

# Resistance to Canadian mining projects in Mexico: lessons from the lifecycle of the San Xavier Mine in San Luis Potosí

Darcy Tetreault<sup>1</sup>

Universidad Autónoma de Zacatecas, México

## Abstract

This article analyses resistance movements to large-scale mining projects in Mexico, particularly the case of sustained organized resistance to the San Xavier Mine, in the central north state of San Luis Potosí. As one of the first struggles in Mexico against Canadian mining projects after the signing of the North American Free Trade Agreement, the leaders of this movement pioneered strategies of resistance on the legal front and were instrumental in building anti-mining alliances and networks on the national and international levels. Now that the excavation process has finished and the mine is closing down, this article seeks to draw on the case to illustrate the complementarity of three approaches for interpreting resistance to mining: class struggle, ecological distribution conflicts, and the clash of cultural valuations over territorial vocation. The argument is that these approaches are not mutually exclusive; they can be combined to explain the multiple dimensions of specific struggles, whose shifts in emphasis at different moments of the struggle are conditioned by – and condition – the phase of a mine's development. By contextualizing the case study in a broader analysis of social environmental conflicts around mining in Mexico and elsewhere in Latin America, the analysis seeks to illustrate the ways in which the struggle against the San Xavier Mine is representative of broader trends, as well as its peculiarities. On the local level, we find the struggle has more to do with defending conditions of social and cultural reproduction than protecting the means of production that sustain traditional livelihoods. This pertains, not just to a non-contaminated living environment and the availability of clean water for human consumption, but also to the conservation of natural and architectural patrimony with historic and cultural significance.

**Key words:** Mining conflicts, Canadian imperialism, political class formation, ecological distribution, cultural valuations

## Résumé

Cet article analyse les mouvements de résistance à des projets miniers à grande échelle au Mexique, en particulier le cas d'une résistance organisée soutenue à la mine de San Xavier, dans l'État central du nord de San Luis Potosí. Comme l'une des premières luttes au Mexique contre les projets miniers canadiens après la signature de l'accord de libre-échange nord-américain, les dirigeants de ce mouvement ont été les pionniers des stratégies de résistance sur le front juridique et ont joué un rôle déterminant dans la construction d'anti-mines des alliances et des réseaux aux niveaux national et international. Maintenant que le processus d'excavation est terminé et que la mine est en train de fermer, cet article cherche à tirer parti du cas pour illustrer la complémentarité de trois approches d'interprétation de la résistance à l'exploitation minière: lutte de classe, conflits de distribution écologique, et le choc des valorisations culturelles sur la vocation territoriale. L'argument avancé est que ces approches ne sont pas mutuellement exclusives; ils peuvent être combinés pour expliquer les multiples dimensions de luttes spécifiques, dont les changements dans l'accent à différents moments de la lutte sont conditionnés par-et la condition-la phase du développement d'une mine. En contextualisant l'étude de cas dans une analyse plus large des conflits sociaux de l'environnement autour de l'exploitation minière au Mexique et ailleurs en Amérique latine, l'analyse cherche à illustrer les façons dont la lutte contre la mine de San Xavier est représentative d'une plus large tendance, ainsi que ses particularités. Au niveau local, on trouve que la lutte

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<sup>1</sup> Prof. Darcy Tetreault, PhD, Department of Development Studies, Autonomous University of Zacatecas, Mexico. Email: [darcytetreault "at" yahoo.com](mailto:darcytetreault@yahoo.com). The author would like to express his gratitude to Paul Bowles for providing constructive dialogue and feedback during the process of researching and producing this article, and to two anonymous peer-reviewers for their suggestions on how to strengthen an earlier version.

a davantage à voir avec la défense des conditions de reproduction sociale et culturelle que la protection des moyens de production qui soutiennent les modes de vie traditionnels. Cela concerne non seulement un environnement de vie non contaminé et la disponibilité d'eau propre pour la consommation humaine, mais aussi la conservation du patrimoine naturel et architectural avec une importance historique et culturelle.

**Mots clés:** conflits miniers, impérialisme canadien, formation de classe politique, distribution écologique, valorisations culturelles

## Resumen

Este artículo analiza los movimientos de resistencia a los grandes proyectos de minería en México, particularmente el caso de resistencia organizada sostenida a la Mina San Xavier, en el estado de San Luis Potosí en el centro norte del país. Al ser una de las primeras luchas en México en contra de los proyectos mineros canadienses después de la firma del Tratado de Libre Comercio de América del Norte, los líderes de este movimiento fueron pioneros en buscar estrategias de resistencia sobre el frente legal y jugaron un papel decisivo en la construcción de alianzas y redes anti-mineras en los niveles nacional e internacional. Ahora que el proceso de excavación ha terminado y la mina entra la fase de cierre, este artículo recurre al caso para ilustrar la complementariedad de tres acercamientos para interpretar la resistencia a la minería: la lucha de clases, los conflictos ecológicos distributivos, y el choque entre valorizaciones culturales sobre la vocación territorial. El argumento es que estos tres acercamientos no son mutuamente excluyentes; pueden ser combinados para explicar las múltiples dimensiones de luchas específicas, cuyos cambios de énfasis en diferentes momentos de la lucha son condicionados por – y condicionan – la fase del desarrollo de la mina. Al contextualizar el estudio de caso en un análisis más amplio de los conflictos socioambientales en torno a la minería en México y otras partes de América Latina, se busca ilustrar cómo la lucha en contra de la Mina San Xavier es representativa de tendencias generales, así como sus peculiaridades. En el nivel local, se halla que la lucha tiene más que ver con la defensa de las condiciones sociales y culturales de reproducción que la protección de los medios de vida y producción tradicionales. Esto se refiere no sólo a un medio ambiente no contaminado y la disponibilidad de agua limpia para el consumo humano, sino también a la conservación del patrimonio natural y arquitectónico con importancia histórica y cultural.

**Palabras clave:** Conflictos mineros, imperialismo canadiense, formación política de clases, distribución ecológica, valorizaciones culturales.

## 1. Introduction

The San Xavier Mine (MSX in its Spanish acronym), in the north central state of San Luis Potosí (SLP), Mexico, was the first of several large Canadian-owned open-pit gold mines to be announced in the country after the signing of the North American Free Trade Agreement (NAFTA) in 1994. Extraction of ore, however, did not get underway until 2007, largely due to delays associated with sustained organized resistance to the mine. The opposition movement to MSX can be considered a pioneer in resistance to Canadian mining projects in Mexico; it has informed other struggles against large-scale mining projects and it has contributed to the formation of network organizations that oppose toxic mega-mining on the national and international levels. Now that, as announced in 2016, the excavation process has finished and the mine is closing down, this article seeks to draw on the case in order to inform debates on the nature of resistance movements to large-scale mining projects in Mexico and elsewhere in Latin America.

The analysis and argument proceed as follows. First, the case study is contextualized in a brief examination of mining conflicts in Mexico and the rest of Latin America, and of related debates concerning the "new extractivism" and the "new imperialism" of Canada in Latin America's mining sector. The next section outlines three approaches for interpreting resistance to mining: class struggle, ecological distribution conflicts, and the clash of cultural valuations over territorial vocation. The argument put forth is that these approaches are not mutually exclusive; they can be combined in a complementary fashion to explain the multiple dimensions of specific struggles, with shifts in emphasis at different moments of the struggle, which are conditioned by – and condition – the phase of a mine's development. This is illustrated by the case study, which starts with a brief historical review of mining and class struggle in Cerro de San Pedro (CSP), the municipality where MSX is located, and then goes on to examine organized resistance to MSX through the lenses of the

three approaches mentioned above. The concluding section presents the theoretical and political lessons derived from analyzing the case of MSX through these lenses.

## 2. Mining conflicts in Mexico and Latin America

Conflicts around large-scale mining activities have multiplied in Mexico and elsewhere in Latin America since the beginning of the 21<sup>st</sup> century. By mid 2018, the Observatory of Mining Conflicts in Latin America (OCMAL in its better-known Spanish acronym) had registered 247 mining conflicts in Latin America, 43 of which are in Mexico. According to OCMAL's classification scheme, the most common immediate causes of these conflicts are extraction activities, spills, contamination and the usurpation of land and water resources. In this inventory, Mexico has the highest number of conflicts in the region, followed by Chile with 41 and Peru with 39. In a more exhaustive review on the national-level, Pérez Jiménez (2014) detected 82 territorial conflicts around mining in Mexico and identified the main immediate causes as environmental impacts, dispossession of territory and water, and inequitable relations with transnational mining companies.

Mining conflicts are not only taking place in Latin American countries that have adhered to orthodox neoliberal political agendas, like Mexico, Colombia and Peru. They are also taking place in countries that have – or have recently had – so-called "progressive" or "post-neoliberal" governments, which seek to increase the state's share of mining revenue in order to finance social development and anti-poverty programs. These include Bolivia and Ecuador, where popular indigenous-led social movements brought progressive governments to power during the second quinquennium of the 21<sup>st</sup> century (2006-2010), as well as constitutional reform to recognize the rights of Mother Earth as part of an alternative development vision of "living well" (*vivir bien*).

In recent years, there has been much discussion of mining conflicts within the broader framework of analyzing the expansion and acceleration of extractive activities throughout Latin America. Cypher (2010) describes this trend as the "reprimarization" of national economies in the region, with reference to the increasing share of primary goods in the composition of exports. In the context of high primary commodity prices during the first decade of the 21<sup>st</sup> century, driven in large part by China's rapid economic growth, governments throughout the region encouraged a wide range of extractive activities, not just mining, but also oil and gas exploitation, logging, and agro industrial production of genetically modified monocultures.

Svampa (2015) dubbed this "the commodities consensus", whereby all states in the region, irrespective of ideological orientation, have resorted to promoting extractive activities as a measure for stimulating economic growth and sustaining public finances. Likewise, Veltmeyer and Petras observe a "coincidence of economic interests" between the progressive post-neoliberal governments of South America and extractive capital, that is, "to share the spoils" in the form of "windfall profits and enhanced claims on ground rent" (2014: 28). From this critical perspective, the new extractivism boils down to states receiving a greater share of the rent, to be used for financing the expansion of infrastructure for economic development and social policies, especially anti-poverty programs, thereby "ensuring continuing popular support of the extractivist drive especially among the urban and peri-urban working classes" (Arsel *et al.* 2016: 881. See also Acosta 2013; Gudynas 2010; Hogenboom 2012; Svampa 2015 and Veltmeyer and Petras 2014).

The new extractivism has translated into an acceleration of the rate at which natural resources are exploited in the region. By one account, the rate of extracting materials from the Latin American region – including biomass, fossil fuels, construction minerals, metal ores and industrial metals – doubled between the mid-1990s and 2009, reaching over 8 billion metric tons last year (Martínez Alier and Walter 2016: 71). Martínez Alier and Walter observe that "The extraction boom of raw materials in Latin American has been particularly significant for metal ores" (2016: 70), and they calculate that these accounted for 25% of the total weight of material flows from Latin America in 2009, second only to biomass.

From this sort of analysis of material and energy flows, Delgado Ramos (2010), Martínez Alier and Walter (2016) and other political ecologists have observed persistent *physical* trade deficits (measured in terms of volume and weight) for Latin America in its commercial relations with the center of the world economy, particularly the United States, describing these relations as a form of "ecologically unequal exchange" that does not take into account environmental and social "externalities" on the local level. In Marxist terms, the net flow from the global South to the North of materials, energy and financial assets valorized through the appropriation

of monopoly ground rents, amounts to a form "ecological imperialism" (Bellamy Foster and Clark 2004) or what Veltmeyer and Petras (2014) call the "imperialism of the twenty-first century."

In the mining sector of Latin America, it is Canadian imperialism that has taken center stage (Denault and Sacher 2012; Gordon 2010; Gordon and Webber 2008, 2016). A number of figures give a dimension to the importance of Canadian mining capital in Latin America and on the global level. Six out of ten of the world's largest mining companies are publicly listed on the Toronto Stock Exchange (TSX) or the TSX Venture Exchange, which accounted for 62% of the global mining equity raised in 2014 (Mining Association of Canada 2016: 6). According to Dougherty, mining firms seek "finance rents" by legally incorporating in Canada "where equity financing for juniors is highly subsidized and corporate governance is lenient" (2013: 339). In 2015, TSX-listed mining companies accounted for one third of the global investment in non-ferrous mineral exploration worldwide. Outside of Canada most of these companies and projects are located in Latin America, where there are 1,134 Canadian-owned projects in all. Over half of Canadian mining assets abroad are located in Latin America, valued at CA\$88.5 billion (US\$66.7 billion) (NRC 2017). Investment patterns in themselves, though, do not spell out imperialism. If we take the new imperialism to mean "the dynamic workings of [...] the capitalist state at the center of the system in its active support of extractive capital" (Veltmeyer and Petras 2014: 2), then we can observe the following mechanisms of Canadian imperialism to be at work in Latin America (Denault and Sacher 2012; Gordon 2010; Gordon and Webber 2016):

- promoting the spread of neoliberal reforms to facilitate and encourage foreign direct investment (FDI)
- intervening in the rewriting of mining legislation to create favorable investment climates
- under-regulating the TSX
- providing tax benefits
- direct subsidies and diplomatic support to Canadian mining companies operating abroad
- refusing to regulate Canadian operations overseas, relying instead on voluntary corporate social responsibility codes.

In Mexico, the Canadian Embassy's support for Canadian-based mining companies is practically unconditional, as illustrated by the notorious case of Calgary-based Blackfire Exploration, whose conflictive mining operations in the state of Chiapas culminated in the murder of local anti-mining activist Mariano Abarca on 27 November 2009. As revealed by Mining Watch Canada,

Even after Abarca had been killed, the mine had been suspended, and corruption allegations had surfaced, the Embassy continued to defend the company to Mexican state officials and provided it with information on how to sue the state of Chiapas under the North American Free Trade Agreement (NAFTA) for closing the mine. (Moore and Colgrove, 2013: i)

In this way, NAFTA provides a legal framework for Canadian companies to sue governments for lost sunk investments and profit-making opportunities should governments side with opposition movements bent on cancelling mining projects. As we will see, this was a factor that came into play during the struggle to block the San Xavier Mine in the state of SLP.

Within Latin America, Mexico is the country with the highest number of Canadian mines in production, at 48 in 2012 (Heidrich 2016: 202). This number represents more than half of the total number of mines in production in Mexico in 2013, which according to the Mexican Geological Service was 83. That same year, there were 668 mining projects in Mexico in the exploration phase, 37 in the process of being developed, and 69 in suspension. Of the 288 foreign mining companies in the country, 208 are Canadian. New Gold, which now owns MSX, after merging with Metallica Resources and Peak Gold in 2008, is among the biggest investors in the country. Others include Gold Corp, Pan American Silver, First Majestic Silver, Capstone, Argonaut Gold, Timming Gold, Endeavour Silver, Fortuna and Excellon Resources. These firms buy and move into production the sites discovered by junior firms, mostly Canadian, who have taken the lead in mineral exploration since the

sector was liberalized in the early 1990s, with the competitive advantages afforded by NAFTA after 1994 (Dougherty 2013). Canadian mining companies are mostly going after gold and silver. In doing so, they are expanding the mining frontier in Mexico and elsewhere by combing over known mining regions in search of low-grade reserves exploitable by open-pit mining, and by developing toxic mega-mining projects to isolated regions inhabited by indigenous groups and smallholder farmers. Of the 29 high-profile mining conflicts in Mexico analyzed by Tetreault (2014), 18 involved Canadian mining companies.

The active support of the Canadian government for the interests of Canadian based mining companies, however, can only account for part of a more complex and holistic explanation of the rising number of mining conflicts in Mexico, where the Mexican oligarchy has embraced and shaped neoliberal structural reforms for its own interests. On this point, it is important to keep in mind that Mexico's mining sector was opened unilaterally and completely to FDI two years before the signing of NAFTA. Neoliberal reforms were extended to the sector by the government of Carlos Salinas (1988-1994) in such a way as to benefit well-connected Mexican businessmen, by transferring to them state-owned mineral reserves and mining infrastructure at prices well below their market value and with little transparency (Delgado Wise and Del Pozo Mendoza 2005). The legacy of this privatization process has been that a handful of gigantic, vertically integrated and transnationally oriented Mexican firms continue to dominate the sector, most importantly Grupo México (owned by Germán Larrea), Industrias Peñoles (Alberto Bailleres), Minera Frisco (Carlos Slim) and Grupo Acerero del Norte (Xavier Autrey Maza and Alonso Ancira Elizondo).

After transferring the bulk of mining assets to these businessmen, the sector was opened up to allow for 100 percent foreign-owned companies to engage in all types and phases of mining activity. This was established by the Mining Law of 1992, which also eliminated maximum limits on the extension of mining concessions, extended the length of concessions from 25 to 50 years, making them renewable thereafter for another 50 years; and established that mining activities "will take precedence over whatever other use or productive utilization of the land" (Article 6). Moreover, until 2014, mining companies operating in Mexico did not have to pay royalties and the effective tax rate and cost of concessions were so low that their direct contribution to the public coffers only amounted to 1.2% of the value of mining production between 2005 and 2010, during the height of the primary commodities boom.

Similar policies were implemented in Colombia, where the 2001 mining code declared mining an activity of public interest, restrictions on protected areas were lifted, taxes for mining companies were reduced and the state mining company was liquidated (Sankey 2014: 123). According to Gudynas (2010), Colombia and Mexico serve as examples of "classic extractivism", where private and foreign companies are given easy access to mineral reserves, to cheap labor and to low rates of taxation, thereby limiting the state's ability to capture rent. By contrast, where progressive governments have come to power, especially in Bolivia, Ecuador and Venezuela, the state has imposed greater regulatory controls, taxes and royalties on foreign owned companies, and at the same time used state-owned enterprises to directly capture rent for public expenditure (Gudynas 2010). This is the essence of the "new extractivism" mentioned above. Along these lines, the Mexican government under Enrique Peña Nieto announced in December of 2013 the imposition of royalties equal to 7.5% of net income from mining activities, plus another 0.5% on the sale of gold, silver and platinum. This was in connection with mechanisms to channel the money collected from these royalties to the municipalities and states where mining activity is concentrated, to be used to finance social and sustainable development projects.

In a review of more than 200 academic texts dealing with communities that resist mining projects around the world, Conde (2017) observes that resistance movements tend to emerge because of the confluence of four broad forces:

- the social environmental impacts on land, water and livelihoods
- the lack of opportunities for local communities living nearby mining projects to participate in a meaningful way in the decisions that affect their lives
- a lack of trust in the companies and governmental agencies that promote large-scale mining projects
- and insufficient monetary compensation for the loss of land and resources.

Conde notes that "[s]ome groups create alternatives based on a defence of cultural difference and local knowledge linked to place, to the valorisation of local livelihoods" (2017: 83). These alternatives are linked to wider visions of post-development, particularly the indigenous philosophy of *"vivir bien"* in the Andes region of South America. Similarly, in Mexico, alternative development visions that have emerged from anti-mining movements and other social environmental conflicts have been linked to indigenous cosmologies (Toledo 2015: 119-134), including the philosophy of *communalidad* manifest in traditional forms of government and collective action in Zapotec communities in the Sierra Juárez of the state of Oaxaca (Fuente and Barkin 2013).

On a more abstract level, many critical scholars have turned to Harvey's (2003) theory of the "new imperialism" in order to explain the rise in the number of social environmental conflicts around mining activities since the turn of the century, particularly in African and Latin America (Sacher 2016). This model sees "accumulation by dispossession" as a process that has gained momentum in the current era, under structural conditions characterized by the free mobility of capital, giving rise to the reconfiguration of class struggles, whereby peasant and indigenous groups have emerged in Latin America as the main popular-class protagonists in the defense and re-creation of the commons. While recognizing that this model provides a powerful narrative for critically understanding the structural forces at play in mobilizing resistance to mining capital, it does not explain why resistance to mega-mining projects emerges in some local contexts and not in others. In Mexico, according to the inventory compiled by Pérez Jiménez (2014), only 7.4% of the 1,112 mining projects registered in the country in 2014 have been met by territorially-based organized resistance. This indicates that struggles against large mining projects do not automatically emerge as Polanyian "double movements" to confront dispossession, which in turn suggests the need to problematize the formation of collective agencies of resistance, to investigate cases of sustained struggle on the local level, and to compare them with cases of "no conflict" or "low-intensity conflict" (Gudynas 2014; Madrigal 2014).

### 3. Three lenses for interpreting resistance to mining

Within the fields of political ecology and critical development studies we can discern three partially overlapping, and partly competing, approaches for explaining collective resistance to mega-mining projects in Latin America:

Firstly, *class struggle*, not so much in the classic terms of capital-labor relations, which corresponds to the realm of accumulation via expanded reproduction, but rather in relation to the dispossession of land, water, territory, healthy living environments and culturally significant territory.

Secondly, *ecological distribution conflicts*, with reference to the unjust distribution of environmental impacts that stem from the growing social metabolism of industrial economies.

Thirdly, *incommensurable cultural valuations* of the natural and human-made environments of specific territories.

This section assesses the relevance of each of these approaches for analyzing the resistance movement against MSX in the state of San Luis Potosí.

#### *Class struggle*

The new imperialism, as theorized by David Harvey, is characterized by a new round of "enclosure of the commons", whereby assets held by the state or in common are "released into the market where overaccumulating capital can invest in them, upgrade them, and speculate in them" (Harvey 2003: 158). At the center of this explanation is the concept of "accumulation by dispossession", which draws on Marx's theory of original accumulation. This concept implies the existence of a form of class struggle waged from above. Along these lines, the neoliberal agenda promoted by Washington from the 1980s onward has been characterized as a political project of the ruling classes in the advanced capitalist countries – especially the US – to restore or reconstruct the power of economic elites (for example, Gordon and Webber 2016: 11; Harvey 2005: 19).

In applying this lens to analyzing conflicts around extractivism, different authors attribute varying degrees of importance to external factors and imperialist interventions versus internal ones associated with class struggle on the national level. Sankey, for example, argues that these struggles are better understood "as the product of evolutions in the historical trajectory of class struggles, primarily taking place within national contexts", rather than "movements confronting Canadian capital, as Gordon and Webber would have it" (2014: 117). Likewise, Chiasson-LeBel, in an analysis of neo-extractivism in Venezuela and Ecuador, develops an approach that focuses "on how evolving class relationships and class struggles in each country have influenced the role played by the extractive sector" (2016: 890). In his analysis, classes are defined in relationship to one another within a given system of production, starting from processes of struggle, in the tradition of E.P. Thompson.

Veltmeyer and Petras (2014) observe that in Latin America the key agents involved in movements resisting the incursions of capital in the exploitation of natural resources are predominantly peasant and indigenous communities, in alliance with a variety of civil society groups. The same authors propose that, under the structural conditions defined by the (Post-) Washington Consensus, the locus of class struggle in the region has shifted since the 1990s from unionized industrial workers to "the communities adjoining sites of agro-mining corporate exploitation" (Petras and Veltmeyer 2018: 4). These communities are observed to be "resisting dispossession, protesting the destructive operations of extractive capital on livelihoods and the environment, and reclaiming their territorial rights as well as the right to access the commons of water, land and the wealth of natural resources" (Ibid: 4). From this reading, we can extrapolate that this shift corresponds to a realignment of the forces of class struggle from below, moving from the realm of expanded reproduction to that of dispossession.

As a general tendency, this framework finds empirical confirmation in the experience of class struggle in Mexico's mining sector, where during the neoliberal era unionized miners have been put on the defensive, while community-based anti-mining movements have taken the offensive and organized multi-scale networks of resistance. Striking miners have been repressed, militant union leaders have been persecuted, collective labor contracts have been deregulated, and the formation of sham unions controlled by management has been tolerated and encouraged by the federal government (Tetreault 2014). All of this has undermined the corporatist political system that regulated the demands of unionized miners during the 71 years of uninterrupted rule by the Institutional Revolutionary Party (PRI). Moreover, labor segmentation divides workers with "permanent" contracts from those with "temporary" ones, with the latter typically being offered to the local population to construct infrastructure and provide services (Garibay 2010; Garibay *et al.* 2011).

The number of territorially-based struggles against mega-mining projects in Mexico began to increase rapidly after 2005, in the context of rising global gold prices (Pérez Jiménez 2014: 104). Threatened with the enclosure of elements of the natural environment that sustain the life and (re)productive activities of nearby populations, these struggles tend to be waged by peasants and indigenous groups. In the inventory compiled by Pérez Jiménez (2014: 115), one third of the mining conflicts in Mexico involve indigenous groups, who appeal on the legal front of their struggles to Article 169 of the International Labor Organization and the UN Declaration on the Rights of Indigenous Peoples adopted in 2007 (and including Mexico as a signatory) for the right to free, prior and informed consent. This is routinely violated in Mexico by the Ministry of Economy in its process of granting mining concessions (López Bárcenas and Eslava Galicia 2011).

With regard to the objective relations of the popular base of resistance to the means of production, the struggle against the San Xavier Mine is an exception, since as we will see, community-based opposition cannot in these terms be characterized as peasant, much less indigenous. Further, the proximity of the mine to the city of San Luis Potosí – about 20 km from the city center and only 8 km from its north-eastern edge – means that the directly affected population includes the 1.1 million inhabitants of the metropolitan area whose water supply is threatened by contamination and overexploitation of aquifers. Urban-based resistance brings together environmental civil society organizations, groups of critical researchers, and youth activists organized in collectives. In this regard, the resistance movement to the San Xavier Mine is representative of the tendency for people directly affected by large-scale mining projects to form community-based organizations and to build alliances with diverse urban-based civil society organizations; and to participate in the creation and functioning of network organizations that operate on the national level. Not surprisingly, this organizational dynamic brings

together affected populations and activists with a variety of relations with the dominant system of economic production, leading some observers to suggest that they are multi-class-based movements (for example, Svampa 2015: 53).

### *Ecological distribution conflicts*

Viewing struggles against extractive projects as "ecological distribution conflicts" is closely related to the work of Joan Martínez Alier, who coined the term in a seminal work with Martin O'Connor in 1996. Martínez Alier and his collaborators define ecological distribution conflicts as "struggles over the burdens of pollution or over the sacrifices made to extract resources" (2010: 154). The structural causes of these conflicts are located in changes to the social metabolism of industrial economies expressed by increasing flows of materials and energy, whose environmental impacts disproportionately affect marginalized sectors of the population. This, according to Martínez Alier (2002), gives rise in the global South to "the environmentalism of the poor", whereby affected populations – prototypically peasants and indigenous groups – engage in struggles to maintain elements of the natural environment outside of the full reach of market forces, in order to protect subsistence livelihoods. Its counterpart in the Global North is the environmental justice movement, which emerged in the United States in the early 1980s in the form of black, Hispanic and indigenous groups protesting toxic contamination in or nearby their communities (Guha and Martínez Alier 1997). Struggles for environmental justice entail demands that go beyond issues of material distribution to include greater participation in decision-making and recognition of cultural differences (Schlosberg 2007).

Martínez Alier (2002) suggests that the study of ecological distribution conflicts is the purview of the emerging field of political ecology, in the same way as the study of conflicts over economic distribution corresponds to the field of political economy. In practice, however, ecological and economic factors overlap in the political ecological analysis of mining conflicts in Mexico and Latin America. Garibay *et al.* (2011), for example, in an ethnographic study of the conflict around Goldcorp's Peñasquito mine in the state of Zacatecas, Mexico, illustrate how this Canadian corporation – with the support of key state agencies – established a relationship with the affected population geared toward "taking the greatest share of wealth possible and transferring the environmental and social costs to the local population with impunity" (p.155). These costs include the relocation of human settlements, loss of farming and ranching land, rapid depletion of underground water sources, and various forms of toxic contamination.

The lenses of ecological and economic distribution have also been used to critically assess the costs of mega-mining on the national level in Mexico (see for example, Azamar and Ponce 2014; Pérez Jiménez 2014; Quintana 2014; Tetreault 2014). What these studies tend to illustrate is the transfer of most of the benefits of resource extraction to transnational mining firms and global financial markets, and the concentration of social and environmental costs on communities near mining sites. Faced with this situation, about two thirds of the community-based struggles against mining in Mexico articulate an emphatic "no" to toxic mega-mining projects; while the remaining one third seek the redistribution of costs and benefits, the mitigation of the most pernicious environmental impacts, and more significant contributions to economic and social development at the local level (Tetreault 2014). Of the struggles that say "no" to mega-mining, 70% revolve around projects that have still not entered the production phase. Evidently, the phase of a given project conditions the options available to opposition movements.

### *Incommensurable cultural valuations*

The study of mining conflicts through the lenses of ecological distribution ultimately implies going beyond conventional cost benefit analysis by recognizing the difficulties posed by attempts to assign monetary value to elements of the natural environment, as well as the incommensurability of distinct "languages of valuation" (Barkin *et al.* 2012; Martínez Alier 2002; Martínez Alier *et al.* 2010; Svampa 2015). According to Escobar (2006), locally specific languages of valuation are derived from cultural factors and the interactive relations that communities have with the ecosystems and human-made environments that they historically shape. From this view, bio-cultural diversity translates into multiple and distinct languages of valuation, which "markedly contrast with the more commonly accepted way of seeing nature as a resource external to humans

and which humans can appropriate in any way they see fit" (Escobar 2006: 9). Through the lens of incommensurable cultural valuations, imperialism is seen as a form of neo-colonialism, where the biophysical characteristics and territorial configurations of local spaces in Latin America "appear before global hegemonic thinking and before dominant elites in the region as subaltern space, which can be exploited, ravaged and reconfigured according to the needs of the current accumulation regimes" (Alimonda 2011: 22. See also Azamar 2015 in connection with MSX).

Where organized resistance emerges against extractive projects, language is used by affected populations and their allies to express valuations not only in material terms of protecting existing livelihoods, agricultural land, water sources, existing infrastructure and human health; but also in terms that highlight the symbolic importance of landscapes, architectural patrimony, and local cultures. These local-level valuations clash with the profit-seeking ones of extractive capital and the cost-benefit ones of the state, giving rise to struggles over the symbolic importance of affected territories and their productive and social vocation. Porto Gonçalves (2001) sees these conflicts as "territorial tensions" between conventional visions of state- and market-led development, and those of local inhabitants whose socially constructed "territorialities" are based on subsistence agricultural and forestry activities. Bebbington (2011: 63), with an eye on mining activities in South America, speaks of "conflicts over the production of territories" and "over what type of relation between society and environment should predominate in a territory." In Svampa's (2015: 56) words:

The territorial logic of corporations and economic elites is framed in an economistic paradigm of commodity production that highlights the importance of transforming the spaces in which natural goods are found, into efficient and productive territories. The state logic, at its different levels, is normally framed within a space of variable geometry that attempts to articulate the vision of natural goods as commodities, and, at the same time, as strategic natural resources (a vision linked to the state's control of extractivist profit). This avoids any consideration that includes — as social movements, indigenous organizations and critical intellectuals propose — a perspective that understands them in terms of the commons.

As outlined below, in the case of conflict around the San Xavier Mine the resistance movement in Cerro de San Pedro has emphasized the historic and symbolic importance of the hills and buildings that were destroyed by New Gold's (formerly Metallica Resources) open-pit gold mine. It has also drawn attention to the environmental impacts and risks to human health posed by cyanide leaching and the exhaustion of aquifers, and it has projected an alternative vision of local development based on community-based tourism. This "language of valuation" contrasts with that of the promoters of the mining project, who highlight the creation of formal-sector jobs and the economic benefits expected to spill over from large sums of FDI (Azamar 2015; Lamberti 2011; Madrigal 2009). The former valuation rests on the rootedness of the local population in a historically significant territory; the latter substitutes this connectedness with the logic of economic growth and capitalist labor relations that imply labor mobility and "de-territorialization" (Panico and Garibay 2011).

#### **4. A history of struggle in Cerro de San Pedro<sup>2</sup>**

The San Xavier Mine is located in the municipality of Cerro de San Pedro (CSP), just a few kilometers from the northeast edge of the city of San Luis Potosí. Today, a gigantic crater occupies the site where Spanish explorers discovered rich silver and gold deposits in the late sixteenth century. The mineral deposits in CSP provided the economic basis for the establishment of a mining enclave in 1592, considered to be the origins of the city of SLP. For this reason, an image of the hill that has now been demolished by New Gold's open-pit mine appears on the state's coat of arms.

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<sup>2</sup> The analysis presented in this section and the next draws from an extensive review of academic literature and journalism dealing with the conflict around the San Xavier Mine, as well as field research carried out in 2017, entailing visits to multiple sites in the municipality of Cerro de San and interviews with opposition leaders, researchers and New Gold representatives.

During the colonial period, *haciendas* were established in nearby towns for the purpose of smelting ore, while forced-indigenous and wage labor was used to carry out underground mining activities, characterized by cycles of booms and busts that continued into the nineteenth century (Azamar 2015; Gámez 2008; Martínez Chavez *et al.* 2010). Larger-scale underground industrial mining began at CSP in 1891, when a mining concession was granted to the Mexican Metallurgical Company, founded by US businessman Robert Saffort Towne (Azamar 2015: 55). Mining activities continued throughout the tumultuous years of the Mexican Revolution (1910-1920), in spite of strikes carried out by local miners during the first years of the Revolution (Gámez 2008: 34-37).

In the early 1920s, the inhabitants of CSP organized to solicit the redistribution of land for subsistence ranching and farming, in accordance with the provisions for land reform incorporated in Article 27 of the 1917 Constitution. In 1923, the American Smelting and Refining Company (ASARCO) merged with and took over the Mexican Metallurgical Company. By that time, almost six thousand hectares – equal to almost half of the municipality's surface area, very little of it arable – had already been redistributed in the form of *ejidos* to 376 male heads of households, who would use the land in the coming years to graze sheep, goats and cattle (Martínez Chávez *et al.* 2010: 223-225).

Labor unrest continued over the following years in the context of a process of technological renovation, with miners demanding safer working conditions and indemnification for unjustified layoffs (Ibid: 42), as well as salary increases. Eventually, the miners at CSP organized into Section 7 of the National Union for Mine, Metallurgical and Similar Workers of the Mexican Republic (SNTMMSRM), which formed part of the corporatist structure of unions within the folds of the Institutional Revolutionary Party (PRI). In the first months of 1948, a labor conflict began to unfold, whereby miners from Section 7 of the SNTMMSRM threatened to strike in solidarity with other sections of the same national-level union, demanding higher wages. In this context, in March of the same year, a fire destroyed parts of ASARCO's underground mine at Cerro de San Pedro. Affected miners accused the company of deliberately setting the fire as a tactic for disrupting negotiations and as a pretext for not being able to meet the workers' demands. In any case, the mine was closed down after the fire, leaving hundreds miners out of work.

This led to a rapid decline in the local population as mineworkers and their families emigrated in search of work to the city of San Luis Potosí, nearby mining districts and elsewhere (Gámez 2008; Martínez Chavez *et al.* 2010; Peña y Herrera 2008; Ortiz 2009). By 1952 only 258 inhabitants remained in the town of San Pedro, down from 1,757 in the year 1940 (Gámez 2008: 51). Those who remained eked out an existence as artisanal miners, known as *gambusinos*, and/or by carrying out ranching and subsistence farming activities, which peaked around 1960 and gradually declined thereafter. Local artisanal miners organized into a cooperative in 1952 in order to negotiate rental agreements with the fragmenting ownership of mining concessions in CSP, but this organization disappeared after 1974 (Martínez Chavez *et al.* 2010: 219). Mining exploration continued in the 1970s and '80s, without translating into the undertaking of a large-scale project.

By the 1980s, the *ejido* of Cerro de San Pedro was inactive as a collective assembly, with 90% of *ejidal* rights holders either deceased or absent from the community (Ortiz 2009: 122). In February of 1988, a legal process was initiated by two local farmers to obtain *ejidal* rights for the land that they worked, but this petition stalled, leaving a legally blurry agrarian situation in CSP that would be taken advantage of by Metallica Resources.

During the second half of the twentieth century, while the population of the city of San Luis Potosí grew rapidly, the population of the town of San Pedro continued to decline, so that by 1990 there were only 139 inhabitants remaining. Many more, however, maintained active links to the community. As Peña and Herrera (2008: 127) explain:

The majority [of migrants from CSP] searched for their good fortune in the city of San Luis Potosí. At first, they went back and forth daily to work and study in the city. [...] With time, almost all of them decided to establish a residence in the capital, while maintaining a house in Cerro de San Pedro, as a second residence or place for weekends.

This dynamic lent itself to the idea of organizing community-based tourism in CSP, by establishing restaurants and hotels and attracting visitors to the town on weekends by promoting its historical significance and picturesque infrastructure and surroundings. In the mid-1990s, before the announcement of MSX, this grassroots project was initiated by forming the Council of Representatives of the San Pedro Municipality, an organization which began surveying local needs and soliciting governmental agencies for the provision of better services in the areas of water, electricity and road infrastructure. Don Mario Martínez, one of the leaders of this project who later became a local leader of opposition to the mine, explains how this Council worked:

Not vertically, but with one representative from each community for this council, a board, let's say. [...] to improve the municipality, not just the administrative center, and to generate tourism, to give enthusiasm to the communities like this one so that the people would recognise it and would have some way to maintain themselves economically.<sup>3</sup>

This community-based tourism project dovetailed with a decree emitted in September 1993 by the government of the state of SLP for establishing that three quarters of the municipality of CSP should be dedicated to the restoring of wildlife, as part of the Ecological Legislation Plan for the capital and its surrounding area. The Plan underlined the low availability of water as a fundamental problem for the development of the city, establishing the need to conserve aquifer-recharging areas and the prioritization of economic activities that did not contaminate or consume large quantities of water (Santacruz de León 2008: 110-111).

These environmental concerns notwithstanding, in the context of NAFTA and with the backing of the 1992 Mining Law, the Ministry of Economy granted mining concessions in the municipality of CSP to the Canadian-based mining company Metallica Resources via its subsidiary Minera San Xavier, which began exploration activities in the area in 1995. The conflict, which is discussed in detail in the following section, erupted the next year, when the mining company announced plans to create a giant open-pit mine that originally implied the relocation of the town of San Pedro.

Before the conflict broke out, the mining company had already secured a rental agreement with the *ejido* of CSP, signed on 11 March 1996 by local residents who did not have *ejidal* rights to act as representatives of the *ejido*. The contract concerned 290 hectares of *ejidal* land to be used for the mouth of the open-pit mine and tailings piles during a 15-year period in exchange for 170,000 pesos per year (Ortiz 2009: 121-126), equal to about US\$21,000 at the time. Similar contracts were signed with representatives of the *ejidos* La Zapatilla and Cuesta de Campa, in the municipality of CSP, and of the *ejido* Palma de la Cruz in the municipality of Soledad de Graciano Sánchez.

## 5. The struggle against the San Xavier Mine

This section analyzes the birth and evolution of organized resistance to the San Xavier Mine through the three lenses outlined above: incommensurable cultural valuations, ecological distribution and class struggle. These lenses are presented in accordance with the chronological appearance of three analytically distinct but overlapping moments in the actions and discursive emphasis of the resistance movement at different stages in the lifecycle of the San Xavier Mine. **First**, the emergence of local resistance, shortly after the project was announced, with emphasis on the historical and cultural significance of the natural and architectural patrimony of CSP. **Second**, the formation of an alliance with environmental groups in the city of SLP, which took a leadership role in contesting the project's environmental impact assessment and denouncing its ecological impacts and health risks; and **third**, the creation of the Broad Opposition Front (FAO), which has brought together diverse organizations in SLP who oppose the mine, to build alliances and eventually networks to coordinate actions of protest and demand on the national and international levels.

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<sup>3</sup> Interview with Mario Martinez, 21 February 2017.

*Alternative valuations of CSP's natural and architectural patrimony*

In early 1996, the Council of Representatives of CSP was alerted by a local representative of the National Institute of Anthropology and History (INAH) about plans to demolish the town of San Pedro in order to make way for a gigantic open-pit gold mine. As related by Don Mario Martínez in an interview reproduced by Ortiz (2009: 16-17), the members of this Council were aware of the exploration activities that Metallica Resources had been carrying out since the previous year, but they did not expect them to amount to much, since several mining companies had come and gone with studies of the area since the early 1970s. The alert from the state delegate of INAH, through informal channels, led them to further investigate the project and in July of 1996 to formally constitute an organization for the purpose of resistance: the Board for the Defense of the Cultural and Historical Patrimony of the Municipality of Cerro de San Pedro.

On 10 September 1996, a meeting was held in the San Nicolás church in the town of San Pedro, organized to give representatives of the mining company an opportunity to present their project and proposals in public. By various accounts (for example Lamberti 2011: 327-328; Madrigal 2009: 182-183; Ortiz 2009: 17-19; Peña and Herrera 2008: 134-135), this event marked the beginning of popular resistance to MSX. The locals who were present became angry when, in response to their questions, they learned that the proposal implied selling their property and relocating elsewhere, and the destruction of the church and other historic buildings. Even more so when a company representative clarified that they had come to help, and that along these lines they had already given money to the parish priest and to the municipal president.

As the Board's name suggests, in the beginning, when organized resistance emerged, it placed emphasis on the symbolic value of the municipality's cultural and historical heritage. There are 85 buildings in the municipality of CSP that were built between the seventeenth and nineteenth centuries, including the San Nicolás Tolentino Church and the Parroquial Temple of San Pedro. These buildings were saved from destruction by the resistance movement and by measures taken by INAH; unlike the Casa de Gualalupe, a centuries-old estate in the nearby town of La Zapotilla, which was demolished in order to make room for the mine's leaching pads (Madrigal 2014). This architectural patrimony and the hilly arid landscape in which it is located constitute the material base of a collective identity that is historically linked to mining and to smallholder ranching (Schiaffini 2011). As repeatedly pointed out by representatives of the resistance movement, the buildings and landscape have symbolic significance that extends beyond the people who live or have family roots in CSP to include on a broader level the imagery associated with the founding of the city of SLP.

*Environmental risks and costs*

"Environmental concerns were not present at the beginning of the movement", explains David Madrigal, whose doctoral thesis (2009) analyzed the conflict around MSX from a social constructivist perspective. "People were not asking themselves 'what's going to happen to the environment?' [...] It was more like: 'What's going to happen? They're going to destroy the church; they are going to destroy the town. My grandparents were born here..'"<sup>4</sup> It did not take long, however, for CSP-based opponents to MSX to form an alliance with environmental groups based in the city of SLP, including Pro-San Luis Ecológico, a non-governmental organization (NGO) founded in 1993 in the context of a struggle against the creation of a hazardous waste facility in the municipality of Guadalcázar.

The struggle against the installation of this facility was an important antecedent of the struggle against MSX, not only because of the political formation of environmental groups and leaders in the city of SLP, but also because it served as a point of reference for what was at stake in the case of blocking such a project in the context of NAFTA. After these groups were successful in preventing the facility from being constructed by US-based Metalclad, the firm sued the Mexican government under the provisions afforded by Chapter 11 of NAFTA and ended up winning a payment of US\$16.7 million. This episode was repeatedly referred to by Jesús Marcelo de los Santos Fraga, the governor of SLP between 2003 and 2009, in his public exhortations to remove barriers to MSX's operation.

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<sup>4</sup> Interview carried out on 22 February 2017.

In August 1996, Pro San Luis Ecológico solicited a report on the progress of the environmental risk study that was being carried out for Metallica's proposed mine. The General Law of Ecological Equilibrium and Environmental Protection (LGEEPA), which was modified in December of the same year, obliged mining companies to produce such a study and to get it approved by the Ministry of the Environment (SEMARNAT), as a condition for carrying out extraction and refining activities in Mexico. The content of the mining project's Environmental Impact Assessment (*Manifestación de Impacto Ambiental*, MIA) and the modality in which it was finally submitted to SEMARNAT on 16 October of 1997 (in a general format as opposed to the specific one required by law for mining projects), would eventually serve as the basis for contesting the project, in what was then the still uncharted legal territory of recently-designed environmental legislation.

Briefly, the principal environmental impacts of the project as outlined in the original MIA include, to begin with, the demolition of the historic hill depicted in SLP's coat of arms, leaving behind a 1,600 hectare crater only a few meters from the main plaza of the town of CSP, as well as 117 million tonnes of waste rock. The MIA estimates that, of this material, 600,000 tonnes contain sulphide minerals, "with the risk of generating, in the long run and during the period of complete oxidation of the sulphur, solutions with a pH acidity that can contain metals in solution and affect the aquifers of the region" (cited by Santacruz de León 2008: 111). The danger of water contamination derives not just from acid drainage, but also from the use of at least three tonnes of sodium cyanide daily in the heap leaching process.<sup>5</sup> The MIA indicated that the whole process would be carried out in a closed circuit that avoids leaks and spills. Nevertheless, in May 2014 torrential rains caused the mine's tailings pond to overflow, something that, according to locals, had happened before (Madrigal 2019). There is also the risk, contemplated and minimized in the original MIA, of cyanide eventually contaminating underground water supplies. In addition, the leaching process employed by MSX, which is now in its final stage, consumes one million cubic meters of water per year, thereby increasing pressure on the already overexploited aquifer that supplies the city of SLP.<sup>6</sup> Finally, it warrants mentioning that the project was expected to have an adverse impact on local flora and fauna, including endemic and endangered species; and locals have reported that some species have disappeared since extraction activities began (Cortés Cortés *et al.* 2016).

While the opposition movement denounced the environmental risks of the project, Metallica Resource's subsidiary assured that it would use state-of-the-art technology to minimize them. In search for a political solution, the governor of SLP between 1997 and 2003, Fernando Silva Nieto, asked the Autonomous University of San Luis Potosí to put together a group of experts to produce a technical opinion. That was in May 1998. In the months that followed, "a distrust was born with regard to local scientific opinion among other reasons because some of the researchers at the university were identified as defenders of the interests of the state government and businessmen" (Madrigal 2009: 156). In December 1998, the University's study was made public, outlining a number of recommendations to minimize certain environmental impacts and to foster transparency and participation in a suggested monitoring process. Two months later, on 26 February 1999, the National Institute of Ecology (INE), a branch of the Ministry of Environment, granted conditional permission for the operation of MSX, establishing 100 conditions directly drawn from the University's technical opinion.

Representatives of Pro-San Luis Potosí challenged the legality of the authorization granted by the Ministry of Environment. This was done first by appealing to the Federal Tribunal of Fiscal and Administrative Justice (FTFJA), and then through a lawsuit known in Mexico as an *amparo*, which seeks protection of constitutional rights. On 23 June 2004, the Ninth Collegiate Tribunal for Administrative Matters of the First Circuit issued a ruling that nullified the permission that the INE had granted to Minera San Xavier in 1999. This ruling was ratified by the FTFJA on 1 September of 2005. However, the affected mining company appealed

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<sup>5</sup> The original MIA indicated that the daily use of sodium cyanide would be 16 tonnes. This figure was adjusted to three tonnes per day in the authorization granted by SEMARNAT in April of 2006.

<sup>6</sup> Although Metallica Resources originally considered using treated waste water, it ended up soliciting the National Water Commission (*Comisión Nacional de Agua*, CONAGUA) to authorize the buying of rights to exploit the aquifer that supplies the city of SLP. This aquifer suffers from an overdraft estimated at 35.4 million cubic meters per year and, as the water table drops, concentrations of minerals increase, with levels of fluoride already above the maximum permitted for human consumption by the National Water Law (Peña Ramírez 2012: 143-157).

this sentence and managed to get it overturned, with the effect of returning the matter to the Ministry of Environment. On 10 April 2006, SEMARNAT issued a new conditional permission for MSX, arguing that its activities were not "industrial", but rather extractive, in order to circumvent stipulations included in the 1993 Ecological Legislation Plan, which prohibited industrial activities in the municipality of CSP.

The FAO continued its campaign of opposing the mine on environmental grounds after extractive activities began in 2007, but with limited effect given the power of the forces it was confronting. From the analytical perspective adopted in this study, the interesting point is that the terms of the opposition have evolved from the initial environmental concerns noted above, which are extant, to now include challenges to New Gold's claim that "remediation" of the mine site crater is possible in the wake of the mine's slated closure. The company's claim that the land can be rehabilitated with the plantation of native cacti and other flora has been challenged as inadequate, and the impossibility of restoring the land at the actual mine site has been highlighted as part of the ongoing opposition.

### *Political class formation*

In May 2002, three descendants of the original *ejidal* rights holders of CSP registered a legal process to nullify the land rental contract that was signed on 11 March 1996 between legal representatives of Minera San Xavier and apocryphal representatives of the *ejido* of CSP. Two years later, the Unitary Agrarian Tribunal declared the contract "null and void in law", since it had been signed by illegitimate representatives of the *ejido*. But the court case did not end there. The affected parties appealed and won a sentence on 9 September 2005 to overturn the first ruling, based on the argument that those who contested the legality of the contract were themselves still not technically recognized by agrarian authorities as *ejidatarios*. Both groups have since had *ejidal* rights recognized (Cortés Cortés 2016), as the legal battle on this front continues to unfold.

As Composto and Navarro (2015: 8) note, the "defense of land and collective property" constitutes a third "articulating axis" of struggle against MSX, along with "the protection of historic and cultural patrimony and the environment." Nevertheless, as mentioned above, the base of the movement against the mine cannot be characterized in objective class terms as "peasant." The movement is, rather, a multi-class alliance with variegated relations to the means of production among its base members. This base includes not only the local inhabitants who oppose the mine, but also the membership of groups and organizations based in the city of SLP who have also mobilized and participated in diverse forms of protest. These groups include environmental organizations, youth collectives, progressive sectors of the Catholic church and sympathizers with the Zapatista movement; 17 organizations in all. Between 2003 and 2004, the Broad Opposition Front (FAO) emerged as an umbrella organization for these groups in opposition to MSX, thereby bringing together in struggle people with diverse livelihoods. For example inhabitants of CSP who derive their income from work in the city, small-scale farming and/or artisanal mining; and in the city of SLP, professional researchers, lawyers, students, laborers, pensioners, artists and so forth.

To be sure, "one of the weakness of the FAO is that it never achieves a massive character", as evidenced by the relatively low number of people who participated in one the movement's largest protest marches in the city of SLP in March of 2006 – about 2,000 (Ortiz 2009: 192). What is more, "in practice, a small group is who decides what actions to take, who mobilizes and on whose shoulders fall the victories and the errors of the opposition movement" (Ortiz 2009: 67).

Another caveat is that community-based opposition to the mine in CSP waned over time. As Ortiz (2009) explains, in mid-2004, at the height of tensions around the municipal government's refusal to approve the mega-mining project, Metallica Resources' local subsidiary stepped up its offer to the inhabitants of the town of CSP. For property owners, this entailed the offer of a house outside of town and four thousand pesos per month (c.US\$208) during the nine-year life of the project; for non-property owners, one option was a monthly payment of 2,500 pesos (c.US\$130) for the same period. "With this proposal, in the following months, little by little, it [the mining company] managed to break the opposition that existed in town to the project and to persuade the majority of the inhabitants of the municipal seat to accept relocation or give their approval for the operation of the mine" (Ortiz 2009: 153). This speaks to the economic conditions of the inhabitants of CSP, whose relative poverty and lack of job opportunities make them susceptible to cooption (Cortés Cortés *et al.* 2016), with

important exceptions such as the moral leader of the resistance movement, Don Mario Martínez, who receives a modest pension from part of his career as a professional engineer.

These characterizations and caveats notwithstanding, from the analytical perspective adopted in this research, the organizing dynamic that led to the creation and consolidation of the FAO corresponds to what Otero (2004: 41) calls "political class formation", defined as "the process by which groups, classes, and communities define their demands (or objects of struggle), construct organizations to defend and promote their interests, and establish alliances with other organizations." While space limitations do not permit a detailed examination of state mediation with the FAO, in what follows a general description is provided of the FAO's membership and alliance building processes, as well as a few key moments of the struggle.

While many of the organizations brought together by the FAO have been politically opposed and divided, particularly about how to negotiate with the state and electoral politics, they have coincided in their opposition to MSX and in presenting a united front. As Navarro (2015: 195) observes, in this convergence, "diverse social capacities were brought together to face the enormous power of MSX, building on and updating the long experience of civil society organizations in San Luis Potosí, *zapatismo* and the well-known Navista movement", with reference to a decades-long struggle to democratize state power in the hands of the PRI, led by a medical doctor and politician by the name of Salvador Nava Martínez.

The resistance movement reached its *apogee* between 2005 and 2007, as Metallica Resources proceeded to construct infrastructure in preparation for the initiation of the extractive process in spite of ongoing legal battles. During this period, the FAO coordinated multiple actions of resistance and protest to draw public attention to its cause, not only in SLP, but also in Mexico City, the United States and Canada. In the town of CSP, the annual cultural festival that the FAO had begun organizing for two or three days in March or April since 2001 began to draw thousands of people daily, including participation from well-known Mexican intellectuals such as Carlos Monsivais, Carlos Montemayor and Javier Sicilia. At the same time, numerous events and activities were carried out in the city of SLP, including informative round discussions, marches, sit-ins, and protests outside of Metallica Resource's offices. One of the most important actions was the consultation process that the FAO carried out in October 2006, by setting up 64 booths in the city of SLP and adjacent municipalities, in which 96.5 per cent of the close to 20,000 people who participated expressed their opposition to MSX.

In the same year, the FAO organized two marches in Mexico City along the Calzada de Guadalupe (a major boulevard in the city) to the Plaza de Armas, incorporating theater and music; one in June with about 300 participants and the other in November, with about half as many. In addition, in March of 2006, Greenpeace activists dressed as skeletons staged a protest in front of the offices of the Ministry of Environment in Mexico City to demand that the agency revoke its permission for the MSX project. Two months later, the same organization held a protest outside of the Canadian embassy in Mexico City, accusing the embassy and other Canadian governmental agencies of pressuring federal- and state-level Mexican officials to ensure that MSX moved forward.

The following year, the struggle was internationalized, with the involvement of Amnesty International, the Environmental Commission of NAFTA, and the Inter-American Court of Human Rights (Reygadas and Reyna Jiménez 2008). Alliances were formed with Mining Watch Canada, a group of researchers and students at McGill University in Montreal, and the Canadian-based Christian organization Kairos, to help organize actions of protest and to draw attention to the case in Canada. And in 2008, further networking within Mexico, contributed to the creation of the Mexican Network for People Affected by Mining (REMA) and to the National Assembly of Environmentally Affected People (ANAA).

Meanwhile, in Canada, the Progressive Conservative government led by prime minister Stephen Harper ignored even the modest recommendations contained in a report released in March of 2007 by the advisory group of a Standing Committee created two years earlier to hear testimonies from representatives of communities affected by Canadian mining companies operating abroad. The report recommended obliging these companies to produce publically available reports in order to be eligible for government financial assistance and to create an ombudsman to investigate complaints about human rights violations. In 2009, the Harper government presented an alternative proposal based on corporate social responsibility, effectively

refusing to regulate the foreign activities of Canadian mining companies. In a parallel development, Bill C-300, which sought to create avenues for investigating complaints from adversely affected communities and to deny government subsidies to mining companies found guilty of violating human rights and/or inflicting egregious environmental damage, was narrowly defeated in the Canadian House of Commons on October 27, 2010. In this way, New Gold was able to proceed with the development of MSX without having to answer to Canadian authorities; indeed with their active support.

Protest actions and demands began to dwindle once excavation and heap-leaching activities became a daily routine in CSP, from 2007 onwards. Even though the FAO continued to win important court decisions, thereby casting the shadow of illegality on the project, this would not deter the mining operations from moving forward, with the support of key state agencies and public officials from all levels of government. One measure of continued repudiation of the project at the local level has been the annual Cultural Festival, which continues to attract between four and five thousand visitors daily to take part in round-table discussions, presentations, film and especially music in the town of San Pedro.

In 2016, New Gold announced the end of excavation activities and the beginning of the closure and remediation process, while accumulated material continues to be processed on the mine's leaching pads. A year later, there were still no sign of restoration activities. Local opponents to the mine observe that the company continues to buy property in CSP, fuelling speculation that it is preparing for another phase of exploitation that entails an underground mine to extract the minerals remaining underneath the town of San Pedro.

In any case, the closure process appears to have led to new forms of resistance among some workers and community members concerned with the prospects of a post-mine future. New Gold has provided employment and some services to residents of the municipality of Cerro de San Pedro, and the looming withdrawal of these has led some families currently employed by the mine to seek support from the FAO in order to negotiate a better deal for the workers and the communities in the closure phase. The prospect of Cerro de San Pedro returning to a situation of out-migration and population decline has led to concerns to extract the best possible deal from the company as the mine moves to closure. During the heyday of the mine's operation, the employment and payments to individual households served to divide the community since those benefitting were cast at loggerheads with opponents, and this prevented the formation of effective class actions in many ways. The closure phase, however, has changed the dynamics of these intra-community divisions and led to a realization, perhaps as yet latent, that a common class position may be possible in the struggle over the claims for compensation in the wake of mine closure.<sup>7</sup> This type of class politics, framed by the demands of workers, has been absent from the mine in the past decade but has started to surface in the closure phase, again indicating how resistance has taken different forms at varying points in the mine's lifecycle.

## 6. Conclusions

MSX emerged in a historical conjuncture and geographical context characterized by the free mobility of mining capital, rising international prices for minerals and metals, and declining ore grades. Technological advances allowing the profitable exploitation of low-grade reserves translated into the promotion of gigantic open-pit mines that employ toxic substances and consume large amounts of water. As a "junior" imperial power, the Canadian government helped Canadian mining companies gain access to foreign mineral reserves under secure and profitable conditions. In Mexico, structural reforms were carried out to attract private and foreign investment in extractive activities and NAFTA helped to lock these in place. This was made clear when social activists in the state of San Luis Potosí blocked the creation of a toxic-waste disposal site in the mid 1990s, resulting in the imposition of a hefty fine for the Mexican government and setting an important precedent during the lead up to the conflict around MSX.

In CSP, as elsewhere in Mexico and Latin America, local residents organized resistance to open-pit mining and cyanide heap leaching. The multiplication of these types of conflict has given rise to much academic debate as to the nature of this resistance. This article has sought to contribute to these debates by demonstrating the applicability and complementarity of three approaches that have been developed in the fields of political

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<sup>7</sup> Mario Martínez, interviewed on 20 February 2018.

ecology and critical development studies to explain the emergence and nature of resistance movements to large scale mining projects. These are class struggle, unjust distribution of ecological costs and benefits, and incommensurable valuations of natural and human-built environments. The main argument is that these approaches can be combined to shed light on distinct moments and aspects of specific struggles against mining projects, as illustrated by the case study of MSX.

The strategies and discourses of the struggle in CSP have evolved over time in dialectical relation with the life cycle of the mine, postponing the initiation of extractive and processing activities and adapting to its developments. This suggests that there are benefits to adopting a pluralist framework and to considering temporal factors. Further, the case of MSX illustrates how a collective agency of resistance has been constructed and sustained, with ebbs and flows, through a praxis that revolves around the defense of common goods and valuations on the local level, pitted against those of capital and agencies of the neoliberal state. Thus, the resistance movement to MSX can be characterized by a higher level of abstraction as a struggle to defend and recreate "the commons", with both material and symbolic dimensions. The triad-lenses approach adopted in this analysis has sought to bring these dimensions into focus.

Further, by contextualizing the case study in a broader analysis of social environmental conflicts around mining in Mexico and elsewhere in Latin America, this investigation seeks to illustrate the ways in which the struggle against MSX is representative of broader trends, as well as its peculiarities. As one of the first struggles in Mexico against Canadian mining projects in the context of NAFTA, the leaders of the resistance movement pioneered strategies of resistance on the legal front and were instrumental in building anti-mining alliances and networks on the national and international levels. In this way, the struggle against MSX has become emblematic in Mexico of resistance to toxic mega-mining. Nevertheless, the case is not representative of prototypical eco-territorial struggles against mining in Mexico waged by peasants who seek to protect traditional livelihoods in agriculture and ranching. As we have seen, the class base of the resistance movement to MSX is heterogeneous with regards to its relations to the means of production, both in CSP and in the city of SLP. Further, because of the mine's proximity to the city of SLP, the affected population includes, not just the inhabitants of the municipality of CSP, but also the entire population of the urban area whose water source has been further depleted and subjected to greater risk of contamination. Under these conditions, the findings of this research suggest that the struggle on the local level has more to do with defending conditions of social and cultural reproduction than protecting the means of production that sustain traditional livelihoods. These include not only a non-contaminated living environment and the availability of clean water for human consumption, but also the conservation of natural and architectural patrimony with historic and cultural significance.

As regards political lessons, these are mixed and contradictory. On the one hand, the gigantic crater, heaps of toxic rubble and tailing ponds in CSP are a visual testimony to the power of big mining capital and its allies in governments. On the other, as one of the first resistance movements in Mexico to a Canadian mining project in the context of NAFTA, the FAO contributed much to drawing attention to the environmental and social costs of large-scale mining projects. It charted courses of legal action to oppose mines in other parts of the country, and to building a nation-wide anti-mining network of activists and affected groups with ties to international organizations. In response to these developments, the Mexican government under Enrique Peña Nieto has shifted the country's mining policy in the direction of "the new extractivism", by imposing mechanisms to capture a greater share of the rent derived from mining activities and to channel it to the municipalities and states where these activities are concentrated in order to finance social development projects. Politically, this constitutes a bid to coopt opposition and to gain wider support for the continuation and further expansion of large-scale mining by the private sector. It is a strategy that is likely to be strengthened and consolidated by incoming president Andrés Manuel López Obrador, posing new challenges for affected groups and civil society organizations that oppose toxic mega-mining even under progressive rent redistribution schemes.

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