mining concessions (Vogt, personal communication, June 2, 2004). EXMIBAL both owns land and holds the concession to lands in El Estor. As mentioned earlier, EXMIBAL holds a 40-year concession in El Estor, implying that they have control over the concession land for 40 years, but that when the lease is up, the land returns to the Guatemalan government.

During a tour of the EXMIBAL plant in El Estor, May 17, 2004, EXMIBAL representatives made a point of stating that, while Q'eqchi' communities do live on some of their concession lands, there are no communities on lands owned by the company. Therefore, as one of the current workers at the EXMIBAL plant states (personal communication, May 17, 2004), some concession lands are available for rent to local people and it is the Guatemalan government that is responsible for these lands, not INCO or EXMIBAL. In a conversation with John Yates (personal communication, July 15, 2004), president of Jaguar Nickel, he conveys that his company would have no part in mining lands owned by local families. Furthermore, if Yates learned that any families living on Jaguar lands were forcibly removed, he and his company would withdraw from the area immediately. Yates would even feel compelled to purchase better, more fertile land for any families living in regions of mining development. These new lands would remain close to the mining areas, however, so that the local families could still partake in the mining operation.
With some prodding, Yates (personal communication, July 15, 2004) admitted that he would only feel compelled to compensate families owning land and not those without legal title. When I pointed out that the majority of local Q'eqchi' do not have legal land title, Yates (personal communication, July 15, 2004) immediately responded that land title is an issue for the Guatemalan government and not mining companies. Yates does not seem compelled to compensate or even consult with these peoples as mining companies with concession rights have more legal right to be on the lands than do the local Q'eqchi' peoples. Yates' comments highlight the strength of land ownership and the way in which neoliberal development models continually repress indigenous land rights.

Land is central to the conflict between mining and Q'eqchi' communities in El Estor. Maya culture and identity is directly woven with their ancestral land. According to journalist Phillip Wearne (1994), the Maya are traditionally farmers and the connection between the Maya and their land has always been strong. In addition to identity and livelihood, land has religious and sacred significance in Mayan society. It is clear that, while the conflict between Q'eqchi' communities and mining development is not as simple as the EXMIBAL employees make it out to be, land is at the centre of the conflict.

A Long History of Land Injustice

Land has been a source of conflict in Guatemala for centuries, specifically since the arrival of Spanish imperialists in the fifteenth century (Galeano 1973). The loss of traditional Mayan lands has been an issue since early Spanish colonisation. Nobel Peace Prize recipient and Maya woman Rigoberta Menchú (1998:146) states that Spanish colonisers argued that the indigenous peoples never owned land, and thus there were never any land treaties with the indigenous population. As a result, the Guatemalan government has been trying to sell off
traditional Mayan lands since the Maya have no legal title to these lands. As Wearne (1994:13) states, "Today the Maya are losing their land to ladino landowners by only slightly more subtle derivatives of the direct expropriation of colonial times."

Geographer W. George Lovell (2000:403) illustrates the colonial period in Guatemala by highlighting one institution of Spanish conquest, congregación. Lovell (2000:408) explains the idea behind congregación was to bring scattered native settlements together in order to create "resourceful communities that reflected imperial notions of orderly, civilized life." In settling the indigenous peoples into larger, more centralised communities, the Spanish officials would be able to more easily govern these peoples as well as better encourage assimilation. The idea of congregación is similar to the premise behind native reserves in Canada, as well as the policies of collectivisation and settlement in the Soviet Union. While complete assimilation did not occur, historian David Carey Jr. (2001:81) argues that policies like congregación and the privatisation of land did significantly alter the communal aspects of Mayan life. Many Maya fled to rural areas to avoid being settled but, as their lands were increasingly taken over, they were forced to find work on large plantations rather than continue to live traditional lives off their own land (Lovell 2000:411).

After independence in 1821, Lovell (2000:423) states that the new Guatemalan government continued to acquire indigenous lands as the creation of large plantations for cash crops such as coffee was very prosperous. In addition, Carey Jr. (2001:83) highlights the corn shortages in the late 1800s that forced the Maya to become more dependent on the new "cash economy." Lovell (2000:428) explains the inequality of land distribution:

In Guatemala, 2 percent of the total number of farms occupy 65 percent of total farm area, while 90 percent of the total number of farms account for 16 percent of total farm area. The best land continues to be used to grow coffee, along with cotton, bananas, and sugarcane, for export, not to feed malnourished local populations, 70 percent of whom live in a state of poverty U.N. statisticians describe as "extreme."
The land injustice was addressed during a ten-year period from 1944 to 1954 when successive "revolutionary" governments introduced land reforms in an attempt to return more land to the peasants and indigenous Guatemalans (Lovell 2000:428). Anthropologist Richard Adams (1994:159) describes the 1944 Revolution as bringing increased political freedom for the rural poor, including Maya and non-Maya, and also proving responsive to the problems of these peoples. Jacobo Arbenz Guzman, Guatemalan president from 1950 to 1954, centred his governing platform on agrarian reforms. These land reforms were never completed as his government was overthrown by a United States-backed coup (see Schlesinger and Kinzer 1999; Lovell 2000; Carey Jr. 2001) and successive military governments initiated a violent campaign against 'insurgency' across the country (Lovell 2000:428; Carey Jr. 2001:101).

Guatemala is a country rich in resources. These resources include excellent agricultural areas, as well as mining, timber, and petroleum. Unfortunately, these resources are situated on lands seized from Guatemala's indigenous population by rich land owners and the Guatemalan government, and the majority of Guatemala's people have yet to benefit from these riches as neoliberal development schemes are implemented to benefit the powerful ruling minority at the expense of the poor majority. As Lovell (2000:434) explains, "Guatemala has been made a poor country because access to its resources, especially its land resources, is characterized by crippling structures of inequality."

Mining companies such as INCO and EXMIBAL have taken advantage of the land disputes and the internal armed conflict that raged through the first thirty years of EXMIBAL's El Estor concession to impose development models profiting the companies and not the local peoples. As a result, the presence of EXMIBAL in El Estor only increased the terror of the armed conflict for the peoples of El Estor. Mining operations also increased land insecurity for most Q'eqchi' peoples in the region. The continued conflict between EXMIBAL mining
practices and Q'eqchi' communities demonstrates the ongoing disregard and repression of indigenous rights by the Guatemalan government and the government's obvious desire to pursue neoliberal development that continually ignores social needs in the country's drive to democratise and integrate into the global market economy.
CONCLUSION

Numerous indigenous communities across the world are resisting externally-imposed neoliberal resource development projects that destroy both the natural environment and the indigenous peoples who depend on the productivity of these land bases. Most notably, neoliberal projects conflict with indigenous notions of land tenure and sustainability. Resistance to neoliberal development models stems from opposition to neoliberalism's characteristics of exploitation, economic supremacy, and disregard for social needs. Resource developers are increasingly exploring indigenous territories as these lands hold large portions of the world's natural resources (Clay 1994:21). Indigenous peoples depend on natural resources and have long histories of resource exploitation, and in some cases over-exploitation (Denevan 1992; Diamond 2003). Most indigenous peoples are not opposed to development, they merely call for development projects that will both include and benefit local peoples and ensure environmental and cultural sustainability.

Resource development does not occur in isolation; global forces including local and global economies, political ambitions, and multinational corporations drive resource development. In post-authoritarian states, the interaction of globalisation and democratisation is strong and has a direct bearing on both development projects and citizens' rights. Post-authoritarian states are particularly prone to promoting resource exploitation as a means of fuelling their national economies that, in turn, fuel the transition to democracy (Freeman 2000; Grugel 2002). As a result, post-authoritarian countries often repress the rights of its indigenous citizens in order to pursue economic goals. Guatemala is one country in transition from authoritarian to democratic rule and, as demonstrated throughout this thesis, indigenous communities in these countries are actively resisting exploitative resource development as such projects threaten their livelihoods.
The first chapter of this thesis gave an overview of the methodology of my research. I used advocacy anthropology and feminist theories to guide my research in order to both enhance the academic knowledge of resistance to neoliberal resource development and advocate for the indigenous communities with whom I met, who are actively protesting exploitative development projects. The second chapter, "Globalisation, Rights, and Democracy," explored the literature on globalisation, neoliberalism, democratisation, and human and indigenous rights. These concepts are all imperative in understanding the impact of resource development on local communities. The third chapter, "Development Models and Canadian Imperialism," connected the discussion of globalisation and democratisation with development, exploring the largely negative impact of globally-driven neo-liberal development models on local peoples. Although my primary focus is on post-authoritarian states, this chapter highlighted the role of Canadian companies and the Canadian government in promoting negative development models to demonstrate the truly global nature of neoliberal resource development.

The fourth chapter, "Resistance to Western Development Models and the Global Drive for Natural Resources," built on the previous chapters to demonstrate how and why local peoples are resisting neoliberal development schemes. Included in this chapter is a brief case study from Guatemala. The example of Mam and Sipacapense resistance to a gold mine in San Marcos, Guatemala illustrates the threat that these peoples feel mining will bring to the area and highlights the important role of local and international solidarity in resisting development. The fifth chapter, "El Estor: The Case of Maya-Q'eqchi' Resistance and a Canadian Mining Company," provided a more in-depth case study of indigenous communities resisting resource development and the severe land inequalities in Guatemala. The case study of El Estor is particularly relevant when paired with the example of local resistance to mining in San Marcos as
El Estor illustrates the relocation and killings associated with mining exploration and exploitation in Guatemala.

In presenting these chapters, I am able to answer my initial research questions:

- Are indigenous peoples resisting resource development on their territories and, if so, why is this occurring in post-authoritarian states?
- What are the scales of this resistance?
- Are these indigenous peoples interested in international solidarity?
- Why are the rights of indigenous peoples actively restricted and violated in post-authoritarian states?
- Will democracy be a positive or negative force for indigenous peoples?

Many indigenous communities are resisting resource development and they are doing so to protect their livelihoods. Indigenous territories are continually threatened by neoliberal resource development as such projects are often paired with community relocation, land acquisition, and environmental degradation (Ballard and Banks 2003; Watts 2002; Pika 1999; Maybury-Lewis 1997; Clay 1994; Gedicks 1994). The case of El Estor illustrates that lives are also at risk in areas of neoliberal development.

In the examples I have presented, resistance occurs on various scales but resistance to exploitative development projects is global in nature. These communities have both sought and received international attention and support for their struggles. In Guatemala, indigenous groups have aligned themselves with local and international NGOs, and their causes have been supported by a range of social, environmental, student, and professional activists. Although many government and corporate spokespeople argue that indigenous communities are being manipulated by these activists (Wood 2005; Kosich 2004), it is obvious that many of the resisting community members are well-informed of the exploitative nature of the particular development projects and are themselves the ones initiating the alliances with NGOs.
Through my research I have discovered that post-authoritarian states are prone to restricting the rights of their citizens because they put economic needs ahead of social well-being (George 2003; Shiva 2004; Chomsky 1999) as the legacies from the authoritarian period remain strong (Jowitt 1992; Linz and Stepan 1996; Whitehead 2002). States emerging from authoritarian regimes put a strong emphasis on developing their economies in order to further integrate into the global market economy. In the case of Guatemala, past authoritarian governments pursued capitalist models of development and were involved in the market economy, but subsequent governments want to increase trade with other countries and also need increased economic development to create democratic institutions within the country (Jonas 2001; Warren 2002). As a result, economic development is pursued as a precursor to social development and rights enforcement and resource exploitation is a primary source of economic growth.

I believe that democracy will be a positive force for indigenous peoples in Guatemala as democratic institutions are better suited to both promoting and protecting indigenous rights. However, as demonstrated throughout my research, democratic countries such as Canada are strong promoters of neoliberal development models and, therefore, development strategies that repress indigenous rights (Clark 2003; Government of Canada 2004). Although democracy is considered the best system for protecting rights (Leftwich 2002; Donnelly 1999), Grugel (2002:5) points out that true democracy is a near impossibility and McChesney (1998:10-11) equates this impossibility to a dependence on neoliberal development:

...the social inequality generated by neoliberal policies undermines any effort to realize the legal equality necessary to make democracy credible...In sum, neoliberalism is the immediate and foremost enemy of genuine participatory democracy, not just in the United States but across the planet, and will be for the foreseeable future.
Democracies provide better means of accountability and legal recourse for citizens whose rights have been violated, but they do not ensure that exploitative resource development will not take place.

Although rights violations occur in post-authoritarian and democratic societies, it is not democracy itself that violates rights, but rather the exploitative economic systems adopted by democracies, namely capitalism and neoliberalism, and the tendencies of regimes to revert to authoritarian practices. Ultimately, as Sandbrook and Romano (2004: 1013) state, "neoliberal globalisation is not just a matter of economics; it also threatens entire ways of life." Neoliberal resource development poses a real threat to indigenous communities around the world, particularly in post-authoritarian countries. Democratic states, however, including Canada, are actively involved in promoting exploitative development projects around the world. Indigenous communities are continually joining forces with local and international NGOs to protect their livelihoods and to promote the importance of consulting with and including local communities in development projects that affect their lands. Most of all, these groups promote sustainable development and the idea that sustainable resource development can occur in a manner that is beneficial for all.
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Astritis, Andy  

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Chase-Dunn, Christopher

Chatterjee, Partha

Chomsky, Noam

Churchill, Ward

CIDA (Canadian International Development Agency)

Clark, Tim

Clarkson, Linda, Vern Morrissette, and Gabriel Regallet

Clay, Jason W.

Clifford, James

CNN

CNOC (Coordinadora Nacional de Organizaciones Campesinas)

Coatsworth, John H.
Cojti Cuxil, Demetrio

Cook, Curtis, and Juan D. Lindau

Cuffe, Sandra

Dahl, Robert

Davenport, Christian

Denevan, William M.

Diamond, Jared

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Galeano, Eduardo

Gedicks, Al


George, Susan

Gibbs, Leah M.

Gibson-Graham, J. K.

Gilbert, Melissa

Gills, Barry, and Joel Romamora

Glamis Gold Ltd.


Global Response

Government of Canada

Gregory, Derek

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Grugel, Jean

Gupta, Akhil, and James Ferguson


Handy, Jim

Haraway, Donna

Harrison, Graham

Hartney, Michael

Hastrup, Kirsten, and Peter Elsass

Heinen, Dieter

Hill, Stephen

Hocking, Barbara Ann

Hodgson, Dorothy L.
Holder, Cindy L., and Jeff J. Corntassel

Huber, Evelyne

Ignatieff, Michael

INCO (International Nickel Company)

IACHR (Inter-American Commission on Human Rights)

IFC (International Finance Corporation)

ITC (International Trade Canada)

IWGIA (International Work Group for Indigenous Affairs)

Jaguar Nickel Inc.


Johnston, Barbara Rose

Johnston, Darlene M.  

Jonas, Susanne  


Jowitt, Ken  

Kapoor, Ilan  

Katz, Cindy  

Kearns, Robin  

Kiely, Ray  

Kosich, Dorothy  

Lambert, James  

Leftwich, Adrian  
Levitt, Barry

Lewellen, Ted C.

Linz, Juan J., and Alfred Stepan

Loker, William M., ed.

Lovell, W. George


Macdonald, Gaynor

Madge, Claire, Parvati Raghuram, Tracey Skelton, Katie Willis, and Jenny Williams

Maiguashca, Bice


Marcus, George, and Michael Fischer

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Maybury-Lewis, David


McChesney, Robert W.

McCleary, Rachel M.

McCrorquodale, Robert

McEwan, Cheryl

McSherry, J. Patrice

MEM (Ministerio de Energía y Minas)

Menchú, Rigoberta

Michrina, Barry, and Cherylanne Richards

Mitchell, Don
Montana Exploradora de Guatemala, S. A.

Montejo, Victor D.


Mountz, Alison, Ines M. Miyares, Richard Wright, and Adrian J. Bailey

Nast, Heidi

Nolin Hanlon, Catherine

Nolin Hanlon, Catherine, and Finola Shankar

Nolin Hanlon, Catherine, and W. George Lovell

Obomsawin, Raymond

O'Donnell, Guillermo

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OHCHR (Office of the High Commissioner for Human Rights)  

Okin, Susan Moller  

Oxfam America  


Peacock, Susan C., and Adriana Beltrán  

Peake, Linda, and Audrey Kobayashi  

Pika, Aleksandr, ed.  

Pile, Steve  

Przeworski, Adam  

Public Citizen  
Ramazzini, Álvaro

Ramírez, Alberto

REMHI (Recovery of Historical Memory Project)

Replogle, Jill

Resource Center of the Americas


Rey Rosa, Magali

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Robinson, William I.

Rodríguez, Luisa

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Rouquié, Alain

Routledge, Paul

Ruhl, J. Mark

Russell, Graham e

Russell, Graham e and Christina Albo

Sánchez, María Eugenia, Manuel Rodríguez, Monica Gendreau, and Oscar Soto

Sandbrook, Richard, and David Romano

Sapre, Padmakar M.

Schibli, Ernie

Schindler, Debra L.

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Schlesinger, Stephen, and Stephen Kinzer

Scott, James C.


Seijo, Lorena

Shiva, Vandana

Sieder, Rachel

Silverman, David

Singer, Merrill

Skye Resources Inc.


Slater, David
Smith, Carol A., ed.

Sorenson, Dale

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Stiglitz, Joseph E.

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The Canadian Government Supports Canadian Mining Investment in Guatemala.

An Open Letter to the Canadian Public, Family, and Friends:
By Jacqui Stephens

I recently travelled to Guatemala as a member of a group of students from the University of Northern British Columbia to explore issues of power, resistance, and human rights. The following letter is based upon observations and discussions with various grass-roots organisations, community members, local officials, and the Canadian Ambassador.

Through background research and my recent trip to Guatemala, I've learned that the International Nickel Mining Company of Canada, Ltd. (INCO) has a long and dark history in El Estor, Guatemala. Since its arrival in the 1960s, INCO and local subsidiary EXMIBAL has infringed upon the rights of the local Maya-Q’eqchi’ people. While the construction and running of the mining operation did provide jobs and certain social services to the people of El Estor, the majority of local residents did not benefit. The U.N.-sponsored Commission for Historical Clarification reported in 1999 that during the height of the Guatemalan civil war in the late 1970s, also the period when EXMIBAL was actively mining, numerous human rights abuses were carried out in the El Estor region by the military and people affiliated with INCO/EXMIBAL. These abuses included the forced relocation of communities and the murder of community leaders.

After only two years of operation, the El Estor mine ceased operation in 1982. The mining site remains intact, with 32 workers employed locally for maintenance purposes. The last mining pit sits open, a scar on the side of the mountain, as there remains ore to be extracted. INCO owns a large expanse of land in the El Estor region, and holds additional concessions to lands for the purpose of nickel exploration and exploitation. INCO/EXMIBAL holds 220 square kilometres in land concessions around El Estor, accounting for ten percent of the municipality. INCO’s El Estor mining concession is valid until 2005 and the company is currently discussing whether it is economically viable to return to the area, or whether another mineral company will take over the site. Two of the frontrunners are Canadian: Jaguar Nickel Inc. and Skye Resources Inc.

During a meeting with the Canadian Ambassador to Guatemala, James Lambert, in Guatemala City on 26 May 2004, the question was asked as to the Canadian Government’s position on Canadian companies opening and operating in a post-conflict country still living with impunity. Ambassador Lambert replied that the Government of Canada is fully supportive of Canadian mining companies investing in Guatemala. The Canadian Embassy is committed to support neo-liberal trade arrangements and must promote Canadian investment in Guatemala in order to assist Guatemala’s development model with limited regard for the social implications of such investment. Ambassador Lambert believes it is important to move beyond the past and into a future where Canadian companies can provide economic help to Guatemalan communities. According to Ambassador Lambert, if INCO or another Canadian company returns to mining in El Estor, Canada would become the second largest foreign investor in Guatemala. Ambassador Lambert feels that such a move would be beneficial to the citizens of both Guatemala and Canada.
The Ambassador does not feel that it is necessary to focus on the alleged human rights abuses carried out by security forces linked with INCO/EXMibal. He states that INCO’s history in Guatemala is a fascinating story that is worthy of further research, acknowledging that the company has been accused of “reinforcing the military governments of the day, of providing slush funds, of getting rid of labour leaders, etc.” The Ambassador has met with current INCO/EXMibal representatives but these meetings focus on the future: “Right now when I talk to INCO we’re not talking about, did you murder union leaders, did you do this, did you do that, we’re talking about them re-initiating an important economic activity.” While demonstrating an interest in learning more about INCO’s history in Guatemala, the Ambassador feels that economic development is the number one concern for both Canadians and Guatemalans.

The development model pursued by the Canadian Government and Canadian mining companies overlooks the more important social needs of Guatemalans and works against locally-driven, long-term, sustainable development. While job creation is an important part of the equation, so are the vast lands that local Maya-Q’eqchi’ people have lost and stand to lose to resource development. Land is integral to indigenous cultures, and without lands on which to live, indigenous peoples are increasingly marginalised. Canadian mining company Jaguar Nickel stated in its 2003 Annual Report that it holds 1200 square kilometres of land in Guatemala and that by using these mountainous lands for resource development, local land owners are able to use the more fertile lands for agriculture production. Unfortunately, large land owners already control the most fertile lands in Guatemala. In meeting with a number of both indigenous and non-indigenous communities throughout Guatemala, it is apparent that the local Maya peoples are not the land owners and were pushed off these lands and into the mountains. Now they risk being displaced from their new homes. Where are they to go next?

According to the Ambassador, mining is a difficult but necessary business around the world. If INCO chooses not to renew its concession around El Estor, the role of the Canadian Embassy is to ensure a fair bid process and to support all of the interested Canadian companies. Any Canadian company investing in Guatemala could make an important economic contribution to the area. The Ambassador stresses the importance of good business practices, particularly compliance with the International Labour Organization’s (ILO) Convention 169, adopted in June 1989, that requires consultation with local indigenous peoples prior to any development. ILO 169 (http://www.unhchr.ch/html/menu3/b/62.htm) states that governments shall consult and give consideration to all peoples affected by development, promote the participation of these peoples in decision-making processes, and facilitate the development of local initiatives and institutions. The Guatemalan Government has ratified ILO 169. The Canadian Government, on the other hand, has not ratified ILO 169.

The Canadian Ambassador, as a representative of the Canadian Government, states that neither the Canadian Embassy nor the Canadian Government will blindly support any Canadian company and both have a duty to urge Canadian companies to comply with ILO 169. However, there is no mechanism in place to enforce any companies to undertake the consultation process. Currently, ILO Convention 169 is not being respected in resource developments in the El Estor region. The bottom line is that Canadian investment in
Guatemala is profitable for Canadian businesses and, subsequently, the Canadian economy, regardless of local social costs.

The current mayor of El Estor, Rigoberto Chub, denied during a meeting on 17 May 2004 that any human rights abuses were carried out by EXMIBAL employees and stated that the documented abuses in the Truth Commission Report are false. Mayor Chub welcomes the possibility of the return of mining to El Estor as it will bring needed jobs to the area. Local EXMIBAL representatives present at the meeting were also hopeful of re-starting operations in the near future and believe that EXMIBAL’s presence in El Estor has always been a positive one. According to some of the people I spoke to in El Estor, Rigoberto Chub is former military and was himself involved in various human rights abuses, including murder. Many local Q’eqchi’ people, understandably, do not look upon the close association of the Mayor and the EXMIBAL company favourably.

INCO/ EXMIBAL may not be the company that returns to mining in El Estor, but the other options do not look any brighter for the people of the area. Jaguar Nickel’s 2003 Annual Report stated that they are committed to social responsibility. This responsibility was summed up in one small paragraph, stating: “We have had positive preliminary meetings with mining and political authorities, contributed educational and medical materials to local residents, and helped furnish the school.” Included in the report is a large colour photograph of one of their most important contribution to date, a number of benches for a local school. There is no mention of any discussions with local community members or indigenous peoples. These promises are the sort of social benefits communities can expect from mining development.

Local Maya-Q’eqchi’ community members spoke out against the return of EXMIBAL or any mining company to the El Estor area during a community gathering in Chichipate, a community near El Estor, on 17 May 2004. These people lost their best lands to large land owners decades ago, and were then pushed off their mountainous lands by resource developers. One community member lost two sons, and another member lost one son, all community leaders, to death squads associated with EXMIBAL. This story is a common one among local residents. Representatives of three different Q’eqchi’ villages spoke of their united opposition to mining. They are worried of losing what lands they have left as it is common practice for official documents relating to community land ownership to be changed or go missing. The Q’eqchi’ people of the El Estor region are asking Canadians, as citizens of the same country as the INCO company, to speak out against the mining operation and give an international voice to the Q’eqchi’ struggle.

Canadians need to speak out against INCO. Their practices are not sound and they do not undertake appropriate consultations with local indigenous populations. The primary concern of mining companies is economic gain, with social and environmental concerns often falling to the wayside. Pressure needs to be put on Canadian companies and on the Canadian Government to improve development practices and to work on creating alternative development models. The Maya-Q’eqchi’ are only one example of indigenous peoples worldwide struggling against resource development and their voices need to be heard.
RECOMMENDATIONS

Write to the following people and demand that Canadian mining companies refrain from further development until indigenous communities are fully consulted, as per ILO 169:

Scott Hand, Chairman and CEO INCO Ltd. 145 King Street West, suite 1500, Toronto, Ontario, M5H 4B7 Canada

John Yates, President, Jaguar Nickel Inc. 910-55 University Avenue, Toronto, Ontario, M5J 2H7 Canada

Ian Austin, CEO, Skye Resources Inc. 300-570 Granville Street, Vancouver, BC, V6C 3P1 Canada

James Lambert, Canadian Ambassador to Guatemala, Canadian Embassy, Apartado Postal 400, Guatemala, C.A.

If you write a letter to INCO, please ‘cc’ it to:

General information, inco@inco.com
Steve Mitchell, director of public affairs, smitchell@inco.com
Sandra Scott, director of investor relations, sescott@inco.com
Catherine O’May, manager of shareholder services, comay@inco.com
INCO Public Affairs, socialresponsibility@inco.com

Please also ‘cc’ letters to politicians, Members of Parliament, the media, etc.
UNIVERSITY OF NORTHERN BRITISH COLUMBIA

RESEARCH ETHICS BOARD

MEMORANDUM

To: Jacqui Stephens
From: Alex Michalos, Chair
       Research Ethics Board
Date: May 12, 2004
Re: E2004.0428.039

Thank you for submitting the above-noted research proposal to the Research Ethics Board. Your proposal has been approved.

Good luck with your research.

Sincerely,

Dr. Alex Michalos
Chair, Research Ethics Board
November 9, 2004

Lic. Oscar Berger, President of the Republic of Guatemala

Dear Mr President,

We write to you as friends of the Guatemalan people. We wish to express our support for the members of the “Frente por la Vida” Coalition, who have informed us about the arrival of a mining company, Montana Exploradora, a subsidiary of Glamis Gold and the start of the Marlin gold and silver mining project in the Department of San Marcos (municipalities of San Miguel Ixtahuacán and Sipacapa). We understand that the Government of Guatemala issued a permit for this open pit mine, without the prior and informed consent of the Mam and Sipacapense indigenous people who live in those municipalities.

The Frente has asked the international community for support in their demand that the Government of Guatemala fulfill its obligations according to Convention 169 of the International Labour Organization (ILO), ratified by the State of Guatemala in 1996. Convention 169 states that Indigenous Peoples “have the right to decide their own priorities for the process of development as it affects the lands they occupy or otherwise use”. It also says that “they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development which may affect them directly.”

Based on the rights accorded by Convention 169, the Frente por la Vida coalition asks that your government:

1. Halt further work on the Marlin mine pending the full and informed participation of local communities in the formulation, implementation and evaluation of the plans and programmes for this open pit gold mine.
2. Change the Mining Law to include a prior and informed consent from the affected indigenous communities before issuing any mining exploration and exploitation permit. The Mining Law should also ban the use of cyanide, which has been prohibited in the state of Montana in the USA. In addition, the royalties should be increased to at least 12% and designated for investments in the affected communities.
3. Declare a moratorium on new mining permits until the Mining Law has been made congruent with all Guatemalan international commitments, especially Convention 169 of the ILO.

We believe that the Frente has legitimate reasons to be concerned about open pit mining given the experience of people in other countries around the world.

- The process will use as much as 250,000 litres of water per hour (according to the company’s estimates) in a zone with limited water resources.
- Open pit mining is highly destructive of the environment, with contamination of the water with heavy metals, which has negative repercussions for the health of the people and animals, and contamination of the fruits and vegetables being irrigated, both in the immediate area and in communities downstream.
- It is almost inevitable that the cyanide used to leach the gold from the ore will leak into the environment.

—

Dialogue space made by civil society organizations who are concerned by the effects of open pit mining and committed to development from the communities.
• Metal mining in developing countries can create conflict, encourage corruption, and often, lead to violence.
• The number of jobs directly related to mining do not compensate for the loss of agricultural jobs and the environmental, cultural and, especially, social deterioration that affect communities where there are mining projects.

A recent study has shown the presence of arsenic above the accepted limits in a similar mine in Honduras. Moreover, mining companies rarely budget enough for clean up and restoration after the mine is finished. This has been observed in developing countries as well as industrialized ones like Canada.

We understand that the Government of Guatemala’s intention to attract mining companies is, among other things, to improve the economic situation of the poor. Unfortunately, this does not happen. According to the UN Conference on Trade and Development, poverty has deepened in mining-dependant countries in the last couple of decades. Not many jobs are created and they are short term, as in the case of the San Marcos’ project, where the company forecasts only a 10-year long activity, after which the indigenous communities will be left with the destruction and contamination of their environment.

Mr. President, we respect your commitment to “work, in a decisive and transparent way, for the benefit of all Guatemalans” 3. We therefore request your immediate intervention. We, members of the international community, support the demands of the “Frente por la Vida” and will continue to monitor the developments of this case of a flagrant violation of indigenous rights.

Signing Organizations:

• The Social Justice Committee (Canada)
• Organización Católica Canadiense para el Desarrollo y la Paz (Canadá)
• Canadian Auto Workers (CAW-Canada)
• Guatemala News and Information Bureau (GNIB) - Berkeley, CA, USA
• Network In Solidarity with the People of Guatemala (NISGUA) - Washington DC, USA
• Agricultural Missions, Inc. - USA
• USWA Canada United Steelworkers Humanity Fund
• Red Marítimas-Guatemala "Rompiendo El Silencio" (Canadá)
• Rights Action / Derechos en Acción, USA / Canada
• Archdiocese of Montreal - Social Action Office / Archevêché de Montréal - l'Office de la pastorale sociale - Canada
• The Quixote Center / Quest for Peace, MD, USA
• Nicaragua Center for Community Action, Berkeley, CA, USA
• Resource Center of the Americas, Minneapolis, Minnesota, USA
• 50 Years Is Enough: U.S. Network for Global Economic Justice Washington, DC USA
• St. Paul Ciudad Romero Sister City group, St. Paul, MN USA
• MiningWatch Canada / Alerta Minera Canadá
• World Bank Boycott, Center for Economic Justice USA
• Guatemala Community Network, Toronto, Canada
• Ecumenical Task Force for Justice in the Americas, BC - Canada

3 http://www.guatemala.gob.gt/presidente.htm web-page visited on 17 September 2004
• NY CISPES (Committee in Solidarity with the People of El Salvador), USA
• Friends of the Earth / Les Ami(e)s de la Terre, Canada
• Guatemala Solidarity Committee of Eastern Ontario - Canada
• Jewish women's committee to end the occupation – Canada
• Coalition for a just peace in Palestine and Israel - Canada
• Ixim Uleu, Toronto, Canada
• Jim Hodgson, Caribbean-Latin America Secretary, United Church of Canada
• Katipunan Para sa Pagpapalaya ng Sambayanan (Movement for Filipino People’s Freedom) KALAYAAN! - Filipinas
• Korean Federation for Environmental Movement (KFEM) – Korea
• Water for All Campaign, Public Citizen, USA
• Jubilee South
• Asia/Pacific Movement on Debt and Development
• Freedom from Debt Coalition – Philippines
• Interim National Co-Coordinator, Jubilee USA Network
• Patrick Bond, Professor, University of KwaZulu-Natal, and Director, Centre for Civil Society, Durban, South Africa
• Andrea Płöger, W O E D - World Economy, Ecology & Development, Berlin, Germany
• EPICA (Ecumenical Program On Central America & the Caribbean), USA
• Tom Griffiths, Forest Peoples Programme, UK
• Techa Beaumont, Mineral Policy Institute, Australia
• Aly Ercelawn, Creed Alliance, Karachi PAKISTAN
• BanglaPraxis, Dhaka, Bangladesh
• Jan Cappelle, Proyecto Gato (Belgium)
• Nicaragua Center for Community Action (NICCA) Berkeley, CA, USA
• Knud Voecking, Urgewald (Germany)
• Indigenous Peoples Links, London, UK
• Yayasan Duta Awam (YDA) Solo, Indonesia
• Urban Poor Consortium (Jakarta, Indonesia)
• D&P Letter Writing Group, Catholic Diocese of Victoria, Vancouver Island, Canada
• Guatemala Solidarity Committee of Ottawa (GUASCO) - Canada
• Confederación Nacional de Comunidades del Perú Afectadas por la Minería - CONACAMI PERU
• World Centric, Palo Alto, CA, USA
• Indigenous Peoples Solidarity Movement (Montreal), Canada
• NGO Working Group on Export Development Canada, A Working Group of the Halifax Initiative Coalition, (Canada)
• Cumberland Countians for Peace & Justice, USA
• Obed Watershed Association, USA,
• Network for Environmental & Economic Responsibility, United Church of Christ, USA
• Both ENDS, The Netherlands
• Campagna per la riforma della banca Mondiale, Italia
• Center for Agrarian Reform Empowerment and Transformation Inc. (Philippines)
• Halifax Initiative Coalition, Canada
• Jubilee USA Network, USA
• Canadian Society for International Health, Canada
• Conférence religieuse canadienne / Canadian Religious Conference, Canada
• Rural Reconstruction Nepal
• A SEED Europe
• CoDevelopment Canada
APPENDIX C – Letter to President Berger in Opposition to Marlin Mine

- KAIROS: Canadian Ecumenical Justice Initiatives, Canada
- Derechos y Democracia, Canadá
- Ken Georgetti, President of the Canadian Labour Congress - Canada
- Alternatives Espaces Citoyens du Niger
- The Development GAP, USA
- Michael Dougherty for the Social Justice Committee in Whitehorse, Canada
- Action for a Clean Environment, GA, USA
- INKOTA, red ecuménica, Berlin (Alemania)
- Acción por la Diversidad, Argentina.
- AMSALA, España
- Grupo solidario con Guatemala de la Iglesia Católica y Luterana de Nuremberg (Alemania)

Signing Individuals:

- Louise H. Clark, CA, USA
- Alisha Watts (Law Student), Ottawa, Ontario, Canada
- Sarah Levison, South Hadley, MA, USA
- Sister Ann Carol Kaufenberg, SSND, St. Paul MN USA
- Simon Helweg-Larsen, Unionville, Ontario, Canada
- Rev. Faye Wakeling of the United Church of Canada
- The Rev. Wes Maultsaid, Anglican Priest, Canada
- Ira R. Rabinovitch, staff at the Toronto District School Board; Canada
- Melanie Robitaille, staff at the Trinity/Spadina Early Years Centre, Canada
- Paul Beaulieu, Montreal, Canadá
- William Friley, Montreal, Canadá
- Jaclyn Hagner, Montreal, Canadá
- Linda Paetow, Montreal, Canadá
- Steven Kaal, Montreal, Canadá
- Enrique Madrid, Montreal, Canadá
- Louise Constantin, Montreal, Canadá
- Jessica Marshall, Montreal, Canadá
- Ann Trépanier, Montreal, Canadá
- Padmani Deodath, Montreal, Canadá
- Kathryn Myler, Montreal, Canadá
- Sarah Godefroy, Montreal, Canadá
- Sandra DeBlois, Montreal, Canadá
- Meghan Traynor, Montreal, Canadá
- Noah Stewart-Omstein, Montreal, Canadá
- Monika Plank, Montreal, Canadá
- Kyle Folsom, Montreal, Canadá
- Sabrina Morin, Montreal, Canadá
- Angela Jones, Montreal, Canadá
- Benoit Alain, Montreal, Canadá
- Crystal James, Montreal, Canadá
- Marie-Eve Boucher, Montreal, Canadá
- Adam Hope, Montreal, Canadá
- Kathryn Schilligalies, Montreal, Canadá
- Jason Nephin, Montreal, Canadá
• Nathalie Cortez, Montreal, Canada
• Courtney Dutchak, Montreal, Canada
• Jeanine Laver, Montreal, Canada
• Jay Brotherton, Montreal, Canada
• Shukri Isse, Montreal, Canada
• Dess Richardson, Montreal, Canada
• Ilana Nixon, Montreal, Canada
• Julie Donjon, Montreal, Canada
• David Dupere, Montreal, Canada
• Lisa Bentivoglio, Montreal, Canada
• Tara Pouyat, Montreal, Canada
• Lukacs Kinga Maha, Montreal, Canada
• Shea Mayer, Montreal, Canada
• Sara Farag, Montreal, Canada
• Michael Sokoligh, Montreal, Canada
• Carolyn Brown, Montreal, Canada
• Shelly Horn, Montreal, Canada
• Patrick Bachase, Montreal, Canada
• Melissa McDevitt, Montreal, Canada
• Véronique Boudages, Montreal, Canada
• Ingrid Elgueta, Montreal, Canada
• Nassim Tabri, Montreal, Canada
• Jenny Rachel Harvey, Montreal, Canada
• Kay Hannahan, Montreal, Canada
• Daniel Mackay, Montreal, Canada
• Kelly Derich, Montreal, Canada
• Theodor Hilgers, Member of International Police Association IPA, Atenas Costa Rica
• Laetitia Oberholzer, Las Mariposas Oekotourismus, Atenas Costa Rica
• Daniel Vogt.
El Estor, Izabal, Guatemala, May 26, 2004

Mr. Rashad Kaldany  
Director  
Oil, Gas and Mining Department  
World Bank Group  
2121 Pennsylvania Avenue  
Washington, DC 20433

Dear Mr. Kaldany:

I write to you in my capacity as director of the El Estor Development Association (AEPDI), a Guatemalan nongovernmental organization dedicated to promoting the rights of Guatemala’s indigenous communities. It is our understanding that next week the IFC board will vote on financing for the Marlin gold-mining project in Guatemala (Project Number 21766). Members of indigenous communities affected by the Marlin Project, as well as local leaders and organizations, believe that consideration of the project should be delayed for three months for the following reasons:

- The Guatemalan government’s failure to comply with its obligations contained in Convention 169 of the International Labor Organization, before granting that license, thereby violating the rights of the indigenous people whose lands and culture are affected by the project, resulting in the illegal status of the mining license held by the project sponsor, Glamis Gold.
- Important inaccuracies contained in the Environmental Impact Assessment and accompanying documentation, and
- Serious omissions of issues related to the Marlin Project in the EIA.

Guatemalan Government’s Failure to Comply With International Legal Obligations: Guatemala ratified Convention 169 of the ILO in 1996 and in 1997 and 2001 enacted a new Mining Code along with its norms for implementation, respectively. However, the obligations of the state to consult with indigenous peoples whose lands would be affected by mining projects, before granting exploration and exploitation licenses, are not considered in either the Mining Code or the norms. In the documentation presented to the IFC, there is no mention that the state has conducted any kind of consultation or the results thereof. Based on interviews in the communities, there is no evidence of any state organized or managed consultation about the mining project. The “consultation activities” undertaken by Glamis do not and cannot substitute for the state in the fulfillment of the requirements of the Convention.
Under the Convention, the rights of indigenous peoples to decide their own development and future are guaranteed. States are obliged to establish transparent and culturally appropriate mechanisms in order to consult indigenous people who would be affected by development projects such as mining. The communities should be informed of the social, cultural, spiritual and environmental aspects of such projects and then be consulted as part of a process to determine if the proposed project is to the peoples' benefit and to establish the conditions for the project's implementation.

The government of Guatemala has failed to meet its obligations in the case of the Marlin Project, and its granting of a mining license to Glamis is in violation of the Convention and as such Guatemalan law.

Inaccuracies in the EIA: A study of the EIA and accompanying documentation in the field revealed several important inaccuracies, some of which are listed below:

- Glamis focuses its study of impact on only twelve villages located on the mine site and surrounding area. The communities of Xeabaj, Cantzil, Choał, Escupijá, Chilil, Pié de la Cuesta, Quecá, Guancache, Carrizal, Población, Maguellas and Canoj, all in the Sipacapa township; and Chilive, Máquivil, Siete Platos, Lima, Salitre, Xanshequal, El Zapote, Chuena, Tierra Blanca Mibil, Tierra Blanca Zapote, Sicabe, El Triunfo, Chile, Eksial, Cabajchún, and Chininquitz, from the San Miguel Ixtahuacán townships have not been included despite their close proximity to the mine site or their location downstream from the project.

- The EIA contains extensive listings of consultation activities; however, only topics presented to groups of persons (often groups of workers) are demonstrated. At no time does the document present the results of or reactions to the information presented. Further, field interviews with some of the persons whose names appear in company lists as having participated in consultation activities have stated that they were never asked to give an opinion about the mine project after the informational presentations.

- The EIA refers to traditional indigenous beliefs and ceremonies in a passing statement, identifying the local population as either Catholic or Evangelical Protestant. Mayan spirituality is deeply ingrained in the local population, and open pit mining represents an act of desecration to the earth which is considered the spiritual mother of the Mayans.

- The EIA makes no mention of dissent in any of the affected communities or anywhere else regarding its project. However, there is significant opposition to and concern about the mining project as most graphically demonstrated by a protest against the Marlin Project held in Sipacapa in February 2004.
More than 1,000 community members protested that their rights had been violated by the central government, the local government and Glamis due to the anomalous granting of the mining license. In April 2004, the National Council of Indigenous Peoples publicly called for the cancellation of the Marlin license because it violates the rights of Mam and Sipakapense Mayans. There is growing concern and opposition to mining in indigenous communities with numerous environmental and indigenous groups having made the Marlin mining project an example of a pattern of disregard for the rights of indigenous peoples by the Guatemalan government and international companies.

- The local population is portrayed as having little relationship with the land, citing a high percentage of absentee formal ownership. However, in evaluating an indigenous population's relationship with the land, other factors like spirituality, location of historical or religious sites, cultural identification with an area and historical causes of displacement, and not only formal land titles, must be considered. Further, there are cases of individual persons and a group of 30 families who are resisting sale of their lands to the project in spite of pressure tactics like daily visits from company employees warning these persons that sooner or later they will have to sell their land or lose it anyhow.

**Serious omissions of issues:** The EIA presents itself as a thorough analysis and assessment of environmental and social issues surrounding the Marlin Project. Upon investigation with the communities and their leaders, several important issues arise that must be considered and studied along with the documentation presented.

- The EIA makes no reference to the Twi Aj Mayan sacred ceremonial site located in the village of Salitre, adjacent to the mine. Not only the site will be destroyed, but also the very act of open pit mining is abhorrent to Mayan believers.
- In addition, near San José Ixcaniché local people visit an extensive underground cavern that contains ancient paintings and other prehispanic artifacts. This cavern will be destroyed by the Marlin mining project.
- The health care for mine workers is presented as coverage by Guatemalan Social Security (IGSS) and a company health insurance policy. There is no mention of health care for workers after their employment ends. The IGSS
cooperation does not extend beyond a worker's employment, therefore long
term health problems attributable to the mine will be left uncovered.

- No reserve fund for future health problems in the community or workforce has
  been established or contemplated posing a significant contingency for the
  future.

- No reserve fund for environmental damage or reclamation has been
  established, leaving the local community relying on the company's
  uncollateralized commitment. Guatemala’s mining laws do not require such a
  fund, and in the documents Glamis has presented no mention of such a fund
  is to be found nor is there any estimate of the costs of clean up and closure.

- Much of what Glamis claims represents promises or commitments for the
  future (hiring practices, development initiatives, clean up after accidents,
  reclamation of mined areas, etc.), however there is no mechanism for state or
  other outside monitoring of these commitments or for taking action should
  those commitments be unfulfilled.

- Because this area was seriously affected by the 36 year long civil war, the
  tensions between the supporters and opponents of the Marlin Project have
  the potential of erupting into serious social violence. Already, old rivalries
  between groups have been rekindled, and others have once again taken
  refuge in fearful silence.

While recognizing the extensive public relations efforts of Glamis to promote its
Marlin Project in San Marcos, it is important to emphasize that the company has
acted virtually alone in conducting a series of exercises called consultations and
community participations. These activities do not constitute the legally required
consultation by the state of the indigenous peoples affected by the project and do
not and cannot substitute for the state’s omission.

Likewise, the EIA and accompanying studies presented still have omitted important
information and analyses that should be carefully considered by the IFC before it
decides on financing for the project. Should these matters not be addressed
properly, the whole project runs the risk of encountering significant opposition that
could jeopardize its viability. As such, we request a three-month delay in
consideration by the IFC so that it can better evaluate and consider these important
matters.

Sincerely yours,

Daniel J. Vogt
Director of Asociación Estoreña Para el Desarrollo Integral, AEPDI

Cc: Michael Swetye
Investment Officer, IFC

Sadia Sajjad
Investment Officer, IFC

Mauricio Athie
Environmental Specialist, IFC

Kent Lupberger
Manager
Mining Investments, IFC

Rachel Kyte
Director
Environmental and Social Development Department, IFC
June 1, 2004

Mr. Daniel J. Vogt  
Director  
Asociación Estoreña para el Desarrollo Integral  
7ª, Calle 4-11, Zona 1  
El Estor, Izabal, Guatemala

Dear Mr. Vogt:

Thank you for sharing your concerns about the Marlin project with us. I have been asked by Mr. Kaldany to respond to your letter received by mail on May 27, 2004. Our answer is based on information provided by Montana Exploradora de Guatemala S.A. ("Montana"), as well as IFC's own observations during and subsequent to our project appraisal.

The role of IFC is to help ensure that projects are implemented in sustainable ways to the highest international environmental and social standards. We believe that with IFC's involvement the Marlin project can have a significantly beneficial impact (economically, environmentally and socially) at both the local and national levels. This project is designed to comply with World Bank Group's environmental and social requirements.

Concerns about compliance of Government with ILO Convention 169

IFC understands that one of the key objectives of ILO 169 is to ensure that indigenous peoples are consulted prior to the implementation of projects that affect them. Montana provided IFC with its Public Disclosure and Consultation Plan (PCDP), which contains evidence that indigenous communities affected by the Marlin project have been consulted and have had the opportunity to express their views and concerns. While we are unable to comment on behalf of the government of Guatemala, IFC's assessment is that the consultation process was conducted to comply fully with the World Bank Group's standards.

Further, prior to issuing the relevant exploration concessions in 1999 (before Glamis' involvement), project information was sent to the Alcaldías and to the territorial Governor describing the request for exploration concessions in the area and including a map of the Marlin concession area. This provided the opportunity to comment prior to issuance of the exploration license.
With respect to the Guatemalan Government's processing of the Marlin exploitation concession in 2003, Montana prepared a report addressing compliance with ILO Convention 169 (Informe de Cumplimiento del Convenio 169 de la OIT, en la Fase de Planificación del Proyecto Minero Marlin I, March 2004). This document details compliance with each article and is attached for your review.

The Government continues to provide opportunities for local communities to comment on the project. For example, the Vice Minister of Energy and Mines recently conducted a meeting in Sipacapa that invited local government representatives from all over Guatemala to meet the local community and discuss both the Marlin Project as well as mining in general within the country.

**Concerns about Inaccuracies in the EIA**

**Communities Included in the EIA:** All communities both directly and indirectly affected by the project were included in the study, including those located near the access roads that will be affected by increased traffic. In addition, Montana's Social Development representatives have been in contact with communities that are located at some distance from the mine, including Xebaj, Cantzil, Choal, Canoj in Sipacapa, and Chilive, Maquivil, Siete Platos, Salitre, Chuena, Tierra Blanca Mubil and Tierra Blanca Zapote in San Miguel Ixtahuacan. Montana has documented attendance at meetings and collected verbal and written comments from attendees. In addition, in those remote areas that were inaccessible, radio announcements were made routinely in both Spanish and Mam to ensure that everyone in the area was apprised of the project and its issues, and had a chance to comment. The PCDP describes in detail the activities carried out to ensure public participation in the project.

**Documentation of Reactions to the EIA:** It is inaccurate to say that “at no time does the document present the results of or reactions to the information presented”. During preparation of the EIA, two separate studies were conducted, in October 2002 and February 2003, that canvassed the communities and residents within the project area and sought their comments and concerns. Each of these studies document responses of the local residents, both positive and negative. Following the first study, additional efforts were taken to address the issues identified as concerns. The results of these efforts can be seen in the notable difference in comments between the first and second studies. These studies are summarized in Chapter 5, page 171, and table 5.6-31 of the EIA. The PCDP includes documentation on the efforts made by Montana to address community concerns after the completion of the EIA, as well as future consultation activities.

**EIA and Mayan Spirituality:** Montana designed the consultation and survey to include questions concerning the project, its impact on the land, cultural traits and religious preferences. No concerns were expressed with respect to the impacts of mining on Mayan spirituality either in written or verbal comments.

**Local Reaction to the Project:** Your letter states that over 1,000 community members attended a protest to voice their opposition to the project in Sipacapa in February 2004. Montana has
informed IFC that the event was sponsored by environmental groups from outside the region, and that a large number of attendees were not local residents. It was reported that while a number of local people also attended to listen to the discussion, only a few expressed their support for what the proponents of the protest were attempting to convey, namely that local people will not benefit from the project.

It should be noted that it is estimated that 80% of the jobs at the mine will be filled by people from the local communities. Furthermore, Montana is taking steps to maximize sourcing of local goods and services. IFC plans to enhance these efforts as well as to help the local communities develop economic activities outside the scope of the mine.

We are confident, based on our technical review, that project implementation will deliver significant benefits to these communities and, more generally, to the municipalities of San Miguel and Sipacapa. During IFC’s appraisal the team noted that the project enjoys the significant support of the local indigenous communities. Both IFC and Montana were therefore surprised to read your statement that the National Council of Indigenous Peoples is opposed to the project.

Attachment of the Local Population to the Land: You state that the EIA does not consider “spirituality, location of historical or religious sites, cultural identification with an area and historical causes of displacement.” As described above, questions were specifically asked to identify cultural property and historical or religious sites in the area of the project, and there was no indication that the area contained such sites. Further consultations did not reveal this as an issue and, again, there was no indication that the area contained such sites.

We agree that other factors, in addition to land ownership, must be taken into account to analyze the degree of attachment of the population to the land. Two of these are particularly important. First, the vast majority of the local population has only been present in the area for the last 20-40 years. Second, the families that own land and are engaged in agricultural activities cannot raise enough food to survive, and must travel regularly to the coast to harvest coffee and sugar cane, a practice that is detrimental to family life and has disrupted school attendance of children. Many families were able to avoid migration this year for the first time because of the employment opportunities created by the mine and related activities.

Montana’s Land Purchases: We understand that the Company has established a negotiation timetable that is acceptable to owners and that all purchases have been without duress, and at the owners’ free will. The process of land purchases is described in the document entitled Procedimientos de Adquisición de Tierras (Procedures for Land Acquisition). This document is publicly available and demonstrates that Montana has followed formal processes for land acquisition. Montana has also indicated to IFC that the Company’s land acquisition staff is unaware of 30 families, or any significant number of families for that matter, who do not wish to sell their land. We can note that, as of May 2004, Marlin had acquired 323 parcels of land on a willing buyer-willing seller basis, representing 91.4% of the total land required.
Alleged Omissions of Issues

Cultural Property: You state that the EIA makes no reference to the Twi Aj Mayan sacred ceremonial site in Salitre. Salitre is located approximately 4.5-5km from the project site, and is outside the area of influence of the project. Concerning the "extensive underground cavern that contains ancient paintings" near San Jose Ixcaniche, to our knowledge there is no cavern such as this in the area. IFC has asked Montana to commission the firm that prepared the EIA to once again go back and specifically ask the residents about this issue. None of these Montana personnel has ever seen or heard of an underground cavern, and due to the geology of the area (volcanic), it seems unlikely anything of this type could exist.

As noted in the EIA, Montana has committed that if archeological property is found during project implementation, Montana will suspend work in the relevant areas until an archeologist has made an inspection and issued a recommendation.

Worker's Health: Montana's proposed operations have been designed and are being constructed in a manner as to avoid health problems due to operations. The Company has an occupational health and safety management system aimed at creating safe working conditions and promoting safe worker conduct through training, incentives and close supervision. In the unlikely event that non-mine workers suffer health problems related to the mine, Montana will assume the responsibility.

Insurance Coverage for Workers and Their Families: In addition to government social security, the company has private medical insurance that will cover workers and their families. Furthermore, Montana and the NGO Fundación Sierra Madre have devoted considerable efforts and funds in the area developing local clinics and health centers, as well as training a large number of health technicians and midwives.

Mine Reclamation and Environmental Damage: Montana will appropriately reclaim the mined area following operations and has included provisions for reclamation in its operational budget. To ensure that an adequate budget is available at mine closure, Montana has proposed posting a bond for reclamation and clean up to the Guatemalan Government. At this writing, the agencies of the Government are reviewing the law and regulations to determine how that bond will be set up and administered. Montana is committed to appropriate financial assurances.

Monitoring Activities: Montana is working with the U.S. Trade and Development Agency to perform capacity training for MARN and MEM to help them provide the necessary review and monitoring for this project and other projects in the country. Additionally, Montana has established an "Environmental Observation Committee" consisting of leading individuals from the San Miguel Ixhuacan and Sipacapa communities. This committee meets monthly and travels with the monitoring crews that take samples around the area.

In conclusion, IFC believes that Montana has acted responsibly during preparation of the EIA, following its issuance, and during all aspects of consultation and land purchase efforts.
Additionally, the documentation indicates that Montana continues to work with the community to maximize the benefits of the project and the opportunities for socioeconomic development in the area, as described in the Indigenous Peoples Development Plan, which is publicly available in the World Bank InfoShop. We are also attaching the latest newsletters of the Fundación Sierra Madre, which contains detailed information on the community development activities being implemented to assist the communities near the mine.

From your letter it is clear you have concerns about the impact of mining and benefits for the local indigenous people. As you can see from the above, most of your concerns appear to be misperceptions or misunderstandings. We believe that Montana is taking the appropriate steps to develop an economically viable mine which will benefit Guatemala and which will also promote long-term sustainable development in this region. IFC is working with the company to ensure this is achieved, and we plan to present the project to our Board as scheduled.

We understand that you met with Montana staff late last year, and we would encourage Montana to meet with you again to discuss openly these and any other issues. If you think it would be appropriate, IFC would be available to join such a meeting.

Sincerely,

[Signature]

Kent Lupberger
Acting Director
Oil, Gas, Mining & Chemicals Department
DECLARACIÓN
DE LAS COMUNIDADES Q’EQCHI’ SOBRE LAS
CONCESIONES MINERAS

De acuerdo a nuestro Calendario Maya Wuqub’ Ajmaak, nos hemos reunidos en el municipio de El Estor, Izabal; Alcaldes Auxiliares y Representantes del Consejo de Desarrollo de las comunidades indígenas Q’eqchi’ de los municipios de El Estor, Izabal, Panzós y Cahabón de Alta Verapaz, ante la comunidad nacional e internacional;

MANIFESTAMOS

1. Nuestro total rechazo a la concesión minera, otorgado por el gobierno de Guatemala a la transnacional INCO/EXMIBAL y otros proyectos mineros que autoriza la exploración y explotación de Níquel en áreas donde están asentadas nuestras comunidades, siendo decisiones unilaterales de gobierno y que en ningún momento nuestras comunidades fueron informadas ni consultadas al respecto y que nunca han dado su aprobación para que proyectos de esta naturaleza puedan desarrollar sus actividades, esto viene a atentar contra nuestra forma de vida, nuestra cultura y a la Madre Naturaleza.

2. Nosotros indígenas Q’eqchi’, aún conservamos nuestra filosofía y principios de respeto y equilibrio con el Cosmos, la Naturaleza y la Persona, perforar la tierra, contaminar los ríos, el aire, destruir los cerros, matar a los animales, es continuar con las políticas y estrategias de genocidio y etnocidio contra los indígenas, porque cada elemento de la Madre Naturaleza, es un complemento a nuestra vida.

3. Denunciamos que durante los años de operación de la Compañía Minera INCO/EXMIBAL, contaminó las aguas y el aire, participaron en actos represivos como son secuestros y asesinatos, despojaron las tierras de las comunidades indígenas.

4. La reactivación de dicha concesión Minera, viola los derechos colectivos de los pueblos indígenas que viven en esta zona, contraviene principios elementales de los Acuerdos de Paz, incumplen con las obligaciones del Estado de Guatemala firmado y ratificado en el Convenio 169 de la OIT y otras normas jurídicas nacionales e internacionales.
5. Exigimos al Presidente de la República Licenciado Alfonso Portillo Cabrera, la inmediata derogatoria del Acuerdo Gubernativo que le dio vigencia a dicha concesión que es lesiva a la nación cuyos pueblos demandan que sus derechos sean respetados. En caso de no cumplir con nuestras demandas, haremos uso de nuestro derecho constitucional a la resistencia pacífica y a la manifestación pública de nuestro total desacuerdo.

Dado en el municipio de El Estor, Izabal a los seis días del mes de octubre del año 2003.

Las Comunidades:

1. Río Quixchan

2. Semuc Lote 5

3. Las Nubes

4. El Bongo

5. Santa María La Llorona

Firmas:

Sello:
6. Agua Caliente Lote 4

7. Santa Lucia

8. La Llorona

9. Plan Grande

10. Selich

11. Zapotal

12. San Marcos Raxruha'

13. Seacacar Arriba
14. Jalaute

15. Seacacar Abajo

16. Sexan

17. Nueva Jerusalén Lote 5

18. Río Sumach

19. Sauce

20. Caxlampon

21. Nueva Sakarila
22. Las Quebradas

23. Río Sauce Sexan

24. Santo Domingo Lote 10

25. Caserio Santa María, La Llorona

26. Agua Caliente, Lote 9

27. Rubel Hu

28. Semuy, Lote 14

29. San Luis Chacpila
30. Socela

Augusto Ba'c coc.

Alberto Chelom

31. Taquinco Searranx Lote 7, Panzós Alta Verapaz

32. Kaqkiha', Panzos Alta Verapaz.

Félix Morán

V. Am. Sagú

Daniel G. Vera

Presidente

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APPENDIX F – Declaration of the Q’eqchi’ Communities

DECLARATION
OF THE Q’EQCHI’ COMMUNITIES REGARDING
MINING CONCESSIONS

This day, Wuqub’ Ajmaak, according to our Mayan calendar, we, mayors and representatives of Development Councils from Q’eqchi’ Mayan communities from the municipalities of El Estor, Izabal and of Panzós and Cahabón, Alta Verapaz, met in El Estor to declare before the national and international communities:

1. Our outright rejection of the mining concession, granted by the government of Guatemala to Inco / Exmibal, and other mining projects that permit the exploration and exploitation of nickel in the areas where our communities are located. These decisions were made unilaterally by the government and our communities were never informed or consulted, and have never given their approval that activities of this nature could be undertaken, as they threaten our way of life, culture and all of nature.

2. We, Q’eqchi’, still conserve our philosophy and principles of respect and equilibrium with the cosmos, nature and the person. To perforate the earth, pollute the water and air, destroy mountains and exterminate wildlife is to continue the policies and strategies of genocide and ethnocide because all of nature is a complement to our lives.

3. We denounce that during its operations, Inco / Exmibal contaminated the water and air, participated in repressive acts such as kidnappings and murder and forced indigenous communities from their lands.

4. The reactivation of Inco’s mining concession violates the collective rights of the indigenous peoples who live in this zone, contradicts principal elements of the Peace Accords, and breaks with obligations of the Guatemalan state such as ILO 169 and other national and international treaties and agreements.

5. We demand that the President of the Republic, Alfonso Portillo Cabrera, immediately cancel the decree that granted this concession as it threatens this nation whose peoples’ rights must be respected. Should these demands not be met, we will exercise our constitutional right of peaceful resistance and protest to show our disapproval.

Given in El Estor, Izabal, Guatemala, on the sixth day of October, 2003.

Signed and sealed by representatives of 32 Q’eqchi’ communities and by representatives of Asociación Estoreña Para el Desarrollo Integral AEPDI.
DECLARACIÓN
DE LAS COMUNIDADES Q’EQCHI’ SOBRE LAS
CONCEPCIONES MINERAS.

Reunidos en el municipio de El Estor, del departamento de Izabal, nosotros, Alcaldes Auxiliares, representantes del consejo de Desarrollo de las comunidades de: Cotoxha, Agua Caliente el Paraíso, Seravío Chacalte Lote 2, Chinabenque, Nimlabenque, La Llorona, Socelá Cahában Alta Verapaz, Caserío El Pozo Lote 5, Semanzana, Seacacar Abajo, Agua Caliente Lote 4, Nuevo Sacarila, Rubel Hu, Santo Domingo Lote 10, Monte de los Olivos, Sexan, Río Sumach, Semuc 5, Sacarila, Las Nubes, Selich, Santa Lucía, Chorro Lote 5, Agua Caliente Lote 9, Río Sauce Sexan, San Marcos, raxruha, Chipunit, Chiwoyo, Seguamo, Caserío río Zarco Sauce, Marcaham, Nueva Jerusalén, Caserío Chacpayla, Zapotal, Boca Nueva Quebrada Seca, Rubel Pec, Chichipate, Seacacar Arriba, Tzul Pec. ante El Ministerio de Energías y Minas, Ministerio de Ambiente, FONTIERRA, CONTIERRA, Procuraduría de los Derechos Humanos, MINUGUA, Gobernador Departamental de Izabal, Alcalde municipal, Defensoría Q’eqchi’.

MANIFESTAMOS

1. Nuestra preocupación por el estancamiento del proceso que se ha venido dando sobre el problema de tierra de las comunidades, de las que se encuentran concesionadas por Transnacionales como INCO/EXMIBAL, Maya America las Concesiones Mineras, Esto nos afecta de manera directa implica nuevos procesos siendo para nosotros Enérgicamente nuestro total rechazo a la concesión minera, otorgado por el gobierno de Guatemala a la transnacional INCO/EXMIBAL, que actualmente está reactivando la explotación de níquel en áreas donde se encuentran asentadas nuestras comunidades, lo cual constituye una clara violación a nuestros Derechos establecidos en el convenio 169 de la OIT y en ningún momento nuestras comunidades fueron informadas ni consultadas sobre estos proyectos, que atentan nuestras formas de vida, nuestra cultura y a la madre naturaleza.