

Mining Conflicts in Peru

Civil Resistance and Corporate Counterinsurgency

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Abstract

Studies of protest have argued that repression “backfires”—it activates indignation and galvanizes resistance. However, most activists know that this is not always the case. When does repression actually expand the ranks of social movements, granting them the “critical mass” needed to pressure authorities and win concessions, and when does it not? This paper distinguishes between private and public forms of repression, and argues that behind-the-scenes, targeted repression by private actors is much less likely to backfire. Ethnographic and comparative research of mining conflicts in Peru uncovers how mining corporations marshal the state’s coercive apparatus as well as private intelligence, security, and media into a type of corporate counterinsurgency operations. Overtly and covertly, these work to delegitimize, intimidate, and demobilize opponents, with direct effects on the capacities and strategies of resistance.

Introduction

Rubber bullets, steel clubs, concussion grenades, tear gas attacks, arrests, exorbitant fines, trials. Despite the dominant perspectives in scholarly literature on repression, most experienced activists understand that their opponents, who usually wield greater economic and political

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power than they do, have many more methods available to punish and intimidate. This is especially relevant where the means of repression have become increasingly privatized: corporatized, subcontracted for the sake of limited legal liability, and made less accountable to public scrutiny.

This study seeks to answer why repression sometimes swells the ranks of activists groups, activating support and galvanizing resistance, and why it sometimes isolates social leaders, effectively demobilizing or neutralizing their resistance efforts. To build theory that may help answer this puzzle, I demonstrate the analytical leverage of distinguishing between private and public repression, in terms of both its sources and targets. This distinction should be considered a spectrum much more than a dichotomy; it is an array of forms of repression that actors draw upon strategically, even simultaneously. I draw on extensive ethnographic research conducted during 14 months in Peru, where a large number of mining conflicts have generated different patterns in the relationships between local, state, and company actors. I focus on several rounds of conflict associated with one particular mine, understudied but representative of medium-to-large mines in Peru. As the various campaigns and conflict moments within the case demonstrate, mining company agents developed different strategies to quell its opposition, each with different effects on the organizing capacity and tactics of community actors resisting the mine. The case study therefore helps to conceptualize repression and to elaborate the causal processes behind its different effects.

Company managers began by relying on the state apparatus to punish their opponents, who were perceived as a more-or-less faceless collective. However, the project then shifted into a different strategy: surprisingly candid interviews with several of the company's local operators revealed the creation of a complex system of private repression most accurately conveyed by the term 'corporate counterinsurgency.'² When they developed these private means of coercion—including

² The only prior reference to this term I have found is in a RAND Corporation blogpost encouraging companies operating in conflict contexts, especially in extractive sectors, "to diffuse violence by supporting community development, creating new security structures, and supplying social services" (RAND 2008).

espionage, defamation, and physical violence—and used these to target private individuals rather than broader groups altogether, they were most effective at demobilizing resistance. Various contacts in the company and other realms of the conflict, including residents at large, activists, and mine supporters, confirmed the salience of this understudied dynamic.

The argument unfolds in three main parts. First, I review key traits about repression as studied in contentious politics and social movements literature, and assess its correspondence within the context of contemporary mining conflicts in Peru. In the second part, I summarize an ethnographic case study of a gold mining project in the Central Andes. Excerpts from interviews with people close to the mining project—area residents, activists, and company employees and executives—weave together a multi-vocal narrative about its many conflict waves. Then, before closing, this paper zooms out and uses comparative evidence from other cases to assess whether the patterns investigated apply more widely, and to what extent.

Protesters have much to gain from understanding when repression backfires. Privatized forms of repression might affect the power and tactics of resistance movements. If repression today differs from its traditional forms, then we must complicate how we understand and respond to it. Additionally, turning a lens on the agency of powerful, often-inaccessible entities like mining companies will assist locals in demanding accountability and getting justice.

I. Localizing the Mechanisms of Fear: Resistance and Repression in Context

If only open, declared forms of struggle are called ‘resistance,’ then all that is being measured may be the level of repression that structures the available options. —James Scott (1989)

As opposed to other types of repression discussed commonly—e.g., sexual, religious, and financial—repression as a concept in contentious politics has been richly examined by students of, for example, authoritarianism (Bellin 2012; O’Donnell and Schmitter 2013; Svobik 2012, 2013), social movements (della Porta 2007, 2014; Lawrence 2017;

Ondetti 2006), and nonviolent or civil resistance (Martin 2007; McLeod 2015; Sharp 2005; Chenoweth and Stephan 2011). Each disciplinary orientation uses its own operationalization, methods, and case selection (within and across regions, periods, and regime types), but two traits bind these bodies of literature: first is the quest to understand the effects of repression on dissidents and social movements, and second is the overwhelming focus on cases wherein repression is uniquely the practice of state agents—even if for personal or privatized gain. In this section, I will seek to answer the following questions: what is repression, what does it do, and who does it?

Political repression is commonly understood as subduing or inhibiting something by force. By way of a working definition, I maintain a difference between coercion and repression. All repression is coercive, but not all coercion is repressive; e.g., while state rule is generally coercive, repression is marked as unlawful, a violation of rights and due process (DeMeritt 2016). Repression is intended to quell something, such as political opposition or competition. However, it may be counterproductive: one key dynamic associated with repression is the possibility that it will “backfire,” or drive people to defect from the side of the oppressors and to sympathize with, and participate in, opposition movements (Hess and Martin 2006; Martin 2006, 2015; McLeod 2015).³ In other words, it creates more favorable attention, support, and power for the subject of the attack, and it may cost the perpetrator immediately or over time. The very possibility of backfire, and the costs associated with it, may deter the use of repression.

For these reasons, far more than simply a concept or a theoretical claim, backfire has become widely adopted by activists and elaborated in practical manuals (e.g., see Martin 2010, 2012). However, even its leading proponents recognize that repression does not always backfire, nor is it always deterred by this logic. Earl and Soule (2010) reviewed secondary evidence that repression succeeds at demobilizing or inhibiting protest, that it backfires and radicalizes people, and that sometimes

³ Others have referred to this as “moral” or “political jiu-jitsu” (see especially Garrido, Mouly, and Idler 2016; Gregg 1966; Sharp 2005), expressing the idea of using opponents’ force to neutralize them.

both effects occur and offset each other. Some observers have therefore added complexity to the question, and empirical studies have placed conditions on the possible effects of repression. For example, Linden and Klandermans (2006) argue that such effects might be contingent on how activists were recruited (either ideologically or through personal ties).

Additionally, different policing tactics, such as arresting versus beating protesters, may have different effects on activist recruitment and organizing capacity (Earl 2011). Scholars have drawn useful distinctions such as Koopmans' between "situational" and "institutional" repression, suggesting the former led to greater escalation by extremist rightwing groups whereas the latter, occurring through courts or official bans on organizations, negatively affected their mobilization (1997). In a completely different context, Barkan found similar results: reactionary repression by Southern whites against the U.S. civil rights movement had been more successful when it was "legalistic" than when it was openly "violent" (1984). Finally, a handful of works propose distinctions among the targets of repression, for example between repression of large parts of the population and repressive actions against selected leaders (Krüger and Davenport 2014; Wood 2010). Unfortunately, like the vast majority of studies on the matter, the works above assume that repression is conducted by states (see Earl 2003 for a similar critique and Kamphuis 2011 for an exception to this tendency). Works on private security are increasingly sophisticated, and this literature is expanding geographically, thematically, and across periods (see e.g., Abrahamsen and Williams 2010; Hilgate and Utas 2017; Kinsey 2006; Singer 2003); however, the overwhelming majority of these focus on its interaction with rebel groups and civil wars, or with international militaries and international security, and not on corporate security providers in the extractive industries sector. Furthermore, the majority do not address it as a form of repression in contentious politics. In a period of corporate neoliberalism and privatization, state-centric perspectives fall short in their increasingly outdated understanding of repression.

To reconstitute a phrase by James Scott (cited as the epigraph to this section), if we only focus on repression that is overt, committed publicly and especially by public forces, then all we will capture may be the extent of private influence over the state's repressive apparatus. If only

the most legal or ‘legitimate source of violence’ is blamed for political intimidation, then we help to conceal and give impunity to actors willing to transgress those boundaries. On the other hand, it is useful to question the danger of conceptualizing repression in ways that include private violence. If repression is by definition a state action, applying it to private agents might lead to “conceptual stretching” (see Sartori 1970). I do not consider this a serious risk, whereas a narrower conceptualization, and the selection bias it generates, does risk missing the subtler and intentionally discrete means by which non-state actors are engaging in their own forms of repression. Moreover, this especially corresponds with the ground realities of conflicts over natural resource extraction, where—unlike struggles over foreign occupations, authoritarianism, and so on—the state is a secondary agent, often even exculpating itself from direct intervention.

In Peru, where the most common and deadliest type of conflict takes place over mining projects,⁴ companies increasingly rely on both public armed forces and their own private security. The state’s response to mining conflicts is already militarized, and firms take further precaution. For starters, the Peruvian National Police has signed various security agreements with mining firms. During my research, I collected copies of four of these pacts, considered unconstitutional until 2006. To this date, such agreements are denounced by human rights organizations as “secretive” and against the spirit of domestic and international law (La República 2016). All of the dozen mid-to-large mining companies that I studied during my research employed security details around their operations. According to the National Coordinator of Human Rights, a Peru-based non-governmental organization, the mining and hydrocarbon sectors are leading the way in the expansion of the country’s mercenary industry (CNDH 2016).

⁴ In late 2012, the country’s ombudsperson registered 229 social conflicts, of which more than two-thirds were linked to resource extraction, predominantly in the mining sector. According to the report, an estimated 196 people were killed and 2,369 injured in conflicts over natural resources between 2006 and 2011 (Defensoría del Pueblo 2012). More recently, Defensoría’s report for January 2017 found that the largest share of all conflicts it registered (76 of 214) were related to mining (Defensoría del Pueblo 2017).

As in much of the developing world, private security is on the rise in Latin America (Abrahamsen and Williams 2011; Blackwell 2015; Singer 2003).⁵ Furthermore, research has found that in Peru's post-war context—marked by a large, unregulated, and demobilized military apparatus existing alongside weak state capacity in the countryside—high demand from powerful extractive firms makes private security contracts a lucrative business for current and former members of the state's armed forces (Jaskoski 2013). Whereas these actors do not exist “beyond the state” (Abrahamsen and Williams 2010; Müller 2010), they clearly operate in increasingly private forms.

In short, three factors contextualize this paper. First, repression around extractive industries is increasingly a business, a private enterprise on the rise. Second, however, it is loosely incorporated with state actions, and constituted by actors currently or formerly associated with the state's military and intelligence apparatus. This aspect is particularly important to understand the strategies, professionalization, and behavior of private security firms. It is no small detail that private security mercenaries, especially those in leadership roles within the industry, tend to be former counterinsurgency operators—people highly trained by the state (and in some cases also by foreign militaries) to use intimidation, torture, and other tactics to neutralize internal enemies (from dissidents to guerrillas and terrorists).⁶ And finally, a third consideration to situate this analysis

⁵ A 2013 United Nations report noted that Latin America's private security industry was growing at an annual rate of 10%, that the region had almost 50% more security guards (some 3.8 million) than police, and that this trend aggravates inequality in the region (UNDP 2013). E.g., as of 2015, more than 600 private security companies operate in Peru, employing 70,000 people. However, only six generated half of the industry's total income, and only 269 registered with the Ministry of Labor (El Comercio 2015).

⁶ Although inconclusive in the eyes of many observers, Peru's internal armed conflict spanned roughly between 1980-2000. About 69,280 people died as a result, and countless were injured and otherwise affected by it. Throughout the conflict, Peruvians endured violence, corruption, and authoritarianism from different sides, including the state, insurgent groups, and terrorists. For a thorough review, see the Truth and Reconciliation Commission's final report (CVR 2003).

is that the literature on repression traditionally has ignored its private sources. As repression becomes a privatized phenomenon, centering the state loses analytical and practical utility, for example in assessing and maximizing its potential backfiring effects.

Repression is a useful concept to understand actors' strategies in asymmetric conflicts. The case below, alongside comparative evidence from other cases, will demonstrate the value of complicating our understandings of its dynamics in a context of private, corporate repression.

II. The Pishtaku Gold Mine

If you wanted to work up in the mine, you had to sneak. The road was no option, because the Ronderos watched the roads and you'd be a sure target if you were headed to the mine. They would beat you up hard. You had to go out of the way.⁷

I remember my first arrival in the district nearest to the mine. On my way there from a nearby province, I sat in the front of the *colectivo* minivan as it filled with passengers, and got to chatting with the driver. I noticed he had fliers supporting the presidential campaign of Gregorio 'Goyo' Santos, the former governor of a northern Peruvian region who was, at the time, deposed and campaigning from prison due to corruption charges. In the area, Goyo had a complicated reputation: foremost, as an "anti-mining leader," although many environmental activists also criticized him as a "sell out" to mining interests. The driver, 'Jon,' a young local of the district to which we were headed, told me his town was relaxed, small. He argued Goyo could count on everyone's support because he stood up to big mining interests. "He will go straight from prison to the presidency," Jon remarked. "Pollsters are paid off, and they try to control the winners."

"I'm here to study how actors' strategies help mining conflicts escalate or get resolved," I answered after Jon asked me what brought me to the area. Mining has expanded dramatically, and the town's main river has been toxic for years, he told me. "Look up a video of a farmer

⁷ Anonymous company manager at the provincial level, personal interview, March 31, 2016.

whose cow's skin is peeling after days of drinking river water descending from the mine." The farmer complained to the authorities, but "because of economic power" nothing happened, Jon recalled. Jon believes that is what happened to his town—the people there used to be organized and almost stopped the mine, but then the company paid off leaders, divided them, and started criminal processes against dozens of people. Many locals were tried, and some served sentences. "So now nobody complains. They can't do anything like before. Everyone was either sold out to the mine or they were criminalized, and that is how it works. However necessary, they stopped the movement." The company's local employees have organized strikes to grieve about their low wages, "because of how little they are paid, but then they get a bit of money and shut up."

As we arrived in town through muddy, unpaved roads, Jon and I said goodbye. I quickly got a room, which included two blankets, a bed, and a view of the lush, green-and-gray, hazy Andes surrounding us. I ventured up a side street and met an elderly couple, both of whom had spent their entire lives there. The water here is now useless, polluted, they told me. They were concerned about getting sick, like others in town. We hid underneath a roof to keep us dry on the sidewalk, and watched the rain hit the mud just beyond us. There are greater risks for the youth, who will get sick and for whom there will not be jobs when the mine leaves, they said. They cannot shower, eat, or drink without remembering the heavy metals in their water, "But what else can we do?" one asked, smiling across a wrinkled face. The couple argued that it was criminalization and money that demobilized the town, especially after a local leader was killed. "We are happy that you are here to study this," one said as I thanked them and excused myself.

Back at my hotel, the owner asked me if I belonged to an NGO. I guessed people who have worked with company-affiliated NGOs have come to stay at this same hotel. Perhaps not a lot of outsiders, especially who look like me, show up unless they work for the company or one of its affiliate non-profit organizations. As I would soon discover, the traits people ascribed to me upon their first impressions would lead me to gain unprecedented access to the company's operators. Evaluating which had the most weight would be difficult, but my pale skin, Mexico City accent, and University of California credentials all probably helped my chances

at interviewing company officers, executives, and even one of the owners in Lima. Mentioning their names (especially the owner's), alongside the surface identities people assumed about me, would open the door for me in privileged, unexpected ways when I arrived in the mine's vicinity.

This research relies on extensive fieldwork and unprecedented access to key stakeholders in Peru's mining conflicts. Only in-depth, immersive, ethnographic work could have helped to peel through the layers of complexity involved in this case. Only by spending time with the primary characters involved in this story, and building trust with them, could one reach the insights extended to me. During the 14-months of my fieldwork in Peru, I spent several months working on this case—enough to create rapport with key players involved, and to reach a 'data saturation' point before I had to move to the other cases. In sum, studying this case and others, I collected over 900 archives, conducted more than 230 semi-structured interviews, and attended and observed dozens of events, processes, and moments in everyday life.⁸

The story summarized in this section was told to me from the perspective of residents at large, members of NGOs, local professionals including clinic employees and teachers, farmers, activists (including almost all of the main leaders of local social movements contesting mining), religious leaders, women's clubs, shopkeepers, established and independent journalists, lawyers, and company employees, including

⁸ Interviews cast a broad net and include: mining area residents in various occupations; movement leaders and participants; mining employees, managers, and executives; members of local, national, and international organizations (such as Cooperación, EarthWorks, the U.S. Agency for International Development, the World Bank's International Finance Corporation, and Earth Rights International); municipal, regional, and national government officials, in various related offices; and journalists and academics based near the cases as well as in Lima. Archived documents include stakeholder publications, signed agreements, proclamations, and news media clippings. The primary method of data analysis consists first of several layers of qualitative coding: (1) inductive, both big-picture and detailed; (2) deductive, driven by available theoretical frameworks; and (3) focused, driven by the data and emerging theory, and aimed at challenging as well as refining early findings. Coding is assisted by qualitative analysis software (ATLAS.ti).

miners, managers, and executives. It is my intention that the narrative I construct here—drawn from a systematic, layered, and critical analysis of all these sources—is presented, however briefly, with fidelity to that multi-vocality.

When I arrived in Peru, my plan was to compare mining conflict cases to understand patterns in actors' strategic choices.⁹ A combination of factors made this case an appealing location for this investigation. While it had not been extensively covered in media, and much less in scholarly works, its dynamics involved allegations of foul-play from both protesters and the firm, an arson, several alleged murders, and shifting strategies across several flaring waves of conflict. However, these factors also raise the ethical stakes of social research. Critical reflexivity about these questions has been at the forefront of this work, from the preparatory to the writing stages, and engaging them has required diligence in engaging and protecting participants. Beyond not harming participants, this study aims to benefit them as much as possible.¹⁰

Consequently, as an additional layer of precaution in a study as sensitive as this, I have opted to anonymize the case, the company, and study participants (most of whom requested to remain anonymous

⁹ Given the large number and variation of Peru's mining conflicts, Peru is a prime context in which to study these issues. Minerals represent about 65% of Peru's export income (OEC 2017) and have guaranteed its standing as one of Latin America's fastest growing economies. In the 1990s, Alberto Fujimori's administration cemented the role of mining in Peru by declaring it a 'national interest' activity. I survey conflicts specifically within one sector, gold, to control for cross-sector variation. Gold mining projects are especially useful sites for this study given this mineral's particularly contentious properties, such as its touted importance for Peru's export income and macro-economic growth. About one-fifth of the country's export income derives from gold alone. Peru is the sixth largest gold producer in the world, and has been the largest gold producer in Latin America since 1996 (Triscritti 2013). Gold represented the largest share (18%) of the export income Peru earned between 1995 and 2015 (OEC 2017).

¹⁰ This research obtained IRB approval from the University of California, Santa Cruz. All interviewees provided their informed consent to participate in the research and to be quoted in publications about it. Where available and permitted by participants, study materials can be provided upon written request.

anyways). As far as I know, no mine project or company in Peru goes by the name Pishtaku. Thus, for the purposes of this essay, I will use this pseudonym to refer to the case study—that is, interchangeably to both the mining project and the mining company. Astute observers, especially close to the study, may discern which mine and company I am discussing, but I still want to include this additional security barrier for the privacy of study participants.

Early into its arrival in these headwater mountains—which source countless habitats and communities downstream with water for life, economic activity, and everyday use—Pishtaku agents encountered opposition from the largely agricultural, self-sustenance communities that inhabited this remote location.¹¹ The promises of jobs, economic activity, and development were attractive to a minority of the residents, but an overwhelming majority were suspicious of the possible effects of mining on local agriculture and health. Other mining projects had already drawn protracted conflicts in Peru, so the area's farmers were aware of the potential negative repercussions, social and environmental, that other mining communities faced. A group of locals organized discussion groups, assemblies, and eventually rallies to reject the entrance of mining firms to their area, but these seemed to have little effect; the company was moving quickly, purchasing land, setting up a camp, and securing state approval for its project.¹²

A few months later, the local Rondas Campesinas—a vigilante farmer organization recognized by Peru's constitution—organized a strike that paralyzed company activity. Several hundred people from nearby districts and communities arrived near the company campsite, where they held a rally. They chanted, gave public speeches, and demanded that the company withdrew from the area. Hundreds of police were dispatched from nearby cities to protect the campsite, and they enclosed it. Meanwhile, company operators remained within their compound, from which they communicated with the protesters and refused their demands. At some point, one of the company's security guards fired his

¹¹ Anonymous Rondero from the area near the mine, personal interview, March 3, 2016.

¹² Anonymous female Rondera, personal interview, February 22, 2016.

weapon at the crowd outside, killing one of the Ronderos. Furious, the protesters responded to this by breaking through the campsite fence and setting fire to much of the equipment inside: vehicles, computers, and other property. “The project always had people involved in the communities to collect intelligence,” one local operator for Pishtaku said, “but we never thought this [level of confrontation] would happen.”¹³

Within days, community leaders from nearby provinces held a large organizing meeting with politicians, Ronderas, and residents—including people wanted for arrest for the campsite arson. The murder of a protestor, a random target but beloved local leader, moved people to strategize a more serious resistance. They aimed for an institutional block to the mine through local legislation and elections. Pishtaku stepped back and temporarily ceased its operations, wanting the conflict to dissipate. Its operators remained intent on returning, but it seemed the movement had gathered enough power to halt the mining project, at least momentarily.¹⁴

A few years later the company returned to the area with a new strategy. After years of inactivity, the networks formed around opposition to the mine were slow to pick up steam, and Pishtaku took advantage. According to different company employees, they undertook a two-pronged approach. They introduced non-profit organizations to conduct ‘social responsibility’ projects and highlight the benefits of mining to the community. Secondly, and more significantly in terms of what led to their successful cooptation of the movement, they also infiltrated local circles, gathered intelligence and evidence for leverage, and then used these recordings to intimidate, blackmail, and publicly discredit vocal opponents.

Infiltration

When I spoke with an area man who had become one of the chief project managers early on, I asked how the company had succeeded in

¹³ Anonymous company operator at the provincial level, personal interview, March 3, 2016.

¹⁴ Anonymous professor and mining company consultant, personal interview, March 8, 2016.

such an adverse environment, and what other companies could learn. Although still employed by Pishtaku at the time of our conversation, ‘Daniel’ quickly opened up to me about the need for undercover operations. He said the company was under siege, and Ronderos arrested anyone suspected of working for it:

We applied a strategy—not by corporate order or strategy, but out of personal conviction, because of our professions and because we understood the issue of *concientización* [building consciousness] and *sensibilización* [sensitizing]. We applied this not as part of our work for the company but because we believed that private investment was going to bring development to the town.¹⁵

Therefore, the Pishtaku operators hired fresh faces to attend the social movement’s meetings, gather information, and also plant disagreement within their discussions.

Daniel hired another local to work on “public sensitizing” and “information.” Their team began by holding meetings with possible supporters, but “in secret”:

We would gather at my place with only a few, about 10 people. We would show videos and speak about investment, about the ‘new mining’ and new technology, new state [environmental] regulations. And eventually we would have 15 attendees, but still behind closed doors because if the Ronderos found out they would make us walk barefoot.¹⁶

Surveillance and Defamation

After this, they made their work public. “We made rallies in favor of the mine in the provincial capital. It was an ideological war, more than a violent one. They had their own radio shows. So we got our own to broadcast a program about the development that mining brings about,”

¹⁵ Anonymous company manager at the provincial level, personal interview, March 31, 2016.

¹⁶ Anonymous company manager at the provincial level, personal interview, March 31, 2016.

Daniel leaned in excitedly, adding how useful the intelligence they were collecting on local leaders was for these programs. His team could exploit opponents' intrigues, extra-marital affairs, personal weaknesses, and other local polemics instrumentally. Jokingly, I asked if the company had a record of my coming-and-going as well, now that I had spent so much time talking to folks in the area. "No, no—those were different times," he assured me. To my slight discomfort, at exactly this moment Daniel remembered my earlier request for other contacts, and he briefly interrupted himself to recommend that I spoke with the company's Director of Intelligence. I wondered how many companies employ such a department.

"Pishtaku conducted an analysis of how to persuade and use people," said a respected Rondera leader. "They threaten to record, infiltrate, and make videos. They evaluate and manage people that way. And if at some point you have participated and you ask for work, they tell you, 'Do you remember that you were in such and such protest? Do you remember what you said?' They try to humiliate you. Now people don't say anything, don't complain anymore."¹⁷

Months later, I spoke with a higher-up Pishtaku officer working in the company's Lima headquarters. Well-dressed, light-skinned, and casually friendly, he was eager to contribute his community relations insights for the study. Minutes later, as we sipped coffee in a posh part of town, I asked him if it was true, as I heard from Pishtaku's provincial operators, that they had created an alternative 'Ronda' to compete for legitimacy against the local, activist Rondas Campesinas organization. "The idea of 'divide and conquer' works very well," he smirked. "We had the Ronda against us, and we also had ours to defend us."¹⁸ Up to then, only one Pishtaku officer had mentioned this, but many activists had argued it. Hearing the claim confirmed by a junior executive gave it serious gravity.

Highlighting how mining opponents were "violent" and allegedly linked to terrorist groups had "a mirror effect," according to Daniel: it contrasted protesters against the firm, showing the latter as responsible,

¹⁷ Anonymous Rondera, personal interview, February 22, 2016.

¹⁸ Anonymous 'Pishtaku' company officer, personal interview, August 8, 2016.

supportive, and adherent to high standards. “It was a combination of factors that demonstrated that development would be good. We sensitized people. We had radio programs and said that without private investment there would be no development.” And this, he said, led to its success. “The more confidential stuff was because there was no other way to deal with those people.”¹⁹

Blackmail

At this point in our interview, Daniel whispered to me about the importance of “playing the Ronderos at their own game.” Naming two of the main organizers behind the opposition to the mine, he said social leaders have lived in “red zones” in the jungle, where they were trained with the Maoist terrorist group Sendero Luminoso. “One of them became mayor” (before his untimely death), “but during his administration it was shown how they were only after their own benefit.”²⁰

To illustrate his point, Daniel veered the conversation towards the leftwing presidential candidate Verónica Mendoza. “There’s a video that shows she’s embedded with Patria Roja and MRTA [Movimiento Revolucionario Tupac Amarú],” referencing a publicity campaign that was, at that time, attempting to discredit the candidate.²¹ “And we did work similar to that here,” Daniel said. “There was no other way to deal with these people who were anti-miners and acted violently against whomever disagreed.” Alluding to another case, the Tía María copper mine, Daniel mentioned how other protest leaders were recorded accepting bribes, then blackmailed and exposed by companies. “The same thing happened here in town. We had to show their true face. The

¹⁹ Anonymous company manager at the provincial level, personal interview, March 31, 2016.

²⁰ Many residents accuse the company of the accident that killed this activist (Rondero leader from the mine’s district, personal interview, March 3; Rondero from a nearby district, personal interview, March 3, 2016). However, others doubt this (Rondero leaders from the area, personal interview, March 4, 2016).

²¹ Patria Roja is a leftwing political party. Though seen as radical, it was not formally associated with the guerrilla or terrorist groups that emerged during the internal armed conflict. The MRTA was a guerrilla group that took the Japanese ambassadorial residence hostage between December 1996 and April 1997.

so-called environmentalist became mayor. He died, but when he arrived in city hall they split the pot. Some administrators from his cabinet were jailed for misappropriating funds.”

Technically and legally, the mining project required the mayor’s signature to receive final approval from the state in Lima. According to Daniel, a transit accident that killed him occurred by force of god:

That man could have ordered the deaths of many more people. [...] You never saw them working. What did they live from? Corruption and extortion. That is, they had a lot of weaknesses that gave us the opportunity to show their true faces.²²

Intimidation

Although that conversation was the most candid and revealing, interviews with other company operators in the area, as well as dozens of locals and activists, confirmed the presence of a strong private intelligence apparatus that had helped to demobilize the mine’s opposition.²³ Indeed, one key movement leader claimed he was threatened multiple times. He had been courted first by “an NGO” that invited him to Lima to learn about a development project. He discovered that the address on the business card was fake. Scared to “be disappeared,” he declined. Another time he was invited to preside over an election in a coastal city and offered a ride. He deemed it an ambush and declined. “Those were company agents,” he said confidently.²⁴

A third time, the Rondero alleged, he received a formal letter from the president of the Rondas in a nearby province. Because he knew that executive, he accepted the invitation, but a black truck followed him the entire route. When he arrived at the Rondas president’s house, they noticed that the black truck was patrolling the block. The two Ronderos

²² Anonymous company manager at the provincial level, personal interview, March 31, 2016.

²³ Anonymous company operator at the provincial level, personal interview, March 3, 2016.

²⁴ Anonymous Rondero leader from the mine’s district, personal interview, March 3, 2016.

snuck up to the truck and captured the driver. Ronderos are traditionally known for using physical punishment (especially with cow whips), and they forced the driver to confess that he had been paid to kill them. “We confiscated his phone and received a phone call asking the if he was already on his way. We realized they were waiting to ambush us.” This same interviewee also denounced how Pishtaku’s community relations director had once pointed at him in the street, made his fingers into the shape of a gun, and ‘pulled the trigger’ to intimidate him. “They’ve said we oppose their mine because we are violent drug dealers, but they’ve already come to dig up intelligence about us and found nothing,” he said. “Their strategy is delegitimation.”²⁵

Since the mine began production, the movement continued its organizing, executing two major labor strikes successfully within a couple of years. But soon, another environmental leader and head of the opposition to Pishtaku was found dead at the bottom of a ditch, only one day after organizing a meeting that brought together activists from several provinces, and this fed the resentment and distrust that already plagued company-community relations.²⁶ The company maintained its legal charges against several key activists, one of whom was eventually sentenced to prison, where he was allegedly tortured, according to Peruvian and international human rights groups. Meanwhile, back in town, human rights organizations denounced how police came to destroy his house door, break locks, tear up documents, and threaten his partner. When I asked activists to put me in contact with him—now released from prison—many said they were no longer in touch, that he had lost his way, and that he had been banished from organizations on suspicion that he was a mining agent.²⁷

As the company had shifted its methods of community engagement—from state-led repression of crowds to a combination of public and private sources of repression targeting specific leaders—the

²⁵ Anonymous Rondero leader from the mine’s district, personal interview, March 3, 2016

²⁶ Anonymous, personal interview, March 27, 2016.

²⁷ Anonymous Rondero, personal interview, March 3, 2016; anonymous school administrator, personal interview, March 28, 2016.

movement against it also changed its strategy across the years. A widely supported ecological opposition to the project was publicly repressed, galvanizing anger and greater resistance and even leading the social movement to a temporary victory. It even won an electoral victory and became institutionalized in a second phase. However, it was then violently dismantled through targeted repression. In its third stage, its mobilizing frames combined absolute opposition to the mine with a mix of economic claims for redistribution; and while these are not mutually exclusive, their unclear articulation was vulnerable to accusations of mere “opportunism.”²⁸

Separately, two senior company operators revealed their espionage and delegitimation apparatus, and a third confirmed the creation of alternative groups to divide Pishtaku’s local opponents. They had no official budget. There were no meeting minutes. This was not an official operation, nor is it clear that officers in Lima ordered it or even knew about it. It took on a character of under-the-table and amateur surveillance, infiltration, defamation, blackmail, and intimidation—a concerted effort that resembles a counterinsurgency apparatus, conducted at the local level and by non-state actors. And in contrast to the public killing of a random protester years earlier, which backfired, this secondary strategy by company operators was far more effective at isolating leaders, sowing distrust and fear, and curtailing the social movement against the project. Table I in the discussion below will explain and illustrate these dynamics in depth.

III. Corporate Counterinsurgency on the Rise

“Pishtaku was born in blood and fire,” a regional government administrator summarized. “The only way to do this was by using the Peruvian National Police as private security. There is documented evidence that the company had, and used, military-grade weapons, unlawfully.”²⁹ The administrator shared with me classified intelligence reports, sent

²⁸ Anonymous journalist, personal interview, March 11, 2016.

²⁹ Other interviews and mainstream media reports confirmed that the original casualty, the farmer randomly killed during the campsite confrontation, had been killed by a military-grade weapon.

from an unspecified operative to an unspecified agency, which contained updates on the whereabouts and affiliations of key anti-mining leaders in the area. “There was a pact between the Ministry of the Interior and mining companies, and things have gone downhill since then,” he said.³⁰

This last point highlights a key blur in the binary between public and private security. Not only have military and private security companies grown exponentially in the last decades (Gillard 2006; Salmón 2016), but also state armed forces are contracting their services to private bidders, creating a possible conflict of interests in how they act towards people who oppose those private projects. In this closing section, I seek to answer three questions: (1) Are mining companies beyond Pishtaku engaging in similar counterinsurgency practices, or is the case unrepresentative? (2) How does conceptualizing the sources and the targets of repression assist analyses of resistance? Finally, (3) what are the limits of this study, and how can its insights expand into future research and action against repression, violence, and impunity?

Since the mercenary-assisted U.S. invasion of Iraq in 2003, the rise of private security industries has received significant scholarly attention. Still, largely absent from this literature is that private security firms are changing the dynamics of repression. Companies in the extractive sector and beyond are increasingly relying on private security apparatuses that, crudely or with sophistication, supersede the task of simply guarding company property (ISEM 2016). In many cases, sometimes under the initiative of provincial employees and low-level managers, their tasks grow into full-scale defamation, espionage, and intimidation operations that very closely resemble—and indeed derive their tactics and even personnel from—state counterinsurgencies.

A quintessential example from Peru is that of the security company Forza, first brought to public attention due to its involvement in the Majaz

³⁰ Anonymous regional government administrator, personal interview, March 8, 2016. The files this contact shared with me included intel records of “monitoring the location of the primary leaders and spokespeople of the [activist coordinating group] that oppose the viability of the [Pishtaku] project.” I could not confirm the existence of a private security agreement between Pishtaku and the police, but I did collect (from other sources) four such documents, signed by the police and four other mining firms.

mining project in Piura, then owned by UK-based Monterrico Metals. In the summer of 2005, thousands protested outside of the company's campsite when tear gas began overwhelming and dispersing the crowds. Some protestors hid in a small cabin, but Majaz' security detail, Forza, and members of the Peruvian National Police's special operations division (DINOES) discovered, beat, and detained all 28 people. Blindfolded, with hands tied around their backs, the victims were made to walk uphill near the company camp and sit on an animal slaughterhouse. They were subject to torture and sexual violence, as well as deprived of sleep, water, and food, for 72 hours. One of the kidnapped died; the others were released and charged with terrorism. However, leaked photographic evidence of the events, documented by the same Forza and DINOES operatives, reached national and international news in 2009. This prompted an inconclusive investigation, and Monterrico eventually sold the project (CNDH 2011; Kamphuis 2011; McGee 2009).

Forza was only getting started. Nearby, it was providing security for World Bank-backed Yanacocha, Latin America's largest gold mine. By the end of 2006, Forza entangled itself in an even higher-profile case of abuse against environmental activists. The now-congressperson Marco Arana was, at that time, a priest only well-known regionally as an environmental leader and a Yanacocha opponent. In late 2006, Arana complained to a United Nations mission that members of his environmental organization, Grufides, were under video surveillance by people connected to the mine and its security service.³¹ Weeks after first noticing the surveillance against their organization, Arana and his colleagues managed to capture one of the spies, a 22-year-old from Lima, and seized his camera. The footage revealed meticulous monitoring of Grufides members, as well as images from within an office filled with surveillance equipment and a detective-like wall with their photographs, arrows, and illegible notes (La República 2006b). Forza dubbed its operation "El Diablo," in reference

³¹ Arana also reported that he and a colleague had received death threats. Also in November 2006, one of the top leaders of the opposition to Yanacocha and its plans to expand in the area, Edmundo Becerra Corina, was found dead with more than two dozen gun shots in his body (La República 2006a). Becerra was scheduled to testify to a commission of the Mining and Energy Ministry days after his assassination.

to the priest it targeted. Although the scandal forced an investigation, regional authorities pigeonholed it (La República 2007a, 2007b).

It is no small detail that Forza was formed in 1991 by retired military personnel specialized in surveillance and counterinsurgency (La República 2006c).³² This explains its access to tools and knowhow it needed to conduct high-level espionage and intimidation operations against environmental leaders in Cajamarca and Piura. Forza was also one of the clients—among various private security, mining, oil, and other companies—that hired the services of the counterintelligence company Business Track (BTR). In 2011, former president Alan García was summoned to the Superior Court to testify against BTR, which was subject to a high-level investigation for illegal wiretapping and criminal conspiracy. Roughly 317 people were counted among the victims, including politicians (such as García while he was president), social movement and civil society leaders, businesspeople, journalists, and others (La Tercera 2009).³³

An abundance of extractive companies in Peru are using increasingly sophisticated public-private armed forces to not only guard their property,

³² Such recent retirees from the state's counterinsurgency forces include Luis Escarcena Ishikawa, Forza's (now owned by Securitas) chief of private security for the Peruvian branch of the Canadian firm Hudbay Minerals. According to analyst Luis Manuel Claps, Escarcena was Alberto Fujimori's "aide-de-camp" and one of three pilots aboard the 'narco-plane' the Peruvian Air Force detained briefly before allowing it to depart toward Europe with 170 kilograms of cocaine inside of it, in May 1996 (NACLA 2013).

³³ The allegations against BTR included being paid by an oil company to dig dirt on a competitor. BTR recorded conversations in which the competitor's lobbyist discussed bribes with government officials in exchange for a handsome oil concession. The anonymous leak of these conversations cost that oil firm the concession to all five oil blocks, only days before the final contract was signed (Páez 2009a). BTR was owned by Elías Ponce Feijóo, an intelligence chief who retired as a naval captain in 2001. Ponce is implicated in the forced disappearance of two students in 1993, during Alberto Fujimori's authoritarian regime (La República 2014). Also arrested in the case were the BTR sales executive and two active Navy Intelligence Directorate technicians, who used their insider-access to bug telephone numbers as Ponce ordered. Ponce served two years in jail, the maximum before suspects are released if they are never tried.

but also to demobilize opponents, including within some of the other case-sites I visited. For instance, in Cajamarca two environmental lawyers separately mentioned to me a mining conflict in Cerro Mogol, where the company Miski Mayo (Quechua for ‘sweet river,’ after the name of the parent company, Vale do Río Dolce) armed two employees who were accused of intimidating project opponents repeatedly with those firearms (Grufides 2007; OCMAL 2007; La República 2007c; Red Verde 2007).³⁴

Retired officers from Peru’s military intelligence apparatus have also contracted their skills for questionable uses in other countries. For example, the Supreme Court of British Columbia investigated the U.S.-Canadian firm Tahoe Resources regarding how Golan, the private security service Tahoe had hired to protect its Escobal mine in Guatemala, arbitrarily fired rubber bullets at a crowd of peaceful protestors on April 27, 2013, injuring seven. The victims sued Tahoe in Canada for violent repression of a peaceful protest, arguing the company authorized the attack and neglected preventative measures. The Escobal mine’s security team was headed by Alberto Rotondo Dall’Orso, a Peruvian navy 1974 graduate trained by U.S. special counterinsurgency forces.³⁵ Because the firm that hired Rotondo, Golan, was based in Israel and known in the Middle East, the case linked extractive industries in Latin America with military and intelligence services working in Afghanistan and Iraq (Solano 2015; Sunkar 2016).

One commonality between these contexts may be significant: in Guatemala, like Peru, extractive companies operate under a post-conflict, undemocratic, counterinsurgent mindset (see Argueta 2010). Perhaps

³⁴ The same company is allegedly behind similar repressive practices in its base country, Brazil. It had hired a private ‘intelligence provider’ to infiltrate agents into opposition organizations, pay bribes to civil servants, conduct wiretapping and surveillance, and to keep political dossiers on activists (Amaral 2013).

³⁵ In 1986, Rotondo graduated from a psychological operations and low-level terrorism course at the J.F.K. Special Warfare Center and School, in Fort Bragg, Georgia (CMI 2015). Guatemalan authorities arrested him on charges related to the violent displacement of local farmers in San Rafael Las Flores three days after the event, on April 30, 2013. He was placed on house arrest in May 2013, but he escaped the country before January 2014. Interpol Peru arrested him once again in Lima in 2016 (Sunkar 2016).

this helps to explain why Latin America has been rated for several years as the world's deadliest region for environmental protectors and activists (Global Witness 2014, 2016). However, recent evidence indicates that counterinsurgency operations by extractive companies occur even in more stable liberal democracies like the US.³⁶ It would be impossible to summarize, even briefly, many more cases that have reached mainstream attention, but their wide availability shows how common this trend is.³⁷ It appears that extractive companies are increasingly reliant on security apparatuses that go beyond guarding property and engage in complex defamation, espionage, and intimidation operations that directly derive their tactics, and even personnel, from state counterinsurgency forces. Although there is limited work on this at the case-study level (see Kamphuis 2011), more studies are needed to understand the broader patterns these new forms of repression are generating within social conflicts.

Closing: Theorizing Corporate Counterinsurgency

How might the growing phenomenon of privatized counterinsurgency alter traditional conceptualizations and analyses of repression? Part of the problem with the majority of research into repression may stem

³⁶ At the time of writing, evidence is emerging of counterterrorism tactics used by the security firm TigerSwan to demobilize opponents to the petroleum Dakota Access Pipeline (see *The Intercept* 2017). Additionally, the US Federal Bureau of Investigation's joint terrorism taskforce investigated indigenous environmental activists at Standing Rock in an attempt to construe them as domestic threats (*The Guardian* 2017a). Although there is no evidence the two efforts were linked, this case demonstrates the rising prevalence of state and private counterinsurgency operations against activists in resource conflicts.

³⁷ For example, in Honduras in 2017, indigenous Lenca peoples denounced that private security associated with the DESA dam company and a family of local landowners set fire to their crops, which were planted alongside the river that DESA hopes to dam (COPINH 2017). DESA's president, Roberto Castillo, is a former military intelligence officer (*The Guardian* 2017b). Lenca leader Berta Cáceres adamantly defended the river from DESA's 'Agua Zarca' dam project until she was assassinated in March 2016. Other members of her organization have been assassinated since (CIEL 2016). Peru, Brazil, and Honduras are Latin America's deadliest countries for environmental activists (Global Witness 2014).

from the general operationalization of the term. In contemporary resource conflicts, the means of coercion seem to be increasingly privatized, but they are still functioning as repressive mechanisms. Old models meant to explain repression as a state-specific practice are less useful in a context of corporate-community conflicts. Corporate counterinsurgency, an extreme form of waging repression through private means and for private interests, is subtler than judicial repression, and more difficult to trace and hold accountable.

This research has sought to bridge the disconnect between literature on repression and the various practices of counterintelligence and punishment that social movement opponents, such as firms in the extractive sector, use today. Furthermore, this work seeks to question how corporate counterinsurgency might affect resistance movements,

| | Public Sources of Repression | Private Sources of Repression |
|------------------------|--|---|
| Public Targets | (1) Police violence on protest crowds, groups, and organizations (2) Teargas, rubber bullets, firearms, physical violence, random arrests (3) Backfire is most likely | (1) Private security violence on protest crowds, groups, and organizations (2) Teargas, rubber bullets, firearms, physical violence (3) Backfire is likely |
| Private Targets | (1) State persecution of individual leaders (via police and court systems) (2) Warrants, trials, fines, detention, espionage, infiltration, physical violence (3) Backfire is possible, but not likely | (1) Private harassment and sabotage of individual leaders (2) Defamation, intimidation, breakins, espionage, infiltration, physical violence (3) Backfire is least likely |

Table I: Conceptualizing Sources and Targets of Repression along Public-Private Dimensions

Note: Each box in the table explains (1) the possible forms of repression along these dimensions; (2) the kinds of tactics used in those particular contexts; and (3) their potential of backfire effects.

namely whether it is capable of decimating these or likely to galvanize them. Therefore, it suggests that leverage may be drawn by analytically distinguishing repression types according to their sources (whether publicly or privately funded) and targets (whether public assemblies or private individuals). Table I and the discussion below conceptualizes these dimensions of repression and their possible effects.

Drawing on and contributing to the study of repression, this work proposes a distinction between its private and public forms, in terms of both its perpetrators and its subjects. To be clear, this dichotomy is merely useful as an analytical device, for as I have argued, the distinction is blurry and can be more accurately understood as a spectrum; it is an array of forms of repression that actors draw upon strategically, even simultaneously. Documented evidence of collaboration between the Peruvian National Police and extractive companies might help to question the validity of distinguishing sources of repression along a public-private binary. It is indeed crucial to investigate the blurring line between public armed forces and their private contracts. However, the simplified typology above is still useful to hypothesize and understand the effects of repression on social movements and conflict outcomes.

The literature's selection bias limits its analysis of backfire by studying cases of public violence against public targets. Building on previous studies, it is clear that when people face arbitrary repression by police (publicly targeted and publicly sourced, as in the top-left quadrant in Table I), this is more likely to lead to enraged reactions from protesters, who may respond to police violence by returning stones, rioting, and property damage. Protesters are similarly likely to be galvanized by anger when a crowd is provoked by private sources of repression (as in the top-right quadrant). Indeed, this was the effect of the company's repressive tactics at the beginning of the conflict at Pishtaku.

However, when the targets of repression are not crowds but individuals, organizing a response is much harder, and this is most apparent in cases when the target and the source of repression are private. Corporate counterinsurgency operations do not simply react to protests; they actively target individuals, and are thus more likely to isolate them and demobilize groups (as in the bottom-right quadrant in Table I). When Pishtaku operators targeted repressive efforts on individuals, who

increasingly bore the majority of the punishment for their activism, this seemed to generate two effects. Firstly, it tormented and intimidated those leaders, but this seemed especially effective because, secondly, it isolated these leaders from their support bases, as they were defamed and portrayed as corrupt. The more targeted and privately-sourced repression is, the more likely it is that persecution will be isolating, break solidarity, delegitimize, and demobilize opposition leaders. This is especially the case thanks to the particular tactics and techniques of repression this combination allows, such as secretive and isolating operations.

The power of criminalizing, delegitimizing, and misleading discourses was showcased when Pishtaku agents successfully framed one key opponent as a corrupt opportunist and a 'sell-out.' This insight further clarifies a causal process that may influence the possibility of backfire: When repression is individually targeted (whether through public means such as courts or through covert intimidation efforts), the chances that it will backfire might depend on (1) who the targets are and their organizing power, as well as (2) company efforts to defame them. First, leaders without strong support networks are more easily demobilized and isolated, and second, efforts to repress may be most effective if they can go beyond the legal and the physical, into the realm of discourse and media strategies—including defamation and disinformation (see Martin 2012, 54).

From the perspective of a company, private repression might come across as an appealing way to dismantle opposition and avoid public conflict. But this strategy is more damaging than responding democratically and responsibly to local opponents. Insofar as it remains unexposed, corporate counterinsurgency has worked for Pishtaku in the short run. However, working around the communities in the mine's vicinity, one cannot help but notice how palpable and widespread is the popular discontent, distrust, and resentment against it. Repression demobilized key leaders and altered the movement's organizing capacity, but it did not address local residents' concerns about water or the redistribution of the benefits of mining in their land. This is the substance that boils up into explosive conflict in the long run. It is therefore unsustainable, and ultimately costly.

Understanding repression as an increasingly privatized practice, and indeed a corporate industry, will contribute to resistance efforts to preempt and strategize against its various effects. Of course, each conflict is different, and while this study's strengths are in its ethnographic character, which helps to trace complicated political processes and elucidate possible causal mechanisms, it is a limit of this study that the cases treated here may not be representative of resource conflicts as a whole. Database-oriented quantitative analysis of many more cases can build on the insights drawn here to assess whether the argument applies more broadly—i.e., if it is true that public repression backfires and that private repression does not. Moreover, comparative research can help to further elaborate the role of companies' private security operations as forms of repression. Attention to these dynamics will assist society and the state in demanding accountability, building credible institutions, and preventing violence.

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