World Development Vol. 72, pp. 419–431, 2015
0305-750X/© 2015 The Authors. Published by Elsevier Ltd.

ELSEVIER
www.elsevier.com/locate/worlddev
http://dx.doi.org/10.1016/j.worlddev.2015.03.007

Poorer Countries and the Environment: Friends or Foes?

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Summary. — This article focuses on delineating the conditions under which the governments of poorer countries become active defenders and protectors of the environment. It does so based on field work in two poorer countries, El Salvador and Costa Rica, where the governments have instituted moratoria on financially lucrative but environmentally destructive mining in order to protect the environment. Building on these case studies and prior work, the article posits three conditions—related to civil society, the private sector, and the public sector—under which governments of poorer countries implement policies that favor environmental ends over shorter term economic rewards.

Key words — Costa Rica, El Salvador, mining, environment, political ecology, poverty

1. OVERVIEW

Over the past decade, the governments of El Salvador and Costa Rica have taken bold steps to implement de facto moratoria on financially lucrative but environmentally destructive mining. Both did so in order to protect the environment, despite the prospect of historic profits and in the face of retaliatory measures from transnational gold mining firms. Why did they do this? Under what conditions do the governments of poorer countries become active defenders and protectors of the environment? Our goal is to explore and analyze the conditions that influence such decisions and actions.

In this research, we are expanding on work we carried out 20 years ago when we looked at this same question, but with poor people and communities, rather than national governments, as our unit of analysis. In 1994, one of us wrote an article in *World Development* that challenged the traditional argument that poorer people did not care about the environment and were often destructive of it. [1] We culled our analysis from research for a book we had coauthored a year earlier, in which we explored how organized poorer people led movements to protect their natural resources in the Philippines. [2] Based primarily on our fieldwork in that country, we posited three conditions under which poorer people became not only concerned about environmental issues, but also active defenders and protectors of natural resources and the environment: (1.) Environmental degradation threatens the natural-resource base off of which people live; (2.) Poor people have lived in an area for some time (a condition we subsequently term "rootedness") [3]; (3.) Civil society is politicized and organized.

Our new research and analysis at the national level are rooted in field work in El Salvador and Costa Rica. We selected these two case studies because in both, the national governments have implemented policies placing bans or significant limits on gold mining due to its adverse environmental impact. We use this government policy outcome on mining as a dependent variable indicating a government's decisive action to protect the environment. To ensure that our case studies focus on significant environmental protections, we have chosen cases in which such governmental "action" has prompted legal actions by mining companies (in these cases, investor-state lawsuits). Another indicator of the cases' significance is that during the period of our research, the price of gold reached historic highs, making the gold deposits in each country even more potentially lucrative. Under economic theory (be it neoliberal or structuralist) [4], both governments would have been expected to further encourage exports of gold. Instead, each moved to limit or stop such exports. These case studies thus provide the basis for our analysis of the conditions that lead governments to protect the environment over short-term economic or financial gain.

As will be detailed in the article, in looking to explain what led each government to change its mining policy for environmental reasons (which, as stated above, is our dependent variable), both of our case studies steered us to independent variables that involve each of the three main societal groupings, or what Marc Nerfin termed the Citizen (civil society), the Merchant (the private sector), and the Prince (government) [5]: (1.) civil society (including individual poorer people, local organizations of poorer people, national-level organizations that include these local organizations, as well as other segments of organized civil society including religious, academic, and development groups); (2.) the domestic private sector; and (3.) the government (in each country, the cases include a time period covering more than one such democratically elected president, and individuals and institutions in executive, legislative, and/or judicial branches). We use these three categories as basic units of analysis to dig deeper into what happens within these non-homogeneous groupings to allow for various actions or non-actions, silences, or agency. Tracing actions and processes enables us to delineate what happens and why, within each heterogeneous grouping, and between and among categories. [6]

This approach makes it possible for us not only to examine civil society, the domestic private sector, government officials

* The authors would like to thank Rachel Nadelman, Adam Needelman, Jan Morrill, and Isabel Macdonald for their research assistance and insights; and World Development editors and anonymous external reviewers for useful feedback. This article would not have been possible without the willingness of so many people in El Salvador, Costa Rica, and the United States to speak candidly with us. Final revision accepted: March 22, 2015.

and agencies, and interactions in each country, but also to compare and contrast across the two countries in order to highlight variables that seem common *versus* unique in the two. After presenting the country case studies, we move to examine more broadly the conditions under which poorer governments take action to protect the environment. To be clear: Our third independent variable is composed of officials and agencies of government. We distinguish this from our dependent variable: government policy and action to protect the environment, a variable we argue is influenced by all three independent variables, and interactions among them.

To foreshadow our analysis, our case studies lead toward the conclusion that mobilization by poorer people related to the environment, building to a broader organized civil society on these issues, is one of three key conditions leading governments of poorer countries to take action on the environment. Thus, our three 1994 conditions regarding poorer people are still relevant at this new level of analysis. In addition, in our post-case study analysis, we build from our case studies to posit two other conditions—one related to the Merchant and another to the Prince—that influence whether governments of poorer countries come to implement policies that favor environmental ends over shorter term economic gains.

In terms of our methods, this article is based on field work in El Salvador in 2011, 2012, 2013, and 2014, and Costa Rica in 2007 and 2014. In both countries, we conducted semi-structured interviews with government officials as well as with individuals and representatives of groups of organized civil society. [7] We had more limited interviews and interactions with the domestic business sector. We also used participant observation, especially in outlying regions where mining corporations have initiated exploratory and/or actual mining operations, or have indicated an interest in gold mining. We supplemented this with primary and secondary sources. Notably, in the case of El Salvador, we had access to extensive government and corporate documents, including internal communications that were made public as part of the submissions to the international tribunal where mining companies have sued governments. [8]

We now move to lay a foundation of the relevant literature related to how poorer people and poorer country governments think and act about environmental issues. From there, we proceed to our two case studies, tracing actions and processes from Citizen to Merchant to Prince. We then step back from the case studies to offer our three conditions and to raise questions for research on additional case studies while suggesting the relevance of these conditions to other countries.

2. THE LITERATURE AND CONVENTIONAL UNDERSTANDINGS—1994–2014

To situate our analysis within literature on environment and development: Much has changed since the analysis in our 1994 article (and 1993 book) about poorer people and the environment was greeted by many, especially in the United States, as surprising. The prevailing wisdom then was that poverty (and the poor) caused the majority of environmental degradation. The more mainstream paradigm version of this, as seen in neoliberal economics, held to an Environmental Kuznets Curve (EKC, as best exemplified by the work of Grossman and Krueger (1995) at Princeton), maintaining that poorer people and poorer governments would not care about the environment until after a certain economic threshold was reached. The more enlightened paradigm [9] of that day was exemplified by the 1987 so-called Brundtland Commission, which held that there was a direct causal feedback loop between poverty and environmental degradation. [10] The solution for both paradigms was economic growth to make poorer people and poorer countries richer—albeit with the Brundtland version acknowledging the need for a greener version of growth.

Twenty years later, there is a vibrant literature in the "political ecology" paradigm documenting that not only do poorer people often care about natural resources, given their dependence on intact ecosystems, but also that, especially when empowered through community control of resources, their actions can lead to socially and environmentally positive outcomes. Our analytical frame builds on the political ecology paradigm as broadly defined, with its various approaches. [11] Among them, Nobel laureate Ostrom (1990) contributed to this field with her empirical work on common resource management. Political ecologists including Agrawal and Yadama (1997), Shiva (2006), Colchester (2006), and Boyce (2013) pushed further to demonstrate that "common property rules" lead to environmentally "good" outcomes.

There is also a broad academic literature on extractives and development in the political ecology frame, as exemplified by the work of geographer Gavin Bridge. [12] Alongside this academic literature is a large and growing body of studies and documentation from global, national, and local non-governmental groups—including research groups, environmental groups, human rights groups, indigenous peoples' groups and others—documenting the social, economic, and human rights impacts of mining as the basis for advocacy. [13]

A parallel, expanding academic and policy literature uses empirical and field research to question the applicability of the EKC thesis and its contention that one has to be a richer person in a richer country to care about the environment or act to stop environmental degradation. [14] And, yet, the Environmental Kuznets Curve, and the related assumption that short-term economic exigencies stop poorer people and poorer country governments from internalizing environmental costs, continue to hold a powerful sway on mainstream media and economic policy-makers. Witness the current, protracted negotiations on the Doha Round, with the WTO's and World Bank's argument that trade-induced economic growth in poorer countries will lead to more environmental concern and policies.

With this overview and literature foundation, let us now move onto our case studies.

El Salvador and Costa Rica are two poorer nations where the governments have responded to pressure from poorer communities and from wider civil society to institute some types of moratoria on gold mining despite heavy pressure from foreign mining firms to allow mining. Both countries are part of a large gold belt that runs down Central America. Historically, there has been gold mining in El Salvador, Costa Rica, and the countries along that belt. In each of these case studies, we first offer a brief background and overview, and then we examine each of the three variables—Citizen, Merchant, and Prince—into which we have separated our analysis. [15]

3. EL SALVADOR CASE STUDY

Our first case study is that of El Salvador, where citizen movements began organizing against mining in 2004–05. By 2006–07, there was widespread opposition and the last gold mining permit issued by the government was in mid-2006. [16] There is not a Congressional ban on mining (as in Costa Rica); rather, as a result of three administrations not issuing mining permits, there is no industrial gold mining in El Salvador. This seems exceptional, given the country's relative economic poverty and the relatively high price of gold.

In addition to having sizable reserves of gold and other minerals, El Salvador is the most environmentally degraded country and densely populated country in Central America. According to the United Nations, after decades of severe deforestation and pollution of its rivers, it is the second most environmentally degraded country in all of Latin America and the Caribbean after Haiti. And, its major river, the Lempa, winds through gold country and provides drinking water for over half the country's population.[17]

Commercial gold mining began in El Salvador over 110 years ago. As in other parts of the world, mining declined during the Great Depression of the 1930s as global mineral prices fell, but expanded after World War II. In El Salvador, mining was largely halted during the civil war of 1980–92 due to security issues in the gold regions, and never picked up significantly after that.

However, as mineral prices began their steep ascent after 2000, the gold deposits of El Salvador attracted dozens of foreign mining firms. Several were granted exploration permits by the government, including Pacific Rim in the department (province) of Cabañas. Pacific Rim was granted an exploration license for its El Dorado project, yet by the time it applied for an exploitation concession, the government's view on gold mining changed and the exploitation concession was never approved.

In the three subsections that follow, we trace and analyze the El Salvador case by separating it, as much as possible, into each of the three parts of society. We move from civil society or Citizen, to economic elite or Merchant, to government or Prince.

(a) *The citizen*

Most accounts of El Salvador's gold mining ban (including our own) rightly begin with key individuals, mostly poorer farmers, who came to have individual and local concerns about mining.[18] They then transformed these local concerns into a sophisticated, organized civil-society opposition to mining based on its environmental and social costs and lack of long-term economic benefits. The key focus of local activists was the gold belt in northern El Salvador, particularly the provinces of Chalatenango, Cabañas, and La Union.

In Chalatenango, long a base of progressive activism in El Salvador, farmers told us of Canadian mining executives flying into their province in 2005 looking for gold. These farmers were instantly suspicious of the mining company claims of jobs and prosperity, and so they organized trips into nearby Honduras and Guatemala to view the impacts of mining there. A local resident of one of town recounted a visit to a mine in Honduras where they "saw with our own eyes these huge craters where they had cut off mountains," a leeching pond that was "a green lake" and "not one single living thing" in the nearby river. Returning to Chalatenango with this knowledge and photos and videos, they undertook a broad education campaign. Activist groups linked with sympathetic municipal officials and successfully kept the mining companies out.

And, the organized groups of Chalatenango knew that Canadian mining firms were trying to gain access also to concessions in the province directly across the Lempa River to the east, Cabañas. "So," a middle-aged woman from Chalatenango told us, "we once sent a convoy of over 1,000 people to help the communities in Cabañas understand about" and oppose mining "because they're our neighbors."

Cabañas is one of the poorest provinces in the country and one of the more conservative politically. As opposed to Chalatenango, the mayors and municipal councils of most of Cabañas at this time were from the right-wing ARENA party. From dozens of interviews with farmers and other local residents of Cabañas, we learned that when then-Canadian firm Pacific Rim first showed up to explore for gold in Cabañas, many of those who would later become anti-mining activists were not in opposition. Rather, they viewed mining as an opportunity for jobs and economic growth for the poor province. But, after they visited mining communities in Honduras, after discussions with people in Chalatenango, and after they experienced and saw the negative effects of the exploration wells dug by Pacific Rim, opposition grew. They also traveled further east within El Salvador to San Sebastian, La Union, the site of a century of mining, most recently by Wisconsin-based Commerce Group, where they found severe environmental degradation.[19]

Thus, key individuals in Cabañas, many affiliated with local environmental and development groups, joined those from Chalatenango to increase public education and campaigns against mining. As early as October 2005, these individuals and organizations in Cabañas had linked up with others across the country to form the National Roundtable on Metals Mining (La Mesa).[20]

Groups in La Mesa framed their fight not as being anti-mining but as pro-water, and their educational materials have focused on the fact that the majority of Salvadorans get water from the Rio Lempa. Our research suggests that this framing helped the opposition to gold mining gain majority support in El Salvador, even in the local communities that might have gained some mining jobs. So too did the fact that several leaders of the Catholic Church, including the Salvadoran Council of Catholic Bishops, expressed opposition.[21] For example, at one gathering of about 500 at the Jesuit University of Central America (UCA) in June 2006, then-UCA president Father Jose Tojeira expressed his opposition to mining.[22] When the audience (which included many from Cabañas) overwhelmingly expressed theirs, they were reminded that under Salvadoran law, mining could not go forward if the 100 or so in the audience for whom it was relevant did not sell their land to Pac Rim. The opposition suggested in that venue seems to have reflected the majority view in Cabañas: as our research uncovered, Pac Rim never was able to get 87% of the necessary land holdings, owned by over 1,000 people.[23] Countrywide, over 62% of El Salvador's population indicated opposition to mining in a 2007 University of Central America poll.[24]

(b) *The merchant*

Numerous foreign mining firms entered El Salvador in the first decade of the 2000s and pressured the government for mining contracts. However, since there had been little commercial mining in El Salvador in recent decades, these foreign firms were not greeted by a strong local elite entrenched in mining.

A key factor in El Salvador was the suspension of industrial mining during the 12 years of the brutal civil war of 1980–92, where over 75,000 people were killed. Gold prices were relatively low in the 1990s, and hence mining did not pick up much after the civil war. Therefore, when the mostly Canadian mining firms came into the country over the past decade, there were few entrenched local business leaders strongly invested in mining. Referring to the historically small number of families who have controlled El Salvador's economy, one senior government official explained that "some families that were involved in mining [had] stepped away and found more lucrative endeavors" elsewhere. And, our research suggests, the Canadian mining firms either chose not to, or were not able to, establish a network of strong connections with local elites.

In addition, the relatively weak Salvadoran business interests in mining seem also to be related to the scarcity and fragility of the water systems in the country. As with small farmers, a segment of businesses in El Salvador depends on water and is worried about the potential water contamination that comes with gold mining. In El Salvador, there is a significant agriculture sector, with both agribusiness elites and smaller entrepreneurs. As we discovered in our interviews, their self-interests lead them to be concerned about the country's water quality and quantity, a reality brought home by recent droughts. And, there is a tourism sector—albeit not as large as in some of its neighboring countries—and this too depends on water. Business leaders from these sectors have not typically come out publicly and vocally against mining, but their silence and the silence of most of the rest of the domestic business elite on mining has helped the anti-mining forces. One expert in the legislature put it this way: "By not saying anything, they are saying a lot. By not supporting mining, they are doing a lot." Senior officials of Ministry of Environment (MARN) told us in 2014 that they had, at least since the Funes administration, to their surprise "never" been lobbied by Salvadoran business interests in favor of mining.

Indeed, the pro-mining business lobby in El Salvador remained weak and concentrated among individuals employed by the foreign mining companies or, subsequently, hired as part of their pro-mining lobbying effort. To the extent there was a local face of Pacific Rim, it was their official, Salvadoran national (and former MARN official) Ericka Colindres, but Colindres was seen as a junior spokesperson for foreign mining, not as a strong pro-mining local economic elite. Indeed, in 2010, when Congress moved to hold hearings on a potential mining ban, Colindres was a key mining proponent who tried to lobby Congress, according to one Congressional insider. Documentation supports this: hers was the first of five mining officials' signatures on a 1-page letter requesting a Congressional meeting.[25] But, the Congressional insider explained, the lack of active domestic elite participation was seen as a significant statement of the weakness of the domestic elite supporting mining, especially in comparison to the strength of the opposition to mining. Elite public supporters have included, notably, former Finance Minister Manuel Hinds, but this should come as little surprise as he was a paid consultant to Pacific Rim. Only in 2013 did the Salvadoran business group Asociacion Salvadorena de Industriales (ASI) come out publicly in favor of mining.[26] However, according to one FMLN advisor, the statement was not "very strong" and certainly not strong enough to sway government opinion.

(c) *The prince*

After the Salvadoran civil war ended in 1992, the right-wing ARENA party held the presidency for the next 17 years. However, the progressive FMLN won the presidency in 2009, bringing in a government much more accountable to the interests of small farmers and workers, which then declared it was continuing the de facto mining ban. As of 2015, the FMLN retains the presidency, but does not hold a majority in Congress. Hence there has been no Congressional ban on mining, but the executive branch continues to be committed to no mining.

What is less well known in the El Salvador story is that the actual cessation of mining permits began in the last ARENA administration, that of President "Tony" Saca (2004–09), a reign that was marked by corruption scandals.[27] Few of those chronicling mining seem to realize that it was the Saca administration of the right-wing ARENA party that did not approve Pacific Rim's exploitation concession. While some we interviewed suggest that Pacific Rim simply did not offer Saca a high enough bribe, there is more to the story.

Saca's administration overall was extremely welcoming to foreign investment and Saca's Vice President, Ana Vilma de Escobar, had previously worked on the promotion of private investment at the U.S. Agency for International Development. Pacific Rim had close and direct ties to her office. Indeed, Pac Rim's legal case is heavily based on its assertions that a top official in the Saca administration assured it that it would get a mining license.

Our research suggests that Saca's Minister of the Environment, Hugo Barrera (2004–06), grew to appreciate the fragile environmental state of the country. A businessman with strong ties to the ruling right-wing party, Barrera was not considered to be "pro-environment" when he was appointed. However, Barrera did agree to attend the June 2006 University of Central America gathering of around 500 people mentioned earlier. According to first-hand reports, he stunned the audience when he used the occasion to publicly announce that, while he was not for or against mining overall, he did not think one could mine in El Salvador without destroying the environment.[28]

The Ministry under Barrera did not reject Pac Rim's application for an environmental permit; it simply did not act upon it. While some see this as an oversight and an indication of incompetence, our research (backed by the ICSID submissions) suggests this was a conscious act of disapproving by not acting. As pointed out in El Salvador's ICSID submission, Pac Rim's application was deficient in three areas required under Salvadoran law, including a complete environmental impact statement, a feasibility study, and Pac Rim proof of land titles or permission to mine.[29]

Our research confirms that the year 2006 was pivotal, involving further actions on the part of MARN, the Ministry of Economy (MinEc), and other parts of the Saca government.[30] For example, the month after the large University of Central America gathering, MARN revoked the environmental permit of Commerce Group in the eastern province of La Union, given the severely contaminated soil and rivers.[31]

In July 2006, the Salvadoran government (through MinEc, like MARN headed by someone not known to be pro-environment) hired Peruvian environmental lawyer Manuel Pulgar-Vidal Otalora as a consultant on mining policy. In August 2006, Pulgar-Vidal recommended that the country undertake a strategic environmental review of the costs and benefits of mining and the regulatory capacity of the government vis-à-vis mining.[32] In May 2007, MARN and the Ministry of the Economy announced to mining corporations that there would be no more environmental permits related to metallic mining until such a strategic environmental review was completed and necessary policy changes were implemented.[33] This is what marked the start of what has become a de facto moratorium on mining in the country since 2007[34] – although Pac Rim was alerted to problems with its potential concession as early as 2005. Saca publicly expressed concern for the environmental implications of mining in March 2008, echoing the apprehension that lead to the de facto moratorium implemented by his two ministers in May 2007.[35] Both leading parties supported the de-facto moratorium as part of the campaigns for the 2009 presidential elections.

Upon election in 2009, president Mauricio Funes of the FMLN declared an executive branch moratorium on metals mining, which he maintained throughout his administration. It is no coincidence that in 2009, both Pacific Rim and Commerce Group shifted tactics in their fight to mine in El Salvador. Instead, they initiated international arbitration against El Salvador at the World Bank Group's International Centre for Settlement of Investment Disputes (ICSID) based on a controversial Central America Free Trade Agreement (CAFTA) with the United States, and on El Salvador's former investment law (written with the help of the World Bank [36]), which opened the door for foreign investors to sue these governments for policies that impeded future profits.

In June 2014, El Salvador ushered in the new presidential administration of former FMLN comandante, Salvador Sanchez Ceren. Sanchez Ceren also publicly committed to continuing the executive branch moratorium. The commitment seemed even stronger than the prior administration's, as seen in such appointees as Lina Pohl to head MARN, with Angel Ibarra as her deputy. Both have been quite critical of mining and Ibarra is widely viewed as one of the pre-eminent environmentalists in the country and was deeply involved with a wide array of civil society groups committed to no mining and to water as a human right. Even Sanchez Ceren's Economy Minister, former businessman Tharsis Salomon Lopez, emphasized his commitment to the moratorium based on environmental concerns, explaining (in a July 2014 interview with us) that El Salvador "should be called Lempa…because the river is everything." The government continues to demonstrate its seriousness to maintain the mining moratorium; it has already spent over $12 million to defend itself against Pac Rim's suit at the World Bank's ICSID.

In sum, an extremely well-organized civil society, rooted in the gold mining provinces, galvanized public opinion against mining, largely on environmental grounds. Despite heavy lobbying from foreign mining firms, the local business support for mining was weak. Key parts of the executive branch grew to be opposed to, or wary of, mining as detailed above. These factors coalesced to lead three successive administrations to halt mining.

4. COSTA RICA CASE STUDY

Our second case study is that of Costa Rica, where all three branches of government have taken action since 2002 to severely restrict gold mining. President Abel Pacheco first instituted a ban on new open pit mining in 2002, and successive presidents (with the exception of 2008–10) [37] have kept this in place. In 2010, the legislature instituted a similar ban on open pit mining and, more broadly, mining that used cyanide. [38] And the Supreme Court has upheld the ban, despite challenges.

What Pacheco started in 2002 was a change from Costa Rica's past. Thirteen hundred years ago, the inhabitants of what would become Costa Rica learned the technology to melt and shape the gold nuggets they found in their rivers into small figurines. Hundreds of years later, the proliferation of such figurines would lead Spanish explorers to think they had discovered the riches they sought and they named the region "Costa Rica," or rich coast. [39] In the modern era, gold mining began in 1813 and, by 1833, gold accounted for almost half the exports of the country. [40]

Gold was supplanted by coffee and later bananas and other products, but mining firms and artisanal miners have mined the country for two centuries. Then, in the 1980s and 1990s, despite the trade liberalization wave that led governments to open their economies to foreign investment, [41] the government of Costa Rica took a decisive turn to preserve its rich biodiversity by greatly expanding the system of national parks. [42] This facilitated a push toward ecotourism, and since 1995 tourism has been one of the largest sources of foreign exchange and employment in the country.

Given the key role of environment to Costa Rica's path, industrial mining has been seen by many as a threat. Indeed, there have been numerous local struggles against mining companies in Costa Rica over the past several decades, but two cases in different regions of the country have particularly defined the contemporary debates over mining in Costa Rica. [43] The first was a fight in the western town of Miramar over a gold mine that eventually opened in 2005 (it was allowed because the company got its license to mine before the 2002 government decree) and then was closed after a disastrous landslide in 2007. The second was over what would have become one of the largest gold mines in Central America in the northern village of Crucitas. A strong citizens' movement successfully pressured the government to close down Canadian mining company Infinito Gold's Crucitas operation and pass the legislative ban. Infinito Gold then sued the Costa Rican government in ICSID in 2014.

As in El Salvador, the specific structures of and interaction among forces within civil society, business, and government defined these struggles, which led to the government actions to stop most mining. To present this case study analytically, we proceed by examining the three sectors of society, moving from the citizen and civil society, to the merchant and finally to the prince, in seeking to understand better what led to decisive Costa Rican government action to protect the environment. [44]

(a) *The citizen*

To understand public opposition to corporate mining in Costa Rica, it is important to understand the central role that the environment plays in the country's economy, society, and culture. Costa Rica, as we are continually reminded, is a biodiversity "superpower" with among the most species of flora and fauna per square kilometer of any nation on earth. [45] Successive governments over the past 40 years have recognized this and they have carved out ever-larger areas of the country for national parks and conservation efforts. [46] Treasuring the environment is central to school curricula. A wide range of Costa Ricans described to us their deep bond with the environment. One San Jose-based anti-mining activist put it this way: "Costa Ricans love their environment…. We don't envy the [economic] richness of Europe because we have our own [environmental] richness."

Mining firms began their efforts to mine in Mirimar and in Crucitas in the 1990s before the price of gold skyrocketed. Opposition to the mine in Mirimar sprang up in 1996 among local groups deeply concerned about the toxic effects that cyanide, used to extract gold, would have on springs, rivers, and forests. [47] Despite strong local opposition and a number of heated legal battles, Glencairn won the legal right to start mining at Miramar in 2005. Glencairn clear cut forests and dug an open pit mine on the side of a mountain—an area with heavy rainfall and prone to earthquakes. In 2007, what many local people predicted actually became a reality: parts of the mine collapsed in a landslide that also buried much of the company's mining equipment, and the mine was shut down. [48]

While the landslide attracted national attention, it was eclipsed in part by the huge public debate over the Central

American Free Trade Agreement (CAFTA). While CAFTA was finally narrowly approved through a referendum in Costa Rica in October 2007, a broad-based activist community remained deeply outraged. One year later, in October 2008, President Arias gave the green light to Infinito for its mine at Crucitas (arguing that it was in the "national interest"); almost immediately, Infinito began a major clear-cutting of the mining site. As University of Costa Rica professor Nicolas Boeglin explained: such action as this at "Crucitas was what [the] people who were against CAFTA had in mind." Quickly, more activists shifted their focus to stopping that mine and won a court-ordered halt to Infinito's activities later in October 2008.

During 2008–10, activists, lawyers, and a group of academics expanded their anti-Crucitas campaigns, including (among other activities) marches and hunger strikes.[49] The courts went back and forth over whether Crucitas could begin mining, but one tribunal reaffirmed the illegality of the Infinito project in November 2010, confirmed by one branch of the Supreme Court in November 2011. Congress passed its ban on new open-pit mining in early November 2010, which the Supreme Court upheld in 2013. There has been no new open-pit mining in Costa Rica since.

As in the Salvadoran mining cases, both the Mirimar and Crucitas cases started with individuals and citizen groups in the affected areas. These later linked to larger national efforts centered in the capital city of San Jose. In Mirimar, a Miramar Natural Resources Defense Group began operating in 1996, and other groups such as the Front Committee of Opposition to Mining in Miramar came together in the ensuing years of struggle.[50]

In the Crucitas fight, the city of San Carlos about 60 km to the south of Crucitas served as a focal point of resistance. Many in that city had fought a successful fight 30 years earlier against another mining company. These lawyers, media activists, and others swung into action in the 1990s when they heard about the Crucitas plans, and they launched a series of legal, media, and activist actions against the firm.

But opposition to mining was not limited to the local areas. Also key in terms of civil-society actions and reactions was what has been called "Central Valley indignation," referring to the outrage expressed by people in the capital city of San Jose and its surrounding suburbs as the story of Crucitas spread. Interviewees referred to the broad range of "urban environmentalists" in universities and among the broad urban middle class who care deeply about the environment. This is not a phenomenon we witnessed in El Salvador, but it has been a potent force for protest in Costa Rica.

An extremely effective ally of citizen groups in Costa Rica was a group of academics—who called themselves Llamado Urgento—who were able to use their various academic expertise (including geology) to spread education about the negative impacts of mining and mining firms. One member was University of Costa Rica law professor Nicholas Boeglin. He and his colleagues, in this country where libel and slander lawsuits are liberally deployed by corporations, were aided by the fact that the University of Costa Rica aggressively protects freedom of speech within its walls. Boeglin told us that this group of roughly 20 professors from many disciplines became activated to work against the mining firms in 2008 when then-president Oscar Arias decreed that the Crucitas mine was in the "national interest."

So too in Costa Rica did the church play a role in terms of public opinion, especially (we are told) when the Catholic Bishops Conference came out in the midst of this fight in opposition to the Crucitas mine.

Our interviews also unearthed another important strategy of the citizen groups in these Costa Rica fights. They deployed the media more effectively than the companies did. Several referred to the defining moment of the anti-Infinito fight being Edgardo Araya (then San Carlos-based lawyer; now Congressman) flying in a television-news helicopter over the wide area that Infinito clear cut in Crucitas after Arias' October 2008 decree. "Those images changed everything," one self-described activist told us. Polls right after this incident showed 85–90% of the public opposed to the Crucitas project. And the TV images provoked further Central Valley indignation and also action: a spontaneous march of San Jose activists to Crucitas, a march back to San Jose by the communities in the north, a hunger strike in San Jose, and an outburst of activism that culminated in the legislative ban on new mining.

Much less successful was the media campaign waged by Infinito in favor of the mine which included billboards, newspaper ads, and television ads on busses that touted the benefits of "green mining." Stressed a San Jose-based activist: "These simply strengthened Central Valley indignation" against the mining company. So too did Infinito's law suits against key academics and lawyers, including Boeglin and Araya, provoke more citizen outrage and anti-mining conviction.

One final point about the citizen campaigns in Costa Rica. Whereas in El Salvador, there is one over-arching anti-mining coalition, La Mesa, there is no equivalent in Costa Rica. This, we are told by those involved, made it more difficult for the mining firms to counter-attack. In the analysis of former San Carlos journalist and activist and now legislative aide (to Araya) Marco Tulio Araya Barboza: "We," the anti-mining movement, were "a snake with many heads.... When there is only one national coalition, then the company can bribe you ... [or] even kill you" to "cut off" the head. But when there are many heads, "cut off one head, and others ... pop up." Much of the fight against Crucitas was waged from the largest city near Crucitas, San Carlos, and the coordination with allies in the capital city of San Jose was often minimal. Indeed, San Jose-based activists told us that many of them met the people from San Carlos and the north who had been fighting the firm for over a decade only during the 2010 march. While one can analyze the pros and cons of this in the abstract, the combined effect of these diverse efforts appears to have been quite potent, while also making it hard for the company and its supporters to defuse the anti-mining movement in Costa Rica.

In sum: local and regional groups started the anti-mining initiatives and sustained them. Their power grew as San Jose-based activists and groups took up their fights. In terms of specific actors beyond local popular organizations and local, regional, and national non-governmental organizations, lawyers played a key role. Academics came together across disciplines and became effective advocates. Opposition to mining by the church, as in El Salvador, was important. And, citizen groups made effective and creative use of the media.

(b) *The merchant*

There has been mining in Costa Rica for centuries, but (as has been explained earlier) other than a portion of the 19th century, it has never played a central role in the economy. Had the Crucitas mine been built, it would have generated huge export earnings, but no other mine ever made a large impact on the economy. Hence, there is only a small set of the domestic elite that is wedded to mining. On the other hand, there are significant business interests that could be harmed by the pollution to rivers and soil that often comes with large-scale mining. Tourism, much of it "eco-tourism," has been one of the largest foreign exchange earners since the 1990s; close to two and a half million visitors came to the country in 2013. [51] And, bananas, coffee, and other plantation crops, all requiring large quantities of water that could be threatened by mining, are key export earners. So, as in El Salvador, the proportion of business interests that could be harmed by mining is larger than the set of business interests that would benefit from mining.

We asked people in government, academia, and civil society what impact the domestic business community had on the mining debates and struggles in the country. We found unanimous agreement that domestic elites provided little support for mining. We were told that, in addition to the Chamber of Mines, there were some firms in the north that supported the Crucitas mine, from ranchers to those in construction and road building. However, those business people who might be adversely affected were stronger.

Our research suggests that business leaders from the tourism and agribusiness sectors did not publicly oppose the mine; rather, they were silent. And, as in El Salvador, that silence helped the opposition.

(c) *The prince*

Successive administrations in Costa Rica have initiated environmental conservation policies for several decades. In terms of mining, President Abel Pacheco implemented the first presidential ban on new open pit mining in 2002, with pressure from civil society (and, some told us, an environmentally sensitive son). [52] Under pressure from Infinito Gold, the next president, Oscar Arias, rescinded that ban for Crucitas in 2008, [53] which opened the door to the two-year battle described above. His successor, Laura Chinchilla, was elected amidst the huge national debate on mining in 2010 and was president as Congress banned new open pit mining. That "no" was upheld by decisions of the Costa Rican Supreme Court on cases that involved two specific mining sites as well as the overall policy.

In addition to the factors laid out in the sections on the citizen and the merchant, what are other factors that have led all three branches of government to stand up to mining interests for much of the past decade in favor of the greater public and environmental interests of the nation? We conclude that there have been several.

The executive branch has played many roles in pressing for environmental protection and in advancing a culture of "greenness." There is a strong history of democratic institutions and rule, and Costa Rica is one of the few countries in the world to abolish its military, leaving greater resources for such key democracy-building institutions as health, education, and social safety net programs. Its political parties are far less polarized than in El Salvador, although there was deep polarization in the fight over free trade and CAFTA. And, by 2014, knowledgeable and respected activists, such as Congressman Edgardo Araya, had entered the government sphere.

There are other factors. While business interests do have influence in all branches of the Costa Rican government, there is a history of that government standing up to parts of that business community at different moments of history. Araya added one related detail in terms of the Costa Rican justices who ruled in favor of the mining ban: "We had young, independent judges in this case who rejected all the pressure of the company and their lawyers."

The government of Luis Guillermo Solis, elected in 2014, has indicated its intent to adhere to this policy of a mining ban. In February 2014, Infinito Gold announced that, rather than accepting the Supreme Court's rejection of its appeal on the ban, it was initiating an investor-state case against Costa Rica in ICSID, which it subsequently filed. [54] Still, the government proclaimed its intent to not budge on the Crucitas mine, even as the lawsuit is projected to cost each side $2 million a year.

5. ANALYTICAL INSIGHTS: FROM EL SALVADOR AND COSTA RICA TO IMPLICATIONS FOR OTHER COUNTRIES

Now that we have looked in depth at two case studies, let us examine them together to gain further analytical insights. What can we learn from similarities and differences in our posited independent variables, and can we posit a new set of conditions under which governments of poorer countries implement serious environmental policies?

In both Salvadoran and Costa Rican metallic mining policy, all three independent variables came into play and reinforced one another. In both countries, there was strong local citizen opposition to mining that combined with other civil society actors to form strong national movements against mining. In El Salvador, rural farmers and communities provided the initial spark, with the church playing a significant integral role. In Costa Rica, rural communities were crucial, but urban environmentalists played a strong role, as did academics and the media.

In terms of the Merchant, in both countries, local and national business interests collectively had more to lose than gain from industrial mining and its ensuing environmental damage. In El Salvador, the farming and tourism sectors need water that mining could further contaminate. The economic elite connected to these sectors are currently more numerous and powerful than local businesses that would benefit from foreign mining companies gaining mining concessions. In Costa Rica, the many sectors that benefit from eco-tourism (and agriculture) are similarly more numerous and powerful than the relatively small mining sector. In both countries, we found that it was not necessarily that segments of the Merchant were actively or vocally against mining; rather, their inaction or silence was significant.

As for the Prince, in both countries, at different times, there were individual allies and sometimes whole agencies within government who spoke out or took action against mining.

The first two independent variables, strong civil society and weak pro-mining domestic business elites, seem particularly important since the recent histories of both El Salvador and Costa Rica reveal much more variation within key government agencies during the period in question: In El Salvador, even a relatively corrupt and pro-foreign business administration such as Tony Saca's could take action against gold mining because of strong civil society, weak pro-mining national business elites, and the extreme environmental degradation of the country. Here, individuals in the Saca government did indeed seem to make a difference—but, also important to note, with no apparent silencing by Saca. And, in Costa Rica, there is the two year period of 2008–10 when, even with strong civil society, weak pro-mining national business elites, and a democratic government, the administration of Oscar Arias was swayed by Infinito Gold to allow it permission to mine. Yet, even in this instance, a strong civil society and an independent Supreme Court eventually overturned Arias' pro-mining policies and stopped Infinito's mining.

It is also revealing to compare the extent of government action. On one hand, Costa Rica has a more limited ban on new open pit mining, while previously licensed underground mining continues. On the other hand, the Costa Rican government's commitment extends beyond the executive branch to legislative and judiciary. In El Salvador, while key Congressional figures have been committed to passing some kind of Congressional ban on mining for years, such legislation has yet to move out of committee. Our research suggests that this is partially a reflection of differing political economy—with Costa Rica having clear, already proven alternatives for economic progress, notably eco-tourism. As compared to El Salvador, Costa Rica also stands out for its longer standing democratic governing institutions. Both countries, however, are heavily dependent on agriculture and agribusiness.

However, to return to the striking similarities in policy outcomes which led us to choose these two case studies in the first place: both of these governments decisively halted gold mining even though both are relatively poor, small countries, standing up against the mining corporations and governments of the much more powerful United States and Canada. And, thus, moving from our specific case studies to more generalizable conclusions: Our overall conclusion from our El Salvador and Costa Rica case studies is that the combination of our three independent variables created the conditions to affect our dependent variable, namely to result in decisive government action in both countries on behalf of the environment.

Beyond these two countries, our case study findings offer ample evidence for us to posit the following three conditions for poorer governments to take action to protect the environment, even while sacrificing potentially lucrative foreign exchange earnings:

1) The Citizen—conditions related to civil society: Poorer people, whose natural resource base is threatened by mining move from individual awareness to concern, to become organized, and to engage with other sectors of civil society in pressuring their government to implement policy changes. This first condition draws from and expands upon our 1994 conclusion regarding the three conditions under which poorer people take decisive pro-environment stances and actions. In other words, there is a combination of poorer people who have lived in the area long enough to grasp the environmental damage, and other segments of domestic civil society provide additional support and voice. Organizing begins locally in the mining areas but moves to a national level in both countries, putting pressure on governments.

2) The Merchant—conditions related to domestic economic elites and a political economy argument: Segments of the domestic economic elite who have interests based in protecting natural resources are more powerful than the elite and corporate interests that benefit from exploiting minerals. The power of the global "merchant" is not strong enough, or is not connected enough to local economic elites, to change this calculus. Thus, foreign mining firms that want to mine move from the national level (where they have not been successful) into the global arena, where they sue the governments under investment agreements and investor-state dispute structures.[55]

3) The Prince—conditions related to governments: We find that individuals and agencies within democratic governments who are willing and able not only to respond to civil society, but also to understand the ecological realities of natural resource exploitation, play a central role. The background of government officials is an important factor that increases the likelihood of this change. Notable are situations where individual members of organized civil society groups (mentioned in condition #1) have become part of the government. But, this is not necessary; we also find that far-sighted political leaders or bureaucrats, regardless of their party's politics, who come into office with either an understanding of environmental issues or a willingness to listen to non-governmental experts, can also become catalysts.

We have not focused in detail on connections to and among global civil society in this paper. This might seem a void given the literature on this, growing from the seminal work of Keck and Sikkink (1998). However, this is not what we found in our research in either country. To the extent international civil society groups were involved in El Salvador's anti-mining work pre-2008, it was mostly via Oxfam and Catholic Relief Services and funding of local groups and specific projects.[56] Wider international outrage and support did not occur until after 2009—and the assassination of at least four anti-mining activists in Cabañas—with the 2011 formation of a loose coalition called International Allies.[57] In Costa Rica, international support was also limited. Indeed, an argument could be made that the most important "international support" in Costa Rica came indirectly via eco-tourism dollars.

On the other hand, in terms of international political economy, El Salvador and Costa Rica did experience the global connections among corporations and, notably, the global "brotherhood" of mining companies and individuals. Case in point is Canadian/Australian OceanaGold coming to the financial rescue of Pacific Rim in 2013. Without this, Pac Rim would have had to drop its case in ICSID. In the current article's focus on the three sets of domestic actors, we chose not to detail these global connections (which we have focused on elsewhere).[58]

Thus far, in the limited literature that exists on mining bans, El Salvador and Costa Rica have been viewed as "outliers"—the exceptions to the rule—on mining policy in an era where many governments have embraced global mining corporations and walked down the path of extractive-based economic growth.[59] Witness Honduras, Guatemala, Papua New Guinea, Indonesia, and much of Africa, where governments have responded to the promise of plentiful foreign-exchange to open their doors even further to environmentally destructive mining.

We need further case studies to add to our understanding of when governments in poorer countries take decisive action to protect the environment and when they do not. We hope this article—with its focus on El Salvador and Costa Rica—might motivate others with the relevant expertise to analyze the extent to which our three conditions do or do not hold in these other countries.

In countries where governments continue to favor large-scale mining, what were the particularities found in the three societal groupings—the Citizen, the Merchant, and the Prince—that influence government action? In Guatemala, for example, there is strong civil society opposition to gold mining, but domestic elite business interests are heavily invested in mining and the current national government is closely intertwined with those business elites.[60] Which of the conditions held or did not hold in Honduras in 2009 under President Manuel Zelaya, whose government was poised to implement a new mining law even stronger than Costa Rica's? Does such analysis help us understand Zelaya's ouster and the subsequent government's significant increase in mining concessions?[61] And, what of mineral-rich countries, such as Mongolia, where civil society organizations do not exist to the extent we found them in El Salvador and Costa Rica, or reach only some parts of a country, or do not scale up from local concerns to national levels of advocacy?

Likewise, our conclusions suggest further probing of another set of countries, particularly in Latin America, where governments have placed some more limited restrictions on mining for environmental reasons: a ban on mining under glaciers in Argentina, a ban on mining in rivers in Guyana, and a ban on mining in indigenous areas in Panama, for example. Here too we hope that our research will provoke others to analyze deeper the extent to which any of our three conditions hold in these countries. It would be illuminating to analyze the three conditions in other countries where some provincial governments, as in the Philippines and Argentina, have taken steps on mining for environmental reasons.

Indeed, the Philippines (where we have also conducted field research) would be a useful case for comparing and contrasting the roles of the Citizen, the Merchant, and the Prince. The Philippines has strong civil society organizations and a current government that includes individuals in the executive, legislative, and judicial branches that one might expect to be concerned about the environmental impacts of mining. This raises the question of whether it is the domestic elite links to mining—and the underlying political economy of mining—that explain why the national government's policy debate about mining has thus far focused on marginal reform (and increasing revenue from mining) rather than significant action to resolve environmental issues. Related to this, in the Philippines, as well as in other countries like Indonesia, Nigeria, and the DRC, does mining and other extractive activity continue at least in part because the global mining elite has long established connections with local mining and extractives elites? And to what extent, in such cases as the Philippines, where provincial mining bans have been overruled at the national level, does the reality of far-flung islands, with multiple ecosystems and watersheds (*versus* El Salvador, where a single, large watershed has linked local to national self-interests), explain why environmental concerns that galvanize the Citizen and the Prince at the local level have not successfully scaled up to the national level?[62]

Finally, it would be instructive to probe the extent to which the three conditions apply to governments of poorer countries taking action on other environmental issues beyond extractives and mining. There are recent initiatives in certain countries on the "right to water," on climate change, and on sustainable agriculture, to name but three. Would researchers find that countries where there are positive initiatives on the environment in any of these areas also have strong evidence of our three conditions being present?

As for last words: At a most basic level, in our analysis of El Salvador and Costa Rica, we present two case studies to add to the political ecology literature. And, in expanding our focus to government actions, we also provide evidence that refutes the Environmental Kuznets Curve.

Just as the past twenty years has led to a growing understanding of the conditions under which poorer people protect their environment, we hope that this article will contribute to a deeper analysis of the conditions—for Citizen, for Merchant, and for Prince—under which governments of poorer countries act assertively to protect their environment.

NOTES

1. Broad (1994).

2. Broad and Cavanagh (1993).

3. Broad and Cavanagh (2011a), Broad and Cavanagh (2012).

4. Broad (2014a).

5. Nerfin (1987). On this, see also Korten (1990).

6. See, for instance, Jaskoski (2014). See also Braumoeller and Goertz (2000) and Mahoney (2012).

7. As the reader will see, much of the information in our case studies comes from these interviews. Given our agreements with those we have interviewed, we cite by name only those who are public figures in the debate and have given us explicit permission to do so. By agreement, the rest of our interviewees remain anonymous and with a general description.The basic facts on the El Salvador case can also be found in sources listed in the bibliography. For El Salvador, these include (in addition to our own writing such as our chapter in Princen, Martin, and Manno (2015)): Moran (2005), Steiner (2010), and the ICSID submissions by both Pacific Rim and the government of El Salvador. The submissions to ICSID, and especially the July 2014 Rejoinder on Merits by the government, include detailed chronologies on what happened and did not happen. These are available at República de El Salvador Ministerio de Economia (n.d.). The best sources for the basic facts of the Costa Rica case include Cartagena (2009a), DaSilva, Dyer (2008), Isla, and Spalding.

8. Broad (2015) has complemented this current article by analyzing the global arena and global corporate actors in the Pac Rim case.

9. On paradigms, see Colby (1991).

10. Officially, the World Commission on Environment and Development (1987).

11. These range from the segment of political ecology that has its roots in anthropology (see Painter (1995)), to that with more political economy roots that builds on Blaikie (1985) and Blaikie and Brookfield (1987) and includes feminist political ecology (Rocheleau, Thomas-Slater, & Wangari, 1996). While some may consider these separate paradigms, we follow the tradition of seeing them as part of a larger "political ecology" paradigm. For more on the various approaches that fall within political ecology, see Stedman-Edwards (1998), 13–15; and Harper & Rajan, "International Environmental Justice: Building the Natural Assets of the World's Poor," in Boyce *et al.* (2007), 327–350. Harper and Rajan use the term "international environmental justice movement," in keeping with the more popular literature instead of "political ecology." See also Robbins (2004).

12. Bridge (2004) has usefully categorized this work into various distinct approaches. There are other analyses within the political ecology approach to extractives, environment, and development that offer insights into the issues with which we are grappling. Many of these, as is typical of political ecologists' work, are cases studies, such as Kirsch's case study of mining in Papua New Guinea (2008) and Ballard and Banks' (2003) work that focuses on state, corporate, and community forms of agency around mining in the Asia–Pacific region. Le Billon (2001) is an example of someone who turns the focus to how conflicts are exacerbated, if not caused, by gems, minerals, and other natural resource extraction. Others shift their lens to economic globalization and, as with Campbell (2006), the impact of economic liberalization on mining policy. For more on political ecology of natural resources, see Bebbington, Bornschlegl, and Johnson (2013), Bebbington *et al.* (2008), and Broad (1995).

13. See, for instance, the work of MiningWatch Canada and Earthworks on a more global level *versus* that of Alyansa Tigil Mina in the Philippines and counterparts in many countries. See also Chhatre and Agrawal (2009).

14. Gallagher (2009) includes a useful literature review of the Environmental Kuznets Curve (EKC). See also Zarsky & Stanley, 2013 and Boyce (2013), notably chapter 9: "Globalization and Our Environment," as well as Brechin and Kempton (1994). Note that the literatures on political ecology and the literature critiquing the EKC are typically not grouped together as supporting one another. We find that unfortunate, as our text suggests.

15. See note 7 on sources and citations.

16. While many use the date 2007, the mid-2006 date is confirmed by information provided by the Ministry of Economy (on November 28, 2014) in response to a freedom of information act request by Rachel Nadelman, PhD candidate, American University. The MinEc data are split into three tables listing mining projects with initial licenses denied, extensions denied, and those authorized.

17. World Bank (2011), UNDP (2010 and 2011), Erzinger, Gonzales and Ibarra (2008), UN ECLAC (2011), and El Salvador (2010). This key point is stressed in El Salvador's ICSID submissions and rejoinder, and also found in much of the literature including other UN, UNDP, and UNES publications.

18. See Nadelman (2013) and Spalding (2014). Given Nadelman's fieldwork in El Salvador, her PhD dissertation is likely to contribute significantly to this literature.

19. The environmental impact was subsequently confirmed by scientific studies. See MARN (2012). For a case study that concludes that the economic impact ("growth acceleration") catalyzed by non-mining can be greater than that catalyzed by mining, see Bhattacharyya and Resosudarmo (2015). Ruiz and Santiago (2012) provide a Cabanas-focused case study, and McKinley (2013) focuses on Central America. And for an article, based on "cross-national analyses," that concludes that extractive sector growth has "debilitated agricultural enterprises within nations and conceivably throughout the globe," see Rudel (2013).

20. La Mesa became a legal entity in October 2005.

21. This group is called the Episcopal Conference of El Salvador. El Salvador to ICSID, July 2014, p. 134. See Navarro (2007).

22. El Salvador to ICSID, July 2014, pp. 106–107, 133–134. See also Tojeira's July 13, 2006 op-ed, "Mining and Development," *Diario Co Latino*.

23. This is based on interviews, but is confirmed by our calculations using data in Rejoinder, p. 46, which also cited the number of people.

24. The relevant question on the University of Central American (UCA) (2007) poll is question 43 on p. 54: "Do you think El Salvador is an appropriate country for metallic mining?" For 62%, the response was "no."

25. Colindres (2010). A meeting was held in December 2010.

26. See letter from ASI president Javier Ernesto Siman to Environment Committee, Legislative Assembly, San Salvador, February 2013, cited in Radio Mundo Real (2013).

27. Among sources is a cable from the US Embassy in San Salvador that was released by Wikileaks.

28. El Salvador to ICSID, July 2014, p. 119. A man connected to Saca's conservative ARENA party, Hugo Barrera was a well-known and successful businessman in El Salvador, having managed and co-owned a family business related to prepackaged snacks (Boquitas Diana). In 2007, he left MARN to become head of CEPA, El Salvador's Commission of the Port and Airport while continuing as a top official of the ARENA Party. For more on Hugo Barrera's background, see Dada, C. "Barrera confirma aspiraciones presidenciales" *El Faro*, January 14, 2008. http://archivo.elfaro.net/secciones/elecciones2009/20080114/elecciones3.asp.

29. See Broad (2015). For the case details on Pac Rim Cayman Islands v Republic of El Salvador, see: https://icsid.worldbank.org/apps/ICSIDWEB/cases/Pages/casedetail.aspx?CaseNo=ARB/09/12.

30. For more insights into interactions between civil society and the Saca administration, as well as the history of civil society organizations in El Salvador, see Almeida (2008). See also Cartagena (2009b).The key dates and events can be found in: Baires Quezada (2006). Explotacion minera: los conflictos del oro. *El Faro*, June 19. Note that this was written just days after the UCA event.

31. See the ICSID site for details on the Commerce Group v El Salvador case: https://icsid.worldbank.org/apps/ICSIDWEB/cases/Pages/casedetail.aspx?CaseNo=ARB/09/17.

32. Pulgar-Vidal (2006). Pulgar subsequently became Peru's Minister of Environment.

33. The Strategic Environmental Review was finished under Funes and, while it did not necessarily recommend a ban, its work added to the concerns about the likely negative environmental impacts of mining in El Salvador and the more limited economic benefits.

34. EL Salvador to ICSID, July 2014, p. 120. Per endnote 16, the last license was granted in mid-2006.

35. El Salvador to ICSID, July 2014, p. 119. See "President of El Salvador asks for caution regarding mining exploitation projects," *Invertia*, March 11, 2008.

36. Two studies are particularly useful in linking that 1999 domestic law with the World Bank's structural adjustment requirements: Ochoa, Hutt, and Montecinos (2000) and Sanchez Garcia, Yolanda Nunez, and Velásquez Leiva (2010). See also Hamilton, Garcia Bolivar, and Otero (2012).

37. This is explained further under Prince. In brief, this was 2008–10, during the presidency of Oscar Arias, who decreed the largest proposed mine to be in the "national interest".

38. See Dawson (2014), Latin American Press (2010), and Leff (2010).

39. This is based on our tour of the Pre-Columbian Gold Museum (*Museo del Oro Precolombino*, managed by Banco Central de Costa Rica) in San Jose, Costa Rica, July 15, 2014.

40. See Honey (1994), for more on the Costa Rican economy.

41. On this, see Ryan (2004) and Honey (1994).

42. See Barnett (2012); and Courvisanos and Jain (2006).

43. The article by Isla (2002) chronicles a number of local battles against mining firms in different parts of Costa Rica in the 1990s and early 2000s. See also Cartagena (2009a) and Dyer (2008).

44. Note that the first section, on the Citizen, weaves in some aspects related to the Merchant and the Prince to make the chain of events as clear as possible.

45. See, for instance, InBio. This is mentioned by many of those we interviewed.

46. See Thrupp (1990) and Blackman, Naranjo, Robalino, Alpizar, and Rivera (2014) for more extensive analyses.

47. Isla, p. 151.

48. Earthworks.

49. See, for instance, DaSilva (2010). See also Pablo Ortega's 2011 documentary, El Oro de los Tontos (caso Infinito Gold y Crucitas) at https://www.youtube.com/watch?v=gKVS1wvvEU8.

50. Isla, pp. 151–152.

51. See AFP (over 2.4 million in 2013).

52. Earth Justice (2002) and Engler and Martinez (2004), pp. 11–12.

53. The full set of facts about this is not yet known. Allegations, under investigation in Canada, have been made that a $200,000 donation was made to the Arias Foundation around this same time. For an update on the subsequent legal cases against Oscar Arias and also against his Environment Minister (and others), see Arias (2015). On the history, see Schmidt (2008), Dyer (2008), and DaSilva.

54. For more details on the Infinito v Republic of Costa Rica case, see https://icsid.worldbank.org/apps/ICSIDWEB/cases/Pages/casedetail.aspx?CaseNo=ARB/14/5.

55. For more on investor-state disputes, see Broad (2015), and Tienhaara (2006).

56. See Fox (2005) on such distinctions among global civil society.

57. On the murders: Such "mineral resource conflict," while not the focus of the current article, is very common. For more details on the conflict in Cabanas, see Broad and Cavanagh (2011b). For a case study on this in the southern Philippines, see Verbrugge (2015).While International Allies was officially formed in 2011, the core groups and individuals began more informal discussions and collaboration in 2009.

58. On the corporate suits brought under investment state dispute settlement clauses to ICSID, with a specific case study on Pac Rim Cayman Islands v. Republic of El Salvador, see Broad (2015). For additional case studies, see Anderson and Perez-Rocha (2013).

59. See Nadelman and Spalding. There is also now a growing literature on guidelines for mining firms to operate more sustainably; see, for example, Hilson (2000). For criteria on so-called "no go" zones for mining, see Goodland (2012).

60. This is based on one of the authors' field research in Guatemala in May 2013.

61. As MiningWatch Canada documented, in 2006, President Manuel Zelaya declared a presidential moratorium on new mining permits. And in May 2009, Zelaya sent a bill to Congress for a new mining law that would have (among other things) banned open-pit mining, required community consent for any mining licenses or concessions, and banned cyanide and mercury. The following month's coup ensured that the bill was not on the August 2009 legislative docket as scheduled. Instead, the coup government proceeded to put mining center stage. See MiningWatch Canada, http://www.miningwatch.ca/news/honduran-mining-law-passed-and-ratified-fight-not-over, and Broad (2014b).

62. See Broad (2014a) and Broad and Cavanagh (2014).

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