

Vanguards of Social and Environmental Justice: Politics ‘From Below’ and the Transformative Potential of Resistance in the Context of Nicaragua’s Interoceanic Gran Canal

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ABSTRACT: The subordination of traditional valuations of nature to the capitalist economy has fueled a historical process of accumulation by dispossession, thereby restricting local people’s access to and control over the natural resources vital to their subsistence practices. The commodification of nature and resulting resource enclosures create the seedbed for ecological distribution conflicts, as communities are threatened by external development-driven interferences which appropriate the benefits and dislocated the burdens derived from the exploitation of the environment. These struggles are at the heart of political ecology analyses, whereby wider political, economic, social, and historical structures constitute the arena in which conflicts play out. Negative social and environmental impacts provide motives for mobilization across scales and between a wide array of stakeholders – as such, ecological distribution conflicts find their expression in social movements and other contentious actors rising up as the safeguards of nature. In Nicaragua, the proposed construction of the Interoceanic Gran Canal (IGC) not only threatens to introduce restrictions on frontline communities’ access to essential natural resources, but also endangers the sustained survival of the country’s ecosystems – which are already under severe pressure from *inter alia* widespread deforestation. This research analyzes the emergent politics ‘from below’ in response to the IGC’s foreseen impacts and the transformative potential thereof in light of existing impeding and enabling contextual structures. Strategies range from the *campesino* movement’s direct resistance in the form of organized protests and the dissemination of public information by an alliance of nongovernmental organizations, to independent impact assessments by academics and, finally, the deployment of a human rights framework by the indigenous and afro-descendant communities of the Atlantic Coast. Their distinctive demands – from the derogation of Law 840 to Free, Prior, and Informed Consent and complicity with land demarcation laws – share a common preoccupation with land expropriation, which is regarded as the IGC’s underlying rationale. The maneuvering space for resistance struggles is progressively limited by the Ortega Government through the criminalization of social protests and other restrictions on human rights, while the emergence of a critical mass is constrained by press censorship, political co-optation, and poverty prevalence. Meanwhile, the reactive framing of demands by contentious actors has induced an upgrading of the Environmentalism of the Poor, whereby coalitions are forged with other place-based struggles. The ‘No Al Canal’ movement has demonstrated, through the ecological strands of its collective action, its potential to cross bridges of ethnic rivalry, social class, and political affiliation, bringing unlikely allies together in a struggle for their land, lake,

and sovereignty. This confluence creates hope for the transformative potential of heterogeneous social actors throughout the country who have emerged and revived as the vanguards of social and environmental justice.

KEYWORDS: Nicaragua; political ecology; social movements; ecological distribution conflicts; politics from below; Interoceanic Gran Canal.

If you are neutral in situations of injustice, you have chosen the side of the oppressor

Desmond Tutu

1. Introduction: No Pain, No Gain?

Long before the Panama Canal was built, people imagined the possibility of an interoceanic canal through Nicaragua – but it had always been a plan too ambitious, too costly, and too geographically challenging. Later, competition with the Panama Canal was added to the list of reasons that made the Nicaragua Canal unfeasible – until June 2013, when Nicaragua’s National Assembly passed Law 840, which regulates the design, construction, operation, and management of that one canal of which the realization had always seemed an unsurmountable task. “The century-old dream will come true”, it now says on the webpage of the Hong Kong Nicaragua Development Group (HKND). Recently established as a private international infrastructure development corporation by Chinese business tycoon Wang Jing, the HKND has been awarded the 50-year concession – with a potential extension of another 50 years – to finance, construct and operate the ‘Gran Canal’ with the primary objective to “provide transit for ships too large for the expanded Panama Canal” (HKND, 2014: 7).

Nicaraguan President Daniel Ortega fully endorsed the Project, believing that a rising tide will lift all boats – that the Gran Canal, once completed, will spur economic growth, fuel job creation, and, eventually, alleviate poverty in the second-poorest country of the Western Hemisphere. Spanning a total of 275.5 kilometers (HKND: 4-5), the Gran Canal will connect the Pacific shoreline with the Atlantic coast for the biggest cargo ships and supertankers on the planet. Slated as “the largest civil earthmoving operation in history, requiring the excavation of approximately 5,000 Mm³ of material” (HKND: 16), it may come as no surprise that this US\$ 50 billion project is considered highly ambitious and extremely controversial. Following little debate and no official bidding procedure, the National Assembly adopted Law 840 and thereby legalized the Canal concession – although at the time, no Environmental and Social Impact Assessment (ESIA) had been completed. Traversing agricultural plains, wetlands, pristine rainforests, the largest freshwater reservoir of the region (Lago Cocibolca), nature reserves, and remote highlands and forests occupied by indigenous peoples, the Gran Canal is met by fierce opposition from riparian community members and international and national scientists, who are convinced that this Project will bring to

the country not a dream, but a social and environmental nightmare (Huete-Pérez & Meyer, 2014).

Although the project carries the potential to spur economic growth and job creation in the second-poorest country of the Western hemisphere, scientists foresee “devastating impacts on Nicaragua’s water security, its forests and wildlife, and local people”¹. This potentially unequal distribution of the pains and gains of ‘development’ raises important questions with regard to social and environmental justice and the ways in which riparian community members and other stakeholders respond to the foreseen impacts of ecological distribution conflicts as embodied in the IGC project as well as in extractive economic operations such as mining and logging. The perception and differentiation of impacts give rise to various motives for mobilization, with a range of emergent politics ‘from below’ demanding recognition, participatory justice, distributive justice, and/or the protection of ecosystems (Schlosberg & Carruthers, 2010; Schlosberg, 2013).

Meanwhile, economic, political and historical structures may produce disincentives for mobilization, and also determine the maneuvering space for contentious actors. This implies that the effectiveness of rural social movements is contingent upon (characteristics of) the current political regime and contextual structures. In analyzing the emergent movements in response to certain specific ecological distribution conflicts within Nicaragua, their strategies of resistance, and the factors that determine the confluence of social movements and the outcomes thereof, this research aims to contribute to an understanding of the variation within, and the effectiveness of, social movements exhibiting an ‘environmentalism of the poor’ in response to large-scale ‘development’ projects and associated resource grabbing practices. In doing so, it is dedicated to answering the following research question:

What types of variegated politics ‘from below’ have emerged in response to the proposed construction of the Interoceanic Gran Canal Project, and what is the maneuvering space for their transformative power?

This question is derived from my research master thesis, for which five months of fieldwork were carried out in Nicaragua between July and December 2015. The research relied on the following methods, the findings of which were coded and categorized with use of Atlas.ti.: (1) participant observations during *inter alia* village workshops and protest marches; (2) semi-structured interviews, in particular with social actors working in opposition to the IGC Project; (3) individual interviews with villagers from within the direct impact zone of the Gran Canal; and (4) the analysis of official documents, which include the Official Project Description, legal documents, and

¹ ‘Scientific association calls on Nicaragua to scrap its Gran Canal’, *Mongabay*, 27-10-2014, <http://news.mongabay.com/2014/1027-hance-atbc-gran-canal.html>

Environmental and Social Impact Assessments (ESIAs). In addition, an extensive review of media content has been conducted for the sake of complementarity.

The analysis found that opposition to the IGC Project is embodied in the ‘No Al Canal’ movement, which encompasses four distinct groups of contentious actors. Collaborative overlaps exist to varying degrees between these groups, in addition to which co-presence at protest events and co-membership of movements and organizations merge singular forms of contention into collective action. In addition, the dynamic interplay of action and reaction between project opponents and proponents has sparked a range of resistance strategies which have come to transcend the issue-specificity of the ‘No Al Canal’ movement. The confluence of struggles induced by this process is something we shall turn to at the end of this paper, which is structured as follows: first, it explores and unites the bodies of academic scholarship applicable to social movements and ecological distribution conflicts. It then proceeds to an introduction of the IGC Project before arriving at the empirical component of this research. Here, the variegated politics ‘from below’ that have emerged in the context of this megaproject will be introduced, in tandem with their strategies of resistance. The discussion section will deal with the trend of social movement confluence around the ‘No Al Canal’ movement, which hints at the relevance of research into the desirability thereof and the transformative potential of singular and collective action in authoritarian contexts. It concludes with an analysis of mechanisms used by Nicaraguan social actors to circumvent impeding structures and to enhance their maneuvering space for contentious action vis-à-vis an increasingly repressive regime.

2. Power to the People: Theoretical Approaches to Commons, Conflict, and Contention

The field of social movement studies has been dominated by two significant streams of thought: (1) political process theory (PPT); and (2) the ‘new social movements’. Coined by Doug McAdam in 1982, PPT was a response to the classical perspective on social movements and the resource mobilization approach, both of which McAdam was critical of. By virtue of its very name, PPT holds that the nature of social movements is not psychological but political; and that they move through an ongoing circle of development and decline (Armato & Caren, 2002: 94). Alike the resource mobilization approach, PPT considers political power to be concentrated in the hands of an elite minority – however, McAdam believed that marginalized groups excluded from these elite circles do carry the potential to induce change. As a result, he devised PPT on the basis of three important elements: (1) political opportunity structures; (2) the strength of indigenous organization; and (3) cognitive liberation (McAdam, 1982).

The first component encompasses “*any* event or broad social process that serves to undermine the calculations and assumptions on which the political establishment is structured” (p. 41). Instances of war and modernization belong to this description, as do alterations in international political alliances and structural unemployment (ibid). The

second element concerns “the resources of the aggrieved population that allow them to exploit the opportunities afforded them by the changes in the political opportunity structure” (Armato & Caren, 2002: 95). These resources are endogenous to the movement, and include the existence of formal and informal minority group organizations, interpersonal solidarity structures, leadership, and an extensive and solid communication network (ibid). While the first two elements provide “the structural potential for mobilization”, cognitive liberation is needed to act upon this potential – “the recognition by the excluded groups that their status is not inevitable, that their status as a group has its origins in the political system, and that their status can be changed” (ibid).

With these three elements combined, PPT attempts to explain the emergence of social movements through a set of factors that are found within as well as outside of these movements. Without delving further into the implications hereof, it is important to note that the concept of political opportunity structures has been most widely adopted and adapted in social movement studies. Importantly, political opportunity structures relate to the *when* of social movement mobilization: the expansion of political opportunities favors the emergence of movements (Goodwin & Jasper, 1999: 30). In fact, its “basic premise is that exogenous factors enhance or inhibit prospects for mobilization, for particular sorts of claims to be advanced rather than others, for particular strategies of influence to be exercised, and for movements to affect mainstream institutional politics” (Meyer & Minkoff, 2004: 1457-1458).

Yet despite its popularity, the notion of political opportunity structures has been thoroughly critiqued. Covering the set of structures external to movements – the ‘arena’ in which political conflicts play out, so to say – the concept has been stretched to such an degree that “it is in danger of becoming a sponge that soaks up every aspect of the social movement environment” (Gamson & Meyer, 1996: 275 in Meyer & Minkoff, 2004: 1458). Indeed, “PTT remains conceptually muddled insofar as political process theorists have been unable to reach agreement about the definitions of its basic concepts” (Goodwin & Jasper, 1999: 28). Particularly problematic is PPT’s emphasis on causal structures in relation to movement mobilization, whereby “‘structural’ factors (i.e. factors that are relatively stable over time and outside the control of movement actors) are seen and emphasized more readily than others – and nonstructural factors [including culture, agency, and strategy] are often analyzed as though they were structural factors” (ibid: 29).

The ‘new social movements’ emerged in the late 1960s and were focused on issues such as gender equality, human rights, peace, and the protection of the environment. They had “a strong (new) middle-class basis and a clear differentiation from the models of working-class or nationalist collective action that had historically preceded them” (Della Porta & Diani, 2006: vii). Instead of being concerned with labor conditions and class cleavages, the ‘new’ social movements sought to promote post-materialistic values (ibid: 35; Habermas, 1980: 30-33) that were not solely rooted in historic divisions of class. However, the middle class politics at the heart of these ‘new’ movements centered on the promotion of reform “for the sake of all classes” (Forsyth, 2004: 5). Acting not on

behalf of a particular class, but promoting values that concern us all, the middle class politics of the 'new' social movements exhibited a tendency to homogenize locally specific and varied valuations of nature. Specifically, the environmentalism of middle classes emphasized the need to preserve nature and conserve a 'traditional wilderness' under threat of modernization.

Yet, such perceptions of the need to safeguard fragile or pristine ecosystems may spark the legitimization of policies with significant adverse impacts on frontline communities. Contemporary processes centered on the commodification of nature for the sake of 'sustainable' development, primarily through conservation efforts, are today's manifestation of this kind of environmentalism, and has come to be known as 'green grabbing': "the appropriation of land and resources for environmental ends", whereby access rights to resources are transferred from local communities to powerful elites (Fairhead et al., 2012: 238). Henceforth, "[s]ocial movements represent no uniform and universally agreed form of environmentalism. Indeed, middle-class environmentalism may not always acknowledge diverse alternative framings from different classes, or other social divisions such as gender, caste, or age" (Forsyth, 2004: 8). These different framings inspired Guha and Martine-Alier's (1997) notions of 'varieties of environmentalism' and the 'environmentalism of the poor', which focus on distinct valuations of nature and the preservation of the environment as a source of local livelihoods.

The ways in which social movements interact with the political system comprise an important dimension for social movement scholarship. Specifically, "[t]he characteristics of the political system offer or deny essential opportunities for the development of collective action" (Della Porta & Diani, 2006: 31). In addition, society's social and economic structures give rise to specific types of conflict, especially where profound tensions exist between different societal groups. Furthermore, "[s]ocietal conditions also have important influences upon the distribution of resources that are conducive to participation in collective action, such as education, and/or facilitate the articulation of interests" (ibid: 35). When demands are turned into mobilizations across scale, "they conflict with the various facets of inequality (from access to the media to representation in the political system)" (Zibechi, 2015: 21). This "pattern of asymmetrical race, gender and generational relations" (ibid) is referred to as the 'coloniality of power' by Aníbal Quijano, a Peruvian sociologist, and comprises, alike global capitalism, one of the "material dimensions of social relations" (Quijano, 2000: 547).

Agents of change, therefore, are embedded in a context of structural as well as situational power relations (Ortner, 2006), which are external to agents yet also altered or reproduced by them. Athony Giddens (1984) called this the 'duality of structure': structural properties constrain human behavior yet are also the outcome thereof – they do thus not exist entirely independent of actors, but are structured by them through everyday practices. Giddens regarded structures as the whole of rules and resources within a social system. While the rules work in constraining ways, the resources enable the co-constitution of structures in a transformative way. As such, power is not almighty

in the constraint of human action – rather, agency entails transformative power which maneuvers both the opportunities and the limitations provided by these constraints (Giddens, 1984: 116-117). This provides a more nuanced account of the implications of structures on social actor mobilization than provided by the PPT with its emphasis on the causal relation between expanding (political) opportunities and mobilization.

Instead, Giddens' structuration theory highlights the potential of actors to circumvent and reconstruct societal constraints. Therefore, it could be argued that “rural collective action is often the result of micro processes involving agency variables such as solidarity, identity and social networks, as well as shifts in multi-scalar political opportunity structures. Local, national or transnational acts of resistance, whether open and defiant and everyday acts of covert resistance, are the consequence of a particular set of conditions, both objective and co-constituted by peasants and peasant organizers acting as social movement entrepreneurs” (Caouette & Turner, 2009: 26). The extent to which these agency variables – or resources – are at the disposal of contentious actors influence the transformative potential of resistance.

When taking agency into account, it also becomes important to regard resistance in its myriad forms – differentiations within the perception and/or experience of adverse social and environmental impacts results in variegated politics ‘from below; while perceptions of the ‘peasantry’ have traditionally conceptualized this social class as either active and empowered or as passive and disempowered (Moyo & Yeros, 2005: 293), research has indicated that the ways in which land deals play out in practice do not neatly follow this binary between active ‘resisters’ and passive ‘receivers’ – instead, land deals interact on the ground with social groups “that are differentiated along lines of class, gender, generation, ethnicity and nationality, and that have historically specific expectations, aspirations and traditions of struggle” (Hall et al. 2015: 468). In the context of capitalism's process of primitive accumulation – which found its expression in land commodification and privatization; forced evictions of rural populations; the subordination of diverse property rights to private property rights; asset appropriation; and the denial of indigenous and other alternative modes of production and consumption (Harvey, 2003: 145) – such locally specific pre-capitalist social and cultural conditions influence struggles against ‘accumulation by dispossession’ in confrontational as well as consensual ways.

Where capitalism's tendencies of accumulation by dispossession have materialized in response to its self-perceived threat of overaccumulation brought about by expanded reproduction, it has not managed to prevent the emergence of multiple crises around the trespassing of planetary boundaries, soaring food prices, financial system collapses, energy supplies, and climate change. The convergence of these crises has directed renewed political and theoretical attention to “the nexus between ‘rural development’ and ‘development in general’” (Borras Jr., 2009: 6), of which rural-based social movements have become an important dimension. Contesting the threats posed by neoliberal globalization, this new generation of movements exhibits a number of distinctive features which include *inter alia* more horizontal and/or transnational solidarity linkages; the rise of ‘polycentric’ rural social movements; the adoption of a

more extensive scope of issues; the use of modern communication technologies for movement building and collective action; and a “more systematic and coherent ‘human rights’ issue-framing and demand-making perspective” (ibid: 12). Moreover, they tend to be peasant-led and gender-equal; with close links to their rural social base and membership; autonomous from political parties and the state; and they foster strategic alliances (Moyo & Yeros eds, 2005: 307). While polycentrism may be common – and perhaps even inevitable – among convergent social movements, decentralization carries the risk of political fragmentation, and the pathway to common action requires the identification of priorities. This is where, hypothetically, the effectiveness of singular action may be undermined by collective action.

While the global ‘crises’ inspired a scarcity narrative centered on the securitization of the sustainable supply of vital natural resources, it also institutionalized the environment as a ‘visible’ policy dimension – in the context of climate change, the environmental impacts of ‘development’ projects become an important evaluative dimension with regard to their legitimacy. Prevailing normative values such as environmental justice dictate the dimensions of conflict in the sense that they influence policy-making processes by shaping the limits to acceptable policy solutions. The multitude of normative values at any given time leads to a hierarchy that subordinates certain values to others, whereby some values ‘stick’ long enough to become internalized by decision-makers (Carlos-Domínguez, 2007) – a process through which certain government agents become more receptive of specific claims, for example about environmental justice or indigenous rights. This implies a widening of political opportunity structures for those specific claims (McAdam, 1982), as the internalization of the values underpinning those claims enhance their advancement over other types of claims.

The dominant normative values and their internalization are important considerations that supplement Schattschneider’s (1975) theory of political conflict, which holds that the plethora of potential conflicts leads to a competition among political organizations for the dominant position within the policy arena. In doing so, four variables determine conflict: (1) its scope – who participates and how many eventually become involved; (2) its intensity – the perceived importance of a certain conflict determines (the growth of) its membership; (3) its visibility – the awareness of an existing conflict among political actors is crucial for the creation of powerful allies. In turn, visibility in the public arena may also bring more participants to the movement; and (4) the intensity and visibility of a conflict may cause the displacement of other conflicts which are considered as lower-priority issues.

By disregarding traditional valuations of nature and dispossessing rural communities of their ways of life and the natural resources on which they depend, capitalist development has sparked numerous struggles against the socially and environmentally unjust utilizations of natural wealth (Escobar, 2006). The main players in these ecological distribution conflicts are project-affected peoples who actively oppose the loss of their lands and livelihoods or the degradation of their immediate environment. In resorting to resistance strategies against the exploitation and/or

expropriation of their vital natural resources, marginalized people exhibit an Environmentalism of the Poor (Martínez-Alier, 2002) – a notion derived from research into rural conflicts which has demonstrated that “because the poor rely directly on the land and its natural resources and services, they often have a strong motivation to be careful managers of the environment” (Anguelovski & Martínez-Alier, 2014: 169).

However, resource expropriation or exploitation may impact people differently depending on their position within society and their personal identities; henceforth, the array of contentious strategies that emerges in response to ecological distribution conflicts tends to be anything but homogeneous – (potentially) affected communities are made up of people with strikingly different identities, interests, and aspirations for their futures (Borras Jr. & Franco, 2013). In addition, the social differentiations within local communities shape people’s political agency, and thus their transformative power – which is further either enabled or restricted by the wider political, economic and social structures which constitute the arena in which struggles over control and access to natural resources take place (Martínez-Alier, 2002).

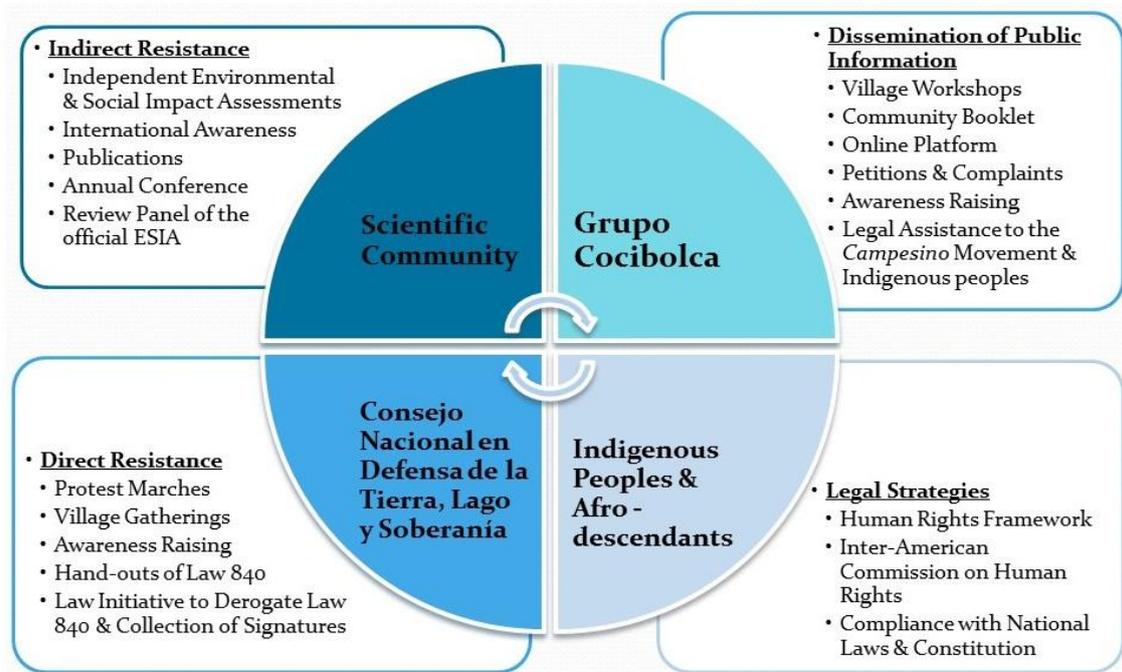
This access may be conversely affected through physical dispossession (in the form of development-induced displacement and resettlement or forced evictions) or through environmental degradation, which threatens the sustained functioning of people’s livelihoods (ibid). Conflicts over natural resources, as understood by Political Ecology, are thus not the necessary result of ecological scarcities, but rather of the unequitable distribution of the benefits and burdens of their use, the allocation of which is determined by unequal power relations between stakeholders. Henceforth, Political Ecology seeks to understand the dynamics of social and environmental change in light of the political, social and economic processes and factors that shape current socio-environmental conditions through a web of persistent power differentials (Bryant, 2008; Robbins, 2004). Importantly, then, Political Ecology can be defined as “the study of power relations and political conflict over ecological distribution and the social struggles for the appropriation of nature” (Leff, 2012: 5).

3. Safeguards of Nature: Resistance to the Interoceanic Gran Canal

This research has found that the contentious social actors can be divided into four groups, represented in Figure 1. The bottom two ‘camps’ have emerged from within the (in)direct impact zone of the IGC, while the top two groups operate from outside the project area. All have their own specific strategies of resistance, but certain collaborative overlaps exist, which have given rise to dynamic demands and an ‘upgrading’ of the Environmentalism of the Poor (forthcoming in the discussion section). All actors consider land grabbing as the underlying rationale of the project, and are increasingly framing their demands away from procedural critiques such as a lack of consultation and consent (Vermeulen & Cotula, 2010) toward human rights violations, such as

repression, denial of the freedom of expression, and the criminalization of social protests².

FIGURE 1: EMERGENT POLITICS ‘FROM BELOW’



3.1. Indigenous Peoples & Afro-descendants of the Autonomous Regions

With their alternative worldviews and conceptions of nature, the indigenous and afro-descendant peoples of Nicaragua’s Autonomous Regions represent a distinct ‘camp’ of contention in the struggle for social and environmental justice. Their valuations of nature run counter to the predatory practices inherent to capitalist ‘development’, which regards the natural environment as something that exists outside of us – something that can be appropriated and owned. The commodification and subsequent exploitation of nature create resource enclosures which deprive riparian communities of their traditional access rights to the natural wealth that sustains their subsistence practices. In addition, the encroachment upon indigenous homelands by ‘mestizo invaders’ has been a predominant feature of ‘costeño’ lived realities throughout history.

² The *Ley de Seguridad Soberana de la Republica de Nicaragua* is seen as an attempt to turn the country into a police state, because it gives “superpowers” to the Police force, the armed forces, and the Investigative Directorate for Defense; see also: ‘Ortega quiere un Estado policial’, *La Prensa*, 15-10-2015, <http://www.laprensa.com.ni/2015/10/15/politica/1919182-ortega-quiere-un-estado-policial-ortega-quiere-un-estado-policial>

Despite this historical opposition, a considerable overlap exists with the *campesino* movement – the *Consejo Nacional en Defensa de la Tierra, Lago y Soberanía*. This latter movement (forthcoming) consists of protest leaders from riparian communities within the entire impact zone of the Canal – from the Pacific to the Atlantic coast – and enjoys the support of numerous Municipal Councils. For example, Nora Newball and Dolene Miller are both leaders of the Municipal Council, in which capacity they are part of the *campesino* movement, yet simultaneously also representatives of the Creole (*Kriol*) population in Bluefields through their functions within the Creole Communal Government of Bluefields (Nora) and the National Commission for Demarcation and Titling (Dolene).

The Rama and the Kriol hold communal land titles to the vast indigenous territory that comprises Nicaragua's Atlantic Coast. As indigenous minorities, they enjoy extensive rights as enshrined in the nation's Constitution, the ILC Convention 169, and the United Nations Declaration on the Rights of Indigenous Peoples. Particularly, they enjoy the right to Free, Prior, and Informed Consent (FPIC), which stipulates the need to inform and consult their communities about any proposed project which is to bisect their territory. These enable them to deploy legal strategies on the basis of a human rights framework, an example of which can be found in the claim filed by them before the Washington-based Inter-American Commission on Human Rights (IACHR). For the facilitation of such processes, they rely on national and international civil society organizations for legal assistance, the most important of which is the *Centro de Asistencia Legal a Pueblos Indígenas* (CALPI) – a member-organization of Grupo Cocibolca (forthcoming).

The IACHR, together with the Inter-American Court of Human Rights, is one of the main bodies of the Inter-American system that oversees the protection of human rights. Indigenous peoples, as recognized through rulings by the Court, maintain “unique and enduring ties” with their ancestral territories, which provide “the fundamental basis of [their] culture, spiritual life, integrity, and economic survival” (Antkowiak, 2016: 235-236). In the case of large-scale development projects that would cause major repercussions within indigenous lands, States are under the obligation to consult with affected communities *and* to obtain their free, prior, and informed consent (FPIC) in line with their customs and traditions (ibid: 238). In the context of the IGC Project, however, the consultation processes were absent, corrupted and/or flawed. This also becomes clear from the following story:

"I cannot say this with certainty, but we have good reasons to believe that this is a land grab. The whole process of the approval of Law 840, and actually just everything that has to do with the Canal and its subprojects, it's all so obscure... No transparency, no disclosure of public information – which we are by law entitled to, by the way – no consultation with the people living along the route of the Canal... The indigenous people I work with on the Caribbean Coast, they've told me about these 'consultation' sessions organized by the Chinese and ERM. Basically, they just want to provide an overview with which they can say: look, we went to this and this community and sat down with this number of people – so now you cannot say anymore that we haven't done any public consultations. There was one in Bluefields, and also in Polo de Desarrollo, I think. They came to present the Project, even though there was no ESIA completed at the time... So how are you going to answer all the questions if you're still doing studies? Obviously, the consultations should have been before the concession was granted, together with the completion of the ESIA... Anyway, so what they did, they told the people: if you come to this meeting, I will give you money. Personally, I don't know how much, but considering how poor the people are in that part of the country, it was probably not much at all. So the people show up at the meeting, where they have to sign on a list – like an attendance list – and then they're told they can go home again. Basically, they just bribed people to show up at an empty session"

- Personal interview with María Luisa Acosta, founding Director of the Center for Legal Assistance for Indigenous Peoples (CALPI) (01-08-2015)

Although as of yet, there has been no official ruling by the IACHR, the indigenous and afro-descendant peoples have good reasons to have faith in the transformative potential of this strategy – the Awas Tigni versus the State of Nicaragua Case was presented by the IACHR to the Court because of “the fact that Nicaragua has not demarcated the communal lands of the Awas Tingni Community, nor has the State adopted effective measures to ensure the property rights of the Community to its ancestral lands and natural resources, and also because it granted a concession on community lands without the assent of the Community; and the State did not ensure an effective remedy in response to the Community’s protests regarding its property rights”³. Because the Awas Tingni Community won the case, and because all the aforementioned conditions of that case also apply to the IGC Project, the IACHR represents an important component of the legal strategies deployed by this group of contentious actors – verdicts of the Court are used as an international legal instrument for the defense of autonomy⁴. This is also why this group of social actors is demanding compliance with the Constitution and the National Autonomy Law. As one of my respondents illustrated:

³ Inter-American Court of Human Rights (2001): ‘Case of the Mayagna (Sumo) Awas Tingni Community v. Nicaragua’, there 2; available at: http://www.corteidh.or.cr/docs/casos/articulos/seriec_79_ing.pdf.

⁴ See also: ‘Indígenas prometen defender sus tierras de invasiones de colonos’, *La Prensa*, 29-02-2016, <http://www.laprensa.com.ni/2016/02/29/politica/1993845-indigenas-prometen-defender-sus-tierras-de-invasiones-de-colonos>.

“Because the autonomy law is political, it’s social, it’s cultural, it’s economic and production, and then for you to build up, you need the land. And the land now is the base of our demand – Awas Tingni demand, I imagine you are aware of Awas Tingni demand – it was because the State of Nicaragua was exploiting their resources without consent of the people. So, why? Because we had an autonomy process that also gave the people the rights to be consulted and to enjoy the resources in coordination with the State of Nicaragua. They did not do that. So then here comes now, Awas Tigni came and demanded the State of Nicaragua to comply with the law – the Court ordered Nicaragua to give us the right, and now here comes the law to give form to the right of the people to their land, and that’s the process we are living right now”

- Personal interview with Dolene Miller, Spokesperson of the Consejo Municipal of Bluefields and member of the National Commission for Demarcation and Titling (04-12-2015)

3.2. Consejo Nacional en Defensa de la Tierra, Lago y Soberanía⁵

The *Consejo Nacional* was initiated by *inter alia* Octavio Ortega, founder of the Foundation for the Municipal Development of Rivas (FUNDERMUR by its acronym in Spanish), and tireless leader of the struggle against the IGC Project⁶. At the national level, the Consejo consists of 22 leaders from various communities within the IGC’s impact zone. They are supported by countless more municipal leaders, such as Dolene Miller from Bluefields and Alberto López from Moyogalpa. The organization of protest marches – their main strategy of resistance – was provoked by HKND’s census for the expropriation of properties, which commenced on the 24th of August, 2014. The period leading up to the official inauguration of the IGC Project, on the 22nd of December, 2014, saw a quick acceleration of protests, with tens of marches organized throughout the country prior to the first national protest in Managua on the 10th of December, 2014⁷.

As Octavio told me himself: “Law 840 was approved in seven days, without consulting the people. It violates more than 44 articles of our Constitution. This law, this lamb, has no constitutional standing. That is why we demand the derogation of Law 840”. As I was told by many members of the *consejos nacional* and *municipal*, the Law is detrimental to the country: it did not follow any public consultations with riparian community members, nor did it adhere to the FPIC principle that applies to projects that pass through indigenous peoples’ lands. Furthermore, the law is perceived to

⁵ National Council in Defense of the Land, Lake and Sovereignty.

⁶ At the time of writing, it has been several months since Octavio has handed over his leadership of the Consejo to Francisca Ramírez, the fierce female protest leader from Nueva Guinea. Octavio left the movement because of his decision to run for, and later be elected as, President of the Sandinista Renovation Movement (*Movimiento Renovador Sandinista* (MRS)) for the Rivas Department. Because the bylaws of the Consejo dictate that no member can be politically aligned with any party, Octavio had to step back from the Consejo. See also: ‘Francisca Ramirez, a Leader in the Struggle to Stop the Nicaragua Canal Project’, *Havana Times*, 12-03-2016, <http://www.havanatimes.org/?p=117309>.

⁷ ‘Marcha nacional contra el Gran Canal’, *La Prensa*, 04-12-2014, <http://www.laprensa.com.ni/2014/12/04/nacionales/1435218-marcha-nacional-contra-el-gran-canal>.

virtually hand over the country's sovereignty to the Chinese concessionaires, because it does not specify any geographical limits to the natural resources that can be appropriated for the construction of the Canal and its associated projects – the law states that it is up to the HKND to determine which resources are deemed 'necessary' or 'desirable' for the entire Canal project.

In addition, the law does not require the construction of the Canal to be carried out before the subprojects – in fact, commencing the construction of any of the subprojects is not contingent upon the completion of the Canal, which effectively means that these projects can be constructed even if the Canal will never be built. Finally, the *campesinos* have learned that the expropriation rate for people's lands will not follow the actual market value, but the cadastral value, which is the property value for tax purposes. Especially in the Rivas Department, where most of the country's tourism developments are concentrated, the gap between the cadastral and the market values of land has been widened significantly as a result of steadily rising demands for land. The problem with such unjust expropriation rates is that it does not allow dispossessed families "to boost a non-farm livelihood, nor to regain land ownership elsewhere as land prices keep rising" (Alonso-Fradejas, 2012: 28). For these reasons, the *Consejo Nacional* frames the IGC Project as an assault on Nicaraguan human rights. Specifically:

"One of the main human rights violations is the displacement of an immense amount of people. But there's a motive: that of war. In Nicaragua, they're going to move thousands of people, all these campesino families, off their lands, with no other motive than the expropriation of their properties. The support that they derive from their properties, it is passed on for generations – from grandfather to father, from father to son, and so on. This support, this crucial position of the land – if you take that away, it's a crime against humanity. In other countries, governments are concerned with the preservation of life. Not here – here it is illicit enrichment, at the expense of our hermanos campesinos. So this is part of our fight, of our protests: to spread the message that what is happening in Nicaragua is a crime against humanity"

- Personal interview with Octavio Ortega, Coordinator of the Consejo Nacional en Defensa de la Tierra, Lago y Soberanía (22-12-2015)

Taken together, these legal discrepancies and concerns have led to the conviction that the underlying rationale of the IGC Project is not economic growth and job creation, but land grabbing. This belief was echoed by all my respondents who are involved in contentious politics, which becomes clear from these examples:

"That is their principle objective: to grab our lands. The government has created a circus with this Law. Because frankly, we don't understand why he has done it. If he is Nicaraguan, then why would he sell Nicaragua – that is the big question, and why has he sold the national sovereignty? He has handed over our lands – our lands! He had no right whatsoever to conduct those negotiations (...) The Law violates our rights because it will take away our land, our homes, our religion, our culture, our oasis of peace"

- Personal interview with Alberto López, member of the Consejo Municipal of Moyogalpa, Isla de Ometepe (16-12-2015)

“We have always believed that the Canal is a farce, that it won’t be built. There is a fundamental possibility: that they want the lands of our hermanos campesinos. That is one of the principal conclusions at which we have arrived in relation to the Gran Canal. And recently, we are aware of the fact that the route has been chosen, and that this is the route that is richest in minerals in all of Nicaragua. With minerals we refer to gold, iron, zinc, and uranium – the fundamental base for atomic weapons. So that is something that is currently receiving a lot of our attention, of those who are fighting against this Project. We believe that this is the true objective - the land expropriation of our hermanos campesinos”

- Personal interview with Octavio Ortega, Coordinator of the Consejo Nacional en Defensa de la Tierra, Lago y Soberanía (22-12-2015)

The *Consejo Nacional* works in close collaboration with the ‘Environmental Lawyers’ program of Fundación Popol Na, which is one of the member organizations of Grupo Cocibolca (forthcoming) and which provides the *campesino* movement with legal assistance. The *Consejo* is the most publicly visible and tireless opposition movement in the country, and derives its legitimacy from being apolitical, gender-equal, and non-violent. Despite endless provocations and violence by government allies during protest marches, the *Consejo* always urges its protesters to remain peaceful. The (1) organizing of protest marches throughout the country (66 in total so far) is the main resistance tactic of the *Consejo*, in addition to which they also deploy other strategies, namely: (2) the dissemination of public information through village gatherings and the distribution of print-outs of Law 840; (3) awareness raising through media appearances; and (4) collecting, in collaboration with Popol Na, signatures to support a law that demands the derogation of the Gran Canal Law (*Iniciativa ciudadana de ley para derogar la ley canalera*). The latter was their newest initiative, spanning four months of work across the country, during which they collected some 7.000 signatures, in addition to another 14.000 which were informally obtained and thus invalid. These signatures backed up the law initiative for the derogation of Law 840, which was presented to – and subsequently dismissed by – the National Assembly in April 2016⁸.

3.3. Grupo Cocibolca

As a collective of environmental and civil society organizations, this collaborative ‘movement’ is primarily concerned with the dissemination of information so as to inform the public in an independent way about the legalities and implications of the IGC and its subprojects. As one of my respondents remarked:

⁸ ‘Firman iniciativa para derogar canal de Nicaragua’, *La Prensa*. 15-03-2016, <http://www.laprensa.com.ni/2016/03/15/nacionales/2002755-firman-iniciativa-para-derogar-canal-de-nicaragua>.

"We [Grupo Cocibolca] carry out studies and research to stimulate the formation of well-informed opinions about the IGC Project and all it involves (...) Whether the Canal is going to be built or not is irrelevant – we do our work out of the conviction that it is going to be built, because we cannot afford to believe otherwise. We cannot think that the Canal won't be built – for us the option of 'no construction' does not exist. Whether the Canal is economically or technically feasible, or whether there will ever be enough investors – that's a whole different topic. Even though financially speaking, the whole idea of the Canal is not very attractive. It is unlikely they'll ever get all the money they need, especially after the Chinese stock market crash. But we do not look at it from a financial perspective – we look at it from an environmental and social perspective. And from our viewpoint, there are plenty of uncertainties, too"

- Personal interview with Victor Campos, Director of Centro Humboldt (23-11-2015)

Moreover, Grupo Cocibolca organizes village workshops in collaboration with local leaders of the *Consejo Nacional* to raise awareness within communities and to encourage them to participate in upcoming protests⁹. Before the official ESIA was released late 2015, they have also worked together with the Nicaraguan Academy of Sciences in filing petitions to make the ESIA public – but these requests never received any response from the Canal Commission¹⁰. Furthermore, Fundación Popol Na has distributed among the people a free booklet called *'Dream and Catastrophe: what we ought to know about the Interoceanic Canal project in Nicaragua'*, which explains in a simplistic manner the implications of Law 840 and other aspects of the Project, such as its foreseen social and environmental impacts¹¹.

This, according to my respondents from Grupo Cocibolca, derives from the fact that remote villages are politically powerless and have next to no knowledge of the judicial system. As such, they depend on CSOs for the provision of legal advice, which primarily pertains to the indigenous communities. Grupo Cocibolca has also directed efforts towards international awareness raising – Mónica López Baltodano, the Director of Popol Na, has presented the judicial considerations of the Gran Canal during the 2015 International Anti-Corruption Conference in Malaysia; and members of the collective have filed a complaint against the Nicaraguan State and the Canal Commission before the Latin American Water Tribunal (*Tribunal Latinoamericano del Agua (TLA)*) about the risks and impacts of the project for the country's water resources¹². In addition, Grupo Cocibolca runs an online social media platform called 'Nicaragua Sin Heridas', where all publications, media coverage and events in relation to the Gran Canal are published.

⁹ I personally attended two of these informative workshops organized by Centro Humboldt: on 15-12-2015 in Río Grande, Rivas Department; and on 16-12-2015 in Esquipulas, Isla de Ometepe.

¹⁰ Personal interview with Mónica López Baltodano, Director of Fundación Popol Na (14-12-2015).

¹¹ 'Sueño y Catástrofe: Lo que debemos saber sobre el Proyecto del Canal Interoceánico en Nicaragua', which can be downloaded from Popol Na's website via <https://popolna.org/publication/manual-comunitario-suenos-y-catastrofe/>.

¹² Personal interview with Victor Campos, Director of Centro Humboldt (23-11-2015); see also: 'El agua y el Gran Canal', *La Prensa*, 07-10-2015, <http://www.laprensa.com.ni/2015/10/07/nacionales/1914449-el-agua-y-el-gran-canal>.

Finally, agrarian and indigenous resistance from within the (in)direct impact zone of the IGC Project has flourished through the assistance of Grupo Cocibolca, the member organizations of which have worked at the village level to enhance awareness about and understanding of the Project and its social and environmental implications. As a result of their efforts, a political and legal consciousness has taken root in riparian community members, thereby effectively expanding their repertoires of contention. through the provision of legal assistance to both the indigenous and the agrarian struggle, there is an evident confluence of strategies by these two groups in the form of legal claim making. While the ethnic minorities have resorted to legal strategies from the start of the conflict, the *campesino* movement has only recently started to employ this type of contentious politics. In sum, profound collaborations between the *Consejo Nacional*, the indigenous and afro-descendant peoples, and Grupo Cocibolca have raised knowledge levels among the former two groups – thereby increasing their procedural knowledge and bargaining positions – while the visibility of their ecological distribution conflict has attracted actors engaged in other place-based struggles. We return to this in the discussion section.

3.4. *Scientific Community*

The academics who are openly expressing their reservations in relation to the IGC are motivated primarily by environmental concerns. Believing that the Canal and its related subprojects may cause irreversible damage to the country's ecosystems and native communities, "conservationists and the scientific community at large are urging the Nicaraguan government to devise and reveal an action plan to address and mitigate the possible negative repercussions of this interoceanic canal and associated projects" (Huete-Pérez et al. 2015: 3989). One of their main points of critique is the fact that the concession was granted to the HKND without a bidding process, without any prior and independent ESIA, and with no economic feasibility studies. Through publications in English, Nicaraguan academics such as Dr. Jorge A. Huéte-Perez have called upon the international scientific community to stand by the Nicaraguan people and echo their two most important demands for "first, independent assessments of the repercussions of this mega-project; and second, that the Nicaraguan government halt the project should the assessments confirm fears that this canal will yield more losses than gains for the region's natural resources, indigenous communities and biodiversity"¹³. The Nicaraguan scientific community has successfully forged alliances with international scientists, primarily from the United States, which saw its expression in two annual international

¹³ 'Conservation: Nicaragua Canal could wreak environmental ruin', *Nature* 19-02-2014, <http://www.nature.com/news/conservation-nicaragua-canal-could-wreak-environmental-ruin-1.14721>

workshops on the Interoceanic Canal¹⁴ (in November 2014 and 2015), as well as an independent review panel of ERM's ESIA, organized by the International University of Florida on 9-10 March 2015.

This review focused on the ecological and hydrological components of the ESIA, and stated that “[t]he very short (i.e., 1.5 years) period that was approved by HKND for this environmental study was insufficient given the magnitude of the proposed projects associated with the canal construction”¹⁵. During the most recent international workshop, some twenty-five national and international scientists analyzed certain aspects of the ESIA, which consists of 14 volumes. The scientists concluded that the ESIA was “superficial, generic and incomplete” and that the Canal project could result in a “devastating and irreversible loss of biodiversity within maritime, terrestrial and freshwater ecosystems, as well as the interruption of the Mesoamerican Biological Corridor on the Caribbean Coast side of the country”¹⁶. Furthermore, they criticized the statement of HKND and the Government of Nicaragua that the IGC Project will have a ‘net positive impact’ on Nicaragua. Specifically:

“A weakness of ERM’s studies is that they don’t really quantify the affectation. They say it was a social and environmental impact assessment. But they did not calculate the costs. For example, they are going to destroy some 150,000 hectares of forest – okay, what is that worth? If you want to attach monetary value to everything, then how much is this worth? What is the price that Nicaragua is paying? They are going to destroy the Lake – that’s 8,200 km², and that’s going to be damaged; how much does that cost? ERM did not make such calculations, and they did not really make a balance between benefits and problems. So from this point of view, a quantitative assessment does not exist which would enable us to say whether this Project is truly beneficial for Nicaragua; this does not exist. So an important assignment is to accurately determine the benefits and the costs of the Project so as to judge whether the Project is worth it or not. Because in the case of actually delivering such a balance, and if it were to conclude that Nicaragua is actually losing money, in terms of natural resources, then that could be a motive to say: ‘No, we cannot and we should not do this Project’”

- Personal interview with Jorge A. Huete-Pérez, founding President of the Nicaraguan Academy of Sciences (14-12-2015)

The least collaborative overlap exists between the scientific community and the Consejo Nacional. During the recent Second International Workshop, I observed that:

¹⁴ The most recent conference, which I also attended – the ‘II Taller Internacional Sobre el Canal Interoceánico – took place on the 19th and 20th of November 2015 at the Universidad Centroamericana (UCA) in Managua.

¹⁵ ‘Summary Statement of Nicaragua Canal Environmental Impact Assessment Review Panel’, <http://www.circleofblue.org/wp-content/uploads/2015/06/Nicaragau-FIU-Panel-Summary.13-April-2015-Final.pdf>

¹⁶ ‘HKND y Comisión del Gran Canal presentan estudios a académicos de universidades públicas’, *La Prensa*, 10-12-2015, <http://www.laprensa.com.ni/2015/12/10/nacionales/1951548-hknd-y-comision-del-gran-canal-presentan-estudios-a-academicos-de-universidades-publicas>

There was no visible interaction between members of the Consejo Nacional (left side of the room) and the members of the scientific community, some of which are also members of Grupo Cocibolca. It appears to me that there exists a barrier between the campesino movement and the academics, which extends into the research of the latter group. During the discussion part, at the end of the conference, the Consejo leader from Jinotega raised to the panel the issue that the conference had only dealt with the impacts on Lago Cocibolca and the country's biodiversity (and also with an economic comparison between Nicaragua and Panama), and not at all with the issues related to land expropriation and the struggle of the people within the impact zone. Adolfo Acevedo, one of the five panel members on the stage, responded by pointing out that although he agrees, the problem is that we currently do not possess any information whatsoever as to what will happen: "No hay ninguna información sobre el tema de expropiación, y no sabemos realmente lo que van a hacer con las tierras" (there is no information whatsoever about the topic of expropriation, and we do not really know what they are going to do with the lands). He went on to clarify his concerns by pointing at the financing of megaprojects in China: "se financiaron a través de la expropiación de las tierras de los campesinos". And he finished by admitting that the impacts of the Canal on people living in the impact zone, such as the campesinos, remains currently underexplored within analysis related to socio-environmental-economic impacts.

- Personal observation during the ACN's Second International Workshop on the Inter-oceanic Canal through Nicaragua (19-11-2015)

Collaborations have recently expanded between the scientific community and the Consejo Nacional – although initial interactions between these ‘camps’ had remained limited, the Nicaraguan Academy of Sciences (ACN by its acronym in Spanish) hosted a photo and video exhibition on the 13th of June 2016 that was initiated by Jorge A. Huete-Pérez (ACN) and Francisca Ramirez (the new coordinator of the Consejo Nacional). The exhibition was called ‘*Un Recorrido por la Lucha Anticanal*’, and with a large number of Consejo members present at the opening, it served as a public declaration of solidarity between the ACN and the Consejo.

4. Discussion: High Hopes or Empty Dreams?

While international legal instruments, as deployed by the indigenous and afro-descendant peoples, carry a transformative potential that transcends national structures, and while the scientific community, through its independence and cross-border collaborations, gives growing visibility to this specific conflict, the collective action of project-affected peoples and civil society organizations continues to unite people in ever-growing protest marches around a myriad of demands, which have moved beyond the IGC Project and now also include demands for free and fair elections, respect for human rights, and the long-due accurate protection of the country's natural and biological reserves. Despite the progressive criminalization of social protests, and despite numerous acts of repression and intimidation, these people remain fearless and determined to not let their increasingly authoritarian government divide them. In fact, through state repression, strategies have evolved from targeting government policies and projects into targeting the system as a whole.

The contentious actors derive legitimacy from their political independence and non-confrontational character at protests, where obstruction and intimidation by the state force them to strategically improvise so as to safeguard the peaceful nature of their public gathering. The ‘No Al Canal’ movement has demonstrated, through the ecological strands of its collective action, its potential to cross bridges of ethnic rivalry, social class, and political affiliation, bringing unlikely allies together in a struggle for

their land, lake, and sovereignty. Through an upgrading of the Environmentalism of the Poor, this coalition building now increasingly extends to other place-based struggles through what Escobar (2001) referred to as ‘subaltern strategies of localization’.

Indigenous resistance in Nicaragua has, in addition to the IGC Project, another important, longer standing target: the deforestation of the Bosawás Biosphere Reserve, which persists at a rate of 200-280 acres per day¹⁷. In fact, the aggressive rate at which the agricultural frontier has advanced since the 1980s has since then deprived the country of over a third of its forest cover (Gourdji et al., 2015: 271), making Nicaragua one of the most deforested countries in the world¹⁸. Although the indigenous Mayangna people of Bosawás had their legal land titles officially recognized by the Ortega government in 2007, encroachment upon their homelands proceeds with impunity¹⁹. The ‘colonists’ are a mix of landless people, subsistence farmers escaping the drought in Nicaragua’s Pacific region, and people driven by a mix of corporate and government incentives.

Increasingly, clashes between invaders and natives turn violent, with fatalities primarily on the indigenous side. The dire situation has become an armed conflict as indigenous peoples attempt to defend their lands and livelihoods vis-à-vis the government-backed colonists. Instability, displacement, and fear have come to characterize indigenous life in Bosawas, despite the existence of a legal framework designed for the protection of the biosphere reserve²⁰. According to conclusions drawn from a series of conferences organized by the Universidad Centroamericana (UCA), the main causes of deforestation in the region are: environmental degradation induced by the invasion of colonists, the expansion of the agricultural frontier, cattle ranching, and uncontrolled logging, which has exacerbated poverty incidence in indigenous communities²¹. According to a recent study published by Centro Humboldt, deforestation occurs at equally alarming rates in the Indio Maíz Biological Reserve, and another ten protected areas are also directly affected by deforestation – all while the government is passively standing by²². Although leaders and professionals from 19 communities in the Mayagna Sauni As indigenous territory have organized themselves

¹⁷ ‘The Pillaging of Nicaragua’s Bosawás Biosphere Reserve’, *Truth Out*, 21-10-2016, <http://www.truth-out.org/news/item/38084-the-pillaging-of-nicaragua-s-bosawas-biosphere-reserve>

¹⁸ ‘Nicaragua entre los diez países más deforestados del mundo’, *Hoy*, 30-03-2016, <http://www.hoy.com.ni/2016/03/30/nicaragua-entre-los-diez-paises-mas-deforestados-del-mundo/>

¹⁹ ‘Nicaragua cloud forest ‘under siege’ by illegal loggers’, *BBC News*, 03-05-2013, <http://www.bbc.com/news/science-environment-22379788>

²⁰ ‘Bosawas, “un tema de interés nacional”’, *La Prensa*, 14-07-2016, <http://www.laprensa.com.ni/2016/07/14/nacionales/2067909-bosawas-tema-interes-nacional>

²¹ Ibid.

²² ‘Despale arrasa 12 áreas protegidas en Nicaragua’, *La Prensa*, 26-04-2016, <http://www.laprensa.com.ni/2016/04/26/nacionales/2025031-despale-arrasa-12-areas-protegidas-en-nicaragua>

in the Commission of Mother Earth (*Comisión de la Madre Tierra*), and although they have appealed to the Government numerous times, they have never received any answers nor attention from politicians²³.

Member organizations of Grupo Cocibolca, in collaboration with the UCA²⁴, have started to frame the environmental crisis as a national (rather than uniquely local) concern by slating it as “the most profound environmental crisis in the history of the nation”²⁵. This crisis results from two main factors: the inadequate management of natural resources promoted by an “extractivist and predatory” economic model²⁶; and the adverse impacts of climate change, which have become manifest through the intensity of El Niño between 2014 and 2016²⁷. Nicaragua is exceptionally vulnerable to the consequences of climate change (UNDP 2010), which are already hard-felt: environmental experts in the country claim that 60% of Nicaragua’s surface waters had been lost by March 2016, and nearly 50% of its underground water sources²⁸.

At the third national ‘No Al Canal’ protest in Managua on October 27th, 2015, I noticed the presence of indigenous peoples from Waspam and Río Coco, both located in Bosawás. They had travelled for days so that they could draw attention to their cause with big banners that clearly stated their villages of origin and their denunciation of the deforestation of their homelands. This protest event coincided with the time at which the Ortega Government had started to deploy a dual discourse in relation to its primary objectives underlying the construction of the Canal; at first, the project was presented as a unique opportunity to spur economic growth and job creation, and to – at last – lift the second-poorest country of the Western hemisphere out of poverty. HKND has specified that the construction phase of the Canal will require a workforce of 50.000 people, of which some 25.000 will supposedly be Nicaraguans. Once the Canal is

²³ ‘Bosawas sigue sufriendo depredación’, *La Prensa*, 19-04-2016, <http://www.laprensa.com.ni/2016/04/19/departamentales/2020716-bosawas-sigue-sufriendo-depredacion>

²⁴ Envío is an independent digital publication by the UCA which extensively covers problems of national concern. It publishes and discusses studies by civil society organizations, thereby supporting the work of Grupo Cocibolca.

²⁵ ‘Enfrentamos la crisis ambiental más profunda en la historia reciente’, *Envío*, 05-2016, <http://www.envio.org.ni/articulo/5182>

²⁶ See also: ‘In Nicaragua, A Conflict Over Mining Near the World’s Second-Largest Rainforest’, *Latin American News Dispatch*, 20-04-2015, <http://latindispatch.com/2015/04/20/in-nicaragua-a-conflict-over-mining-near-the-worlds-second-largest-rainforest/>

²⁷ Ibid.

²⁸ ‘The Pillaging of Nicaragua’s Bosawás Biosphere Reserve’, *Truth Out*, 21-10-2016, <http://www.truth-out.org/news/item/38084-the-pillaging-of-nicaragua-s-bosawas-biosphere-reserve> ; see also: Centro Humboldt (2016): ‘Crisis socio-ambiental de Nicaragua post sequía 2016’, available at <https://www.humboldt.org.ni/sites/default/files//Crisis%20Socioambiental%20de%20Nicaragua%202016.pdf>.

operational, another 200.000 jobs will be generated²⁹. In a country with high unemployment and underemployment ratios, this has proven a powerful promise.

However, following the approval of the official Environmental and Social Impact Assessment (ESIA)³⁰ in the summer of 2015, and leading up to the United Nations Conference on Climate Change in Paris (the COP21), the government increasingly started to frame its pro-Canal arguments in an environmentalist way: the IGC would shorten ships' travel durations by one day, thereby contributing to a significant reduction in Carbon Dioxide (CO₂) emissions³¹. Additionally, the Canal would make available to the State the presumably much-needed funds for large-scale reforestation, and for the accurate protection of the country's natural reserves, which are still being subjected to illegal and commercial logging practices. Proponents of the IGC have also pointed out that although the Canal will cause significant environmental impacts, these are not as severe as is oftentimes presumed because environmental degradation is – with or without the Canal – already very advanced in the country. However, this is objected by natural scientists, who claim *inter alia* that although Lago Cocibolca is not as pristine as it once was, and that the Lake's bull shark population has decreased dramatically, the Lake is actually in better condition than it was twenty or so years ago; the Lake is indeed somewhat contaminated, with some levels of heavy metal such as mercury and arsenic, but these derive mostly from the volcanoes in the area. As one of my respondents put it:

"The same argument has been used for the Canal over on the eastern side, that "well, it is already pretty deforested over there, so..." you know, dot-dot-dot. And it is like, yeah, that area has undergone some severe deforestation in the last ten years, largely as a result of government policies that have really promoted cattle ranching and the illegal expansion of ranching – but it is not completely deforested; a lot of forest still remains, and if we put a canal there, we can pretty much guarantee that it is going to be completely deforested. And so, in and of itself, just saying because something is already not in perfect shape ignores the fact that a lot of these ecosystems are very resilient, and can be restored or repaired"

- Personal interview with Kim Williams-Guillén, Director of Paso Pacifico (24-09-2015)

On the opposing side, however, the ESIA concluded that the IGC project shall have a 'net positive impact' on the social and environmental conditions within Nicaragua. According to Bill Wild, Chief Project Advisor of the HKND Group, recent

²⁹ 'HKND presenta ruta del Gran Canal de Nicaragua', *La Prensa*, 07-07-2014, <http://www.laprensa.com.ni/2014/07/07/nacionales/202195-hknd-presenta-ruta-del-gran-canal-de-nicaragua>.

³⁰ The IGC Project's official ESIA was conducted by Environmental Resources Management (ERM), a British consultancy firm contracted by the HKND.

³¹ 'HKND y Comisión del Gran Canal presentan estudios a académicos de universidades publicas', *La Prensa*, 10-12-2015, <http://www.laprensa.com.ni/2015/12/10/nacionales/1951548-hknd-y-comision-del-gran-canal-presentan-estudios-a-academicos-de-universidades-publicas>.

years have witnessed the progressive deterioration of Nicaragua's biological environment and increasing rates of deforestation – as a result of which it is projected that most forest cover in the country will be lost within the next 10 to 15 years. The ESIA claims that without any proper interventions, Nicaragua's present ecological tendency "is not positive by any measure". In this line of reasoning, the HKND considers the construction of the IGC "as a viable means for environmental protection and forest restoration"³².

As government and IGC project officials set to highlighting the potential contributions of the Gran Canal to the mitigation of (parts of) Nicaragua's contemporary environmental crisis, these actors grew determined to shed light on the severity of this crisis, as well as on government complicity. This became particularly apparent from their social media pages³³, on which an increasing amount of attention was drawn to the deforestation problematic, the persistent drought that has been plaguing the country for a third year in a row, struggles against mining (predominantly in Rancho Grande), and the proposal of the Tumarín and Boboque hydropower projects³⁴. For example, on the 22nd of April 2016 – the Day of the Earth – the Consejo Nacional organized its fourth national protest, which it proclaimed would be "in defense of Indio Maíz, Bosawás, Lago Cocibolca, Río Coco, and La Estanzuela – ecosystems under threat from the IGC Project, deforestation and/or the drought. In doing so, the Consejo Nacional added another goal to its agenda: to stop not only the construction of the IGC Project, but also the destruction of Nicaragua's natural resources. Another noteworthy post that illustrates this trend contained photos of a village gathering on the 28th of June 2016, during which members of the Consejo had traveled to San Andrés de Boboque to sit down with village leaders and discuss the ways in which they could unite their struggles.

It is in this context that networks of social actors have emerged slowly but steadily – primarily through their co-presence at protest gatherings –, thereby transcending the issue-specificness of the 'No Al Canal' movement. Induced by the growing visibility of this latter conflict, contentious actors engaged in localized struggles have flocked to the movement that has most strongly and openly manifested itself as the safeguard of nature and sovereignty. In defense of common pool resources, it has been relatively easy for these various camps of contention to align their agendas in pursuit of common/shared goals: the protection of the ecosystems invaluable to their subsistence practices; the recognition of locally specific beliefs, viewpoints, and human-environment interactions;

³² 'Nicaragua Canal Progressing in Compliance with International Best Practices Steadily', *HKND Group Media Coverage*, 14-10-2014, <http://hknd-group.com/portal.php?mod=view&aid=269>.

³³ The Consejo Nacional en Defensa de la Tierra, Lago y Soberanía has its own Facebook page, in addition to which there is the Facebook page of Nicaragua Sin Heridas, a civil society initiative which brings together all news related to the Gran Canal.

³⁴ See also: 'Nicaragua inicia estudios para dos nuevas hidroeléctricas', *Energía Limpia*, 04-03-2015, <https://energialimpiaparatodos.com/2015/03/04/5790/>.

the desire to determine one's own faith and the refusal to be subjected – once more – to foreign intervention; the quest for participatory justice within a political context constructed by an authoritarian regime; and the respect for inalienable human rights as internationally enshrined and progressively expanded, now also including inter alia the human rights to water and food.

Be it extractivist industries such as the mining and timber sectors or large-scale development projects for the supposedly greater sake of the nation, these social actors within Nicaragua have started to blur the boundaries between what is local and what concerns us all. In doing so, the demands put forth by the contentious actors engaged in the 'No Al Canal' movement have become dynamic in the sense that singular demands around social and environmental justice are merged across contentious groups, thereby leading to an upgrading of the Environmentalism of the Poor – this refers to project-affected social actors (in this case, the Consejo Nacional) rising up as the 'safeguards of nature' not solely in relation to their immediate environment, but also with regard to ecological distribution conflicts elsewhere in the country. They thus also become 'safeguards of sovereignty' and advocates of human rights, speaking out against a government which has long seized to put the wellbeing of its people and ecosystems first.

What has fostered the confluence of contentious actors more than anything else is government opposition – not only against government project and policies that run counter to the wellbeing of rural communities from many parts of the country, but also against the dismantling of democracy and the denial of human rights. With the national elections scheduled for November 2016, 'No to the Electoral Farce' became another slogan of the Consejo Nacional as 2015 was coming to an end. Only a few months later, Octavio Ortega – the face of the 'No Al Canal' movement, and one of the initiators of the Consejo Nacional – handed over his function as coordinator of the Consejo to Francisca Ramirez in exchange for departmental presidency of the Sandinista Renovation Movement (MRS by its acronym in Spanish). This political party came into being after many Sandinistas had grown disillusioned with FSLN politics, which according to them did not do justice to the legacy of national hero Augusto César Sandino – a sentiment which had grown stronger ever since Daniel Ortega was reelected into office by the end of 2006.

For the 2016 elections, Sandinista dissidents also reinvigorated the Group of 27 (*Grupo de los 27*), which had issued a manifesto forty-two years ago that called on the Somoza Government to host free and fair elections. Inspired by this act, the 'new' Group of 27, comprised of writers, academics, politicians, and civil society leaders (including Octavio Ortega), issued its own communiqué in which it urged the Ortega Government to ensure that the upcoming elections would be "completely free, devoid of any coercion or abuse of any sort, guaranteeing equality for all contenders and an

honest and transparent vote”³⁵. With the slogan ‘There is no one to vote for!’ (*¡No Hay Por Quien Votar!*), the Group of 27 also called on the Nicaraguan people to abstain from voting because the electoral process would be nothing but a farce; with the disqualification of opposition parties and the centralization of power by the Ortega family, the FSLN would be the only force to be reckoned with during the elections, which are, according to the Group of 27, nothing but the masquerade of a dictatorship³⁶.

The active and conscious obstruction of democratic avenues by the ruling elite has induced a sense of rightful duty to find another way for the realization of change: active vote abstention as an expression of peaceful resistance³⁷. Although government-controlled media claim that 68.2% of the population eventually voted – and that 72.5% of them voted for the FSLN³⁸, as a result of which Daniel Ortega firmly remains in power – the opposition parties (united in the Broad Front for Democracy (*Frente Amplio por la Democracia, FAD*)) maintain that these elections witnessed the lowest voter turnout of the last thirty years, calling it ‘the triumph of abstention’³⁹. The Broad Front for Democracy was launched on the 4th of October 2016 as a union of political parties, organizations, and movements in an effort to “unite diverse voices into one discourse”⁴⁰. While the members maintain their distinct organizational identities, their collective action centers on one common denominator: the demand for new national elections and the rejection of electoral fraud⁴¹. To this end, the FAD has organized marches and protest gatherings – street mobilizations of an active and permanent nature, as they call it. Organized at the national level, there have been 25 marches until this date, the most recent of which took place on the 1st of December 2016 and was scheduled to coincide with the visit of Luis Almagro, Secretary-General of the Organization of American

³⁵ ‘From Somoza to Ortega: Manifiesto Demands Free Elections in Nicaragua’, *Confidencial*, 06-05-2016, <http://confidencial.com.ni/from-somoza-to-ortega-manifiesto-demands-free-elections-in-nicaragua/>

³⁶ ‘¿Quiénes son “los 27” intelectuales y políticos que llaman al “abstencionismo activo” en las elecciones presidenciales de Nicaragua?’ *América Economía*, 11-08-2016, <http://www.americaeconomia.com/politica-sociedad/politica/quienes-son-los-27-intelectuales-y-politicos-que-llaman-al-abstencionismo>.

³⁷ ‘Nicaragua: Group of 27 expresses concerns over upcoming election’, *Nonviolent Conflict News*, 10-08-2016, <https://nvcnews.org/content/nicaragua-group-27-express-concerns-over-upcoming-election>

³⁸ ‘FSLN alcanza el 72.5% de los votos en históricas elecciones de Nicaragua’, *El 19*, 07-22-2016, <https://www.el19digital.com/articulos/ver/titulo:48641-fsln-alcanza-el-725-de-los-votos-en-historicas-elecciones-de-nicaragua>.

³⁹ ‘Oposición: “Triunfo la abstención”, *Confidencial*, 06-11-2016, <http://confidencial.com.ni/oposicion-triunfo-la-abstencion/>.

⁴⁰ ‘Lanzarán Frente Amplio por la Democracia’, *La Prensa*, 29-09-2016, <http://www.laprensa.com.ni/2016/09/29/politica/2108716-lanzaran-frente-amplio-la-democracia>.

⁴¹ *Ibid.*

States (OAS)⁴². The OAS delegation came to meet not only with President Ortega and a range of economic actors, but also with civil society organizations and the Consejo Nacional.

According to Carlos Tünnermann, political analyst and member of the Group of 27, this represented an opportunity to draw the OAS' attention to the human rights violations committed by the Ortega Government through the repression of contentious *campesinos* and the obstruction of the universal human right to peacefully and publicly manifest itself⁴³. The December 1st political opposition protest was preceded by another national protest on November 30th by the 'No Al Canal' movement. Leading up to these events, the government embarked on a militarization of access routes into the capital city, where both protests would be held, and positioned members of the National Police, the riot squad (*antimotines*) and motorized groups (such as the *Juventud Sandinista*) at strategic points throughout Managua⁴⁴. Concerned by these developments, Amnesty International issued a public statement on November 29th, which urged the Ortega Government to guarantee freedom of expression and the right to protest for the Nicaraguan people, as well as to safeguard the physical integrity of protest participants⁴⁵.

Front Line Defenders published a similar statement, in which it denounced the acts of repression and intimidation against human rights defenders and protesters. Specifically, "[i]n El Tule, Nueva Guinea and the Southern Atlantic Autonomous Region (RAAS) (...) human rights defenders have reported the use of tear gas, rubber and lead bullets by police against protesters. Defenders have also reported that truck drivers who transport demonstrators to the capital for the mobilization are being harassed as a result of their involvement. In addition, defenders and social leaders traveling through public transport are also being searched and harassed by authorities"⁴⁶. Amnesty International had also issued a statement prior to the 4th National Protest earlier this year, to which the Ortega Government implicitly responded by refraining from repression – a move that was hailed by contentious actors as a sign that all the way up to the international level, Daniel Ortega was now paying a political

⁴² Almagro será recibido en Nicaragua con marcha nacional', *La Prensa*, 08-11-2016, <http://www.laprensa.com.ni/2016/11/08/politica/2131621-almagro-recibido-marcha-nacional>.

⁴³ 'Almagro viene al "peor" escenario', *La Prensa*, 01-12-2016, <http://www.laprensa.com.ni/2016/12/01/politica/2143650-almagro-viene-al-peor-escenario>.

⁴⁴ 'Policía y motorizados se toman Managua previo a marcha de la oposición', *La Prensa*, 01-12-2016, <http://www.laprensa.com.ni/2016/12/01/nacionales/2143910-policia-motorizados-se-toman-managua-previo-marcha-la-oposicion>.

⁴⁵ Amnistía Internacional: Declaración Pública, 29-11-2016, available at: <https://www.amnesty.org/en/documents/amr43/5245/2016/es/>.

⁴⁶ 'Nicaragua: Threat of violent repression looms over civil society', *Front Line Defenders*, 01-12-2016, <https://www.frontlinedefenders.org/tr/node/3004>.

price for his repression of *campesinos*⁴⁷. This time, however, the President did not appear to care much about his international reputation, and out of fear for violent confrontations, the ‘No Al Canal’ movement suspended its protest of November 30th.⁴⁸ The authoritarian and oppressive nature of the government, however, has forged strong solidarity linkages across all sectors of Nicaraguan society. The December 1st protest was a testimony of this growing bond, whereby people from all walks of life took to the streets of Managua to speak out against the rigged elections and increasing human rights violations, and to walk in solidarity with the *campesinos* who had never made it to the capital city⁴⁹.

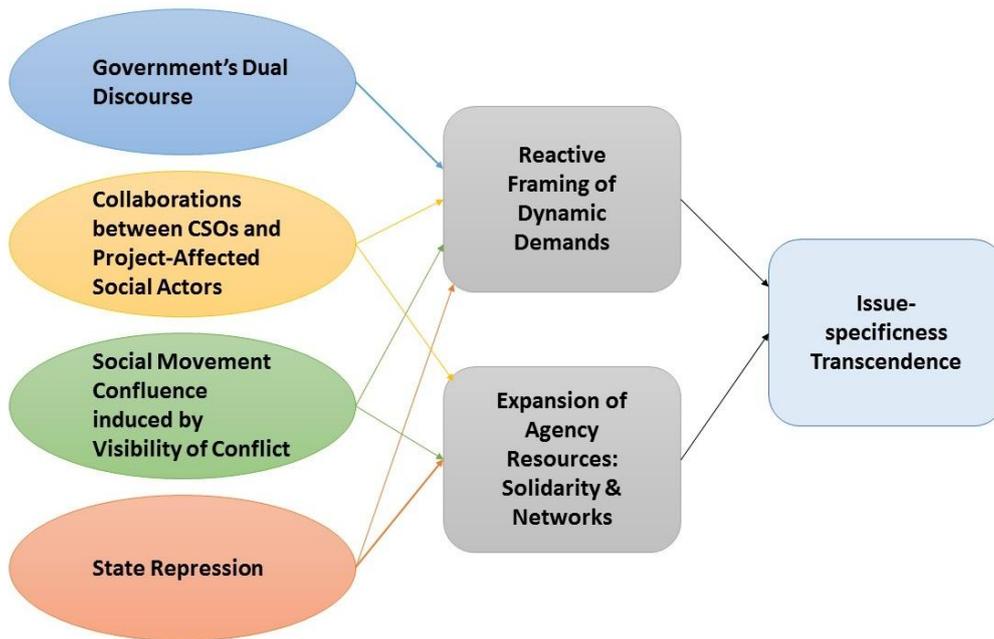
The trend of solidarity proclamations and public support has endowed the ‘No Al Canal’ movement with new agency resources that enhance their transformative potential of resistance. In a context of contracting political opportunity structures, processes of movement confluence and the formation of interpersonal solidarity networks have been set in motion by the reactive framing of demands in response to persistent and progressive repression. This adds to the process that entails an ‘upgrading’ of the Environmentalism of the Poor in reaction to the government’s dual discourse in relation to its justifications of the IGC Project. These trend are represented in figure 2.

⁴⁷ ‘La marcha de los campesinos’, *La Prensa*, 25-04-2016, <http://www.laprensa.com.ni/2016/04/25/editorial/2024270-la-marcha-de-los-campesinos>.

⁴⁸ ‘Campesinos de Nicaragua suspenden protesta por “represión” policial’, *La Vanguardia*, 30-11-2016, <http://www.lavanguardia.com/vida/20161130/412300489288/campesinos-de-nicaragua-suspenden-protesta-por-represion-policial.html>.

⁴⁹ ‘Managua marchó a pesar del bloque y la represión’, *Confidencial*, 01-12-2016, <http://confidencial.com.ni/managua-marcho-a-pegar-del-bloqueo-y-la-represion/>.

FIGURE 2: SOCIAL ACTOR CONFLUENCE



This leaves us with the implications of this issue-specificness transcendence for singular versus collective action in light of the existing maneuvering space for contentious politics ‘from below’ within Nicaragua. Such a comparison derives its relevance from the multitude of conflict dimensions which may lead to a hierarchy of issues, as a result of which a confluence of movements can potentially undermine individual struggles (Carlos-Domínguez, 2007) – in other words, collective action need not necessarily be more effective in the sense that the alliance may reduce the visibility of singular conflict dimensions. This renders valid the question of how valuable alliances are – they may create opportunities but also constraints for social movements, their mobilization tactics, and the ultimate outcomes of their resistance strategies. Moreover, alliances between movements and groups are not void of power hierarchies, which influence internal politics and may induce conflicts between members (Ortner, 1995: 176).

In the case of Nicaragua, place-based singular struggles have come to serve as exemplifications of the myriad of wrongdoings committed by the Ortega regime. The uniqueness of their conflicts has been sacrificed to a larger alliance of safeguards of nature, democracy, and human rights. The continuous and worsening cycle of state repression has increased the intensity of the conflict, thereby giving rise to a broad-based solidarity that has brought more people to the movement and to the streets. While the scope of the movement has expanded and the struggle has grown more intense, the conflict has also become increasingly visible in the public arena, drawing now also the attention of international human rights organizations such as Amnesty International. In addition, networks between diverse rural and urban social actors have fostered the confluence of movements in opposition to not only government projects, but to the

government itself. With its long history of tyranny and rebellion (Kinzer, 2007), Nicaragua has witnessed the consolidation of popular insurgence in the face of dictatorial rule – a revolutionary spirit which the Ortega Government has successfully reinvigorated in the Nicaraguan people, bringing them together in a fight against oppression in its many forms. As state repression has primarily targeted the *campesinos*, they have become the main object of solidarity proclamations, while public sympathy with the particularities of indigenous resistance has not evolved to the same extent. Yet the chronic developmental neglect of and discriminatory approach toward the Autonomous Regions by the Sandinista Government have created ethnic rivalry and alienated *Miskitia* inhabitants from *mestizo* Nicaragua. Although the ‘No Al Canal’ movement has united the agrarian and indigenous struggles, this novel emphasis on *campesino* identity overshadows the severity and specificity of the marginalized position of ethnic minorities. The demands made by the indigenous and afro-descendant peoples – the restitution of rights, the derogation of Law 840, the end of oppression, and land demarcation and titling – partially overlap with those made by the Consejo Nacional, as a result of which a reconfiguration of social relations between these two camps of contention remains unlikely. However, to be not only broad-based but all-encompassing, the ‘No Al Canal’ movement would have to start urging the long-due recognition of the locally and culturally specific injustices committed against the *costeños*.