

Local Solutions for Environmental Justice

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Abstract

In the context of the prevailing abundance of diversity (biological, ethnic), the profound social inequalities, and the trends and attitudes of hegemonic forces in Latin America, a coherent process of environmental governance is proving difficult and environmental injustice is aggravated. Regardless of where one turns in the region, there is an increase in the number and intensity of conflicts between groups committed to promoting economic development (i.e., growth), and those claiming to speak for the planet and/or the welfare of the large majority of the population or particular minorities, who feel excluded from these processes and are bearing the brunt of the negative impacts of state led ‘developmental’ activities. This paper addresses the underlying causes of these conflicts, by giving voice to the actors engaged in developing their own alternatives to the development proposals of the hegemonic forces driving the transformations in their societies. These alternatives emerge from groups whose organizations are shaped by different cosmologies, products of their multiple ethnic origins, and the profound philosophic and epistemological debates of the past half-century that emerged from numerous social movements proposing different strategies for achieving progress, improving well-being, and conserving ecosystems.

Keywords: Alternatives; autonomy; buen vivir; commons; cosmologies; diversity; indigenous knowledge; intercultural dialogue; post-capitalism; self-sufficiency; surplus; sustainability

JEL Codes: O15, O35, O44, Q20, Q30, P48, Q56, Q57

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Introduction

In the context of the prevailing abundance of diversity (biological, ethnic), the profound social inequalities, and the trends and attitudes of hegemonic forces in Latin America, a coherent process of environmental governance is proving difficult and environmental injustice is aggravated. In virtually every country in the region, increasing subordination to the global market has led to dramatic transformations in productive structures and processes along with the oft-times violent opening of new territories to domestic and foreign investment in renewable energy projects, primary production for international markets, and natural resources exploitation. These changes are provoking direct confrontations between, on the one hand, domestic policy makers, well-financed investors positioned to operate in international markets, purveyors of technologies, investors with concessions in regions and sectors recently opened to foreign investment; and, on the other hand, organized groups from many parts of society who see these penetrations as a menace to their productive systems, livelihoods, and health, while also being destructive of their communities and cultures as well as the ecosystems on which they and we all depend. Regardless of where one turns in the region, there is an increase in the number and intensity of conflicts between groups committed to promoting economic development (i.e., growth), and those claiming to speak for the planet and/or the welfare of the large majority of the population or particular minorities, who feel excluded from these processes and are bearing the brunt of the negative impacts of these activities.

This paper addresses some of the underlying causes of these conflicts, by giving voice to some of the actors who are actually involved in developing their own alternatives to the development proposals of the hegemonic forces driving the transformations in their societies. These alternatives emerge from groups whose organizations are shaped by different cosmologies, products of their multiple ethnic origins, and the profound philosophic and epistemological debates of the past half-century that emerged from numerous social movements proposing different strategies for achieving progress, improving well-being, and conserving ecosystems. While many past confrontations among social groups have produced compromises modifying individual development projects, few have created space for the emergence of alternative social and productive structures that respond to the demands for local control of the governance process in order to assure local well-being and responsible environmental management.

The analysis draws on an important emerging literature that proposes a different epistemology and methodology, reflecting the direct participation of a wide diversity of communities around the world and their possibilities for implementing different approaches in order to improve their well-being. In spite of the widely separated regions and traditions from which they come, there are striking commonalities in their reflections on how research should be conducted and how they might collaborate with ‘outsiders’ in their search for alternative ways to advance in their pursuit of an improved style of life and their ability to govern themselves. A notable early contribution from this intellectual and academic current was published by a Maori sociologist (Smith, 1999), reacting to the tendency of scholars from the principal academic institutions in New Zealand to make assumptions about local social structures, production possibilities, and the possibilities of and competence for innovations of their “aborigines”. Since this early text, a

burgeoning literature has emerged, emphasizing not only the methodological limitations of much Western scholarship in the Third World, but also extending the critique to epistemological, ethical, and cosmological planes. The contributors to this process argue that since social categories are deeply embedded in institutions, profound difficulties arise when trying to understand the discourse and proposals of peoples of other cultures, especially those distanced from societies rooted in the Judeo-Christian tradition; the obstacles can be traced back to the very essence of the differences in value systems and the relationship of society itself to the world we inhabit (e.g., Apffel-Marglin and Marglin 1996; Apffel-Marglin *et al.* 2010; Venkateswar and Hughes 2011; Stephen and Hale 2013). The area of intercultural dialogue has proved particularly fruitful, going beyond both universalism and cultural relativism, to engage in cultural relativity and cultural pluralism for a democratic, just and peaceful harmonization of conflicting interests (Panikkar 1979, 1995a, 1995b; Vachon 1995; Dietrich *et al.* 2011). The increasing interest in the commons, as a world emerging beyond the market and the state, expresses the new protagonism in the social and political scene of old and new communities (Ostrom 1985, 1986, 1990; Linebaugh 2008; Walljasper 2010; Bollier and Helfrich 2012; McDermott 2014; Barkin and Lemus 2014).

This approach clarifies the difference between dominant concepts of environmental governance and our understanding of the problem, along with its applicability to the work of the communities with which we are collaborating. As generally understood in Western social science literature, environmental governance is an extension of the process of public deliberation and policy formulation, to integrate into the socio-political parameters additional considerations of the impact of society on ecosystems, locally and globally. This relatively new field of political and social action has become poignantly crucial in recent years, as the depths of the environmental crises that we are living have made their impact increasingly evident. In our work, we have clearly identified the problem of governance with the challenge of assuring that we examine the origins of the problems and the proposed strategies to address the intimately related matter of social justice.

However, in this paper, we focus on the contrasting conceptions of the functionality of the political process and the possibilities for change. The dominant conception derives from a vision in which the world economy is central, a behemoth comprised of a variety of national and regional units into a single interconnected network of markets that feed a process of capital accumulation. This network of markets is controlled by a small group of powerful economic interests, backed by their national governments within an international institutional framework that reinforces their control over national and international economies. The prevailing model of international politics and environmental governance is firmly grounded in the dynamics of the global marketplace, the private ownership of property and the means of production, creating an increasingly unequal distribution of income, wealth, and power within societies and on a global scale as well as producing a devastating impact on the environment.

In contrast, our research identifies myriad local and regional groups trying to overcome centuries of repeatedly being relocated to ever more inhospitable regions while also being targets of oppression, as a result of an unequal form of integration, transforming them from independent peoples into victims of colonialism and (inter)national capitalist ‘development’. By emphasizing their rejection of market driven forces that control and distribute resources, they are seeking to design and implement different approaches for decision-making, based on a set of values that

generally privilege collective solutions and well-being over individual gains and assume a cosmocentric view. These approaches emerge from a different and more complex set of objectives, rooted in historical experience, cultural traditions, and intergenerational relationships and responsibilities that situate their choices in a longer time horizon than that typically considered by the dominant methodologies currently guiding environmental governance. Because they attempt to bring to the center of social life politics and ethics, displacing from it the economy, they explicitly reject the primacy of an economic calculus in making fundamental decisions about society, economy, or ecosystem management. As a consequence, their decisions often result in proposals that are at odds with the policy prescriptions offered by the institutions with which they must interact, whether it is for the management of specific natural resources or for addressing problems of political, social, and/or economic dynamics. As a result, these communities are actively building alliances among themselves, regardless of whether they are located in contiguous regions or associated through sectoral or cultural organizations that offer platforms for strengthening their ability to negotiate with local and national authorities, or resist the imposition of policies or projects to which they are opposed. In the process, they are seeking to isolate themselves from the hegemony of these international forces and epistemologies, forging their own institutions to create spaces of greater autonomy, in political, social, and productive spheres while defending their ways of life and their territory from assimilation into the international economy or its outright seizure/appropriation by international capital.

These communities, as examined in later sections of this paper, are searching for new ways to strengthen their societies and improve their ability to govern themselves. In many cases, this involves a redefinition of their identities, combining knowledge of their cultural heritage with present-day understandings of the significance of their cultural roots and the history of their struggles against many of the numerous forms of injustice to which they continue to be subjected. These struggles have “never been a blind, spontaneous reflex to objective economic conditions. [Rather, they have] been a conscious struggle of ideas and values all the way” (Thompson 1959, 110). As such, the communities have been able “to hold fast to the vision of collective good.”¹

It is striking that a common feature of solidarity in many of these communities is a growing realization of the importance of this heritage and history, its contribution to their own definitions as peoples, as communities, whose collective identities and belief systems have generated unique forms of organization and social dynamics. These organizations are discovering new ways of integrating their belief systems, their cultures and their relationships to their environments into cosmologies that lead to creating contrasting models of society, models that directly address the demands for social justice and sustainability while protecting the whole panoply of traits that define a people.² While the current uncertainties have encouraged the emergence of different

¹ Although Thompson was describing the notion of class-consciousness in post-war England, it seems quite appropriate to apply his analysis to indigenous struggles in the Americas.

² It is noteworthy that the search for integrating this rich heritage with the challenges of assuring an acceptable quality of life and the conservation of the ecosystems appears to be a common trait among communities from different cultures and regions. The rich and abundant literature systematizing the experiences of indigenous peoples who are continuing to defend their own ways of life and prevent their territories from being despoiled or wrought from them, clearly depicts the possibility of shaping alternative strategies to address the same challenges as those espoused in the dominant discourses of environmental governance that remain tied to the institutions of the market economy.

forms of localism, isolationism and often violent fundamentalism, most communities are not trying to go back in history but to discover in their traditions inspiration and wise and sensible alternatives for their current predicaments.

While forging these new models of society, communities are actively engaged in a complex process of defining (or redefining) their identities. It no longer suffices to declare that they are of one or another ethnic origin, or that they are peasants of one or another tradition. This search for identity is complex, involving the combination of numerous concentric and competing contexts, coming from national and regional or local cultures, ethnic origins, and environmental features that impact on social structures. Coming, as it does, from a different point of origin, the demand for social justice, for example, cannot consent to the idea that profound inequalities are part of the human condition; or that changes in the legal system can legitimate the plunder of community resources or planetary equilibriums. This discussion necessarily leads to a profound distinction between the nature of the social contract on which each society is constructed, posing the question of whether the individual has the right, in the ultimate instance, to assert her (or his) individual interest at the expense of the community's, a right which is generally questioned within the communities with which we are collaborating. For many of them, they are not individuals but singular persons, knots in nets of relations, for whom the community is the first layer of their personal being.

Of course, these discourses also define trajectories for social progress. The dominant market-based approach identifies an increase in material production as the leading indicator. Economic growth, as valued in the marketplace and measured by monetary units aggregated into indices of GNP, clearly devalues changes in the status of women, the well-being, or the impact of production on natural resources and ecosystems. In contrast, the version emerging from Latin American community initiatives generally incites broader discussions about life styles and community organization; approaches simplified as "*buen vivir*" (live well), "*mandar obedeciendo*" (govern through obedience, command by obeying), or "*comunalidad*" (communality), which are all concepts identifying moderation as part of complex strategies for constructing alternative organizations. Our consultations with the communities to which we refer in this paper identified five basic principles for this process: autonomy, solidarity, self-sufficiency, productive diversification, and regional sustainable management.³

In what follows, we summarize our direct collaboration with communities and alliances of local groups involved in the process of trying to consolidate their own governance structures capable of responding to their visions of an appropriate society consistent with assuring well-being and sustainability. It takes as its point of departure their struggles to consolidate alternative programs to produce the basic goods needed to assure their livelihoods and to strengthen their ability for self-governance, while attempting to respect the possibilities and limits of their environments. What is striking about these collaborations is the extent to which the participants are well-informed of the burgeoning discussions of epistemologies that explicitly question the logical

³ The specification of 'regional sustainability' reflects the importance of defining ecosystems in terms of natural rather than administrative or political boundaries. The communities are acutely aware of the importance of respecting natural constructs, like the river basin, that require cooperation and alliances among communities for implementing sustainable management strategies.

structures of dominant governance and development models;⁴ many of these seemingly academic debates have become an integral part of the discussions and design of strategic proposals by these local groups to understand and implement programs for local and regional advance. If presented in clear and simple terms, complex theoretical debates produce an “Aha! Effect” when delivered to communities as they have already been discussing the issues.

While most of the detailed field work that we are documenting is based on intensive interactions with communities in the Mexican state of Oaxaca, the materials for this paper draw on additional contributions produced by people involved in local and regional processes in other parts of the region and with others who are emerging from resistance movements to implement their own proposals for consolidating a material and institutional basis for improving material well-being and assuring their capability for promoting a balanced ecosystem.

I. An Alternative Understanding: A Different Point of Departure

Forging their own solutions is an ambitious endeavor for peoples proposing to overcome discrimination, marginalization, and systematic efforts by colonial powers of yore or by today’s power elites to relegate them into ever more isolated corners of their territories. What is remarkable about the histories we are discovering and the collaborators we are fortunate enough to meet, is the wealth of proposals with which they are experimenting and the tenacity with which they continue to resist efforts to integrate them into national and international economies as underprivileged individuals in increasingly polarized societies. Our efforts to invite various communities to collaborate, helping us to understand their approaches to governance and their aspirations, also added another dimension to our understanding of current day social dynamics, one that is *not* lost on the analysts shaping the process of globalization, but perhaps is underestimated or even misunderstood in academia. In its assessment of the likely global trends regarding national security in 2015, the Director of Central Intelligence, as head of the United States Intelligence Community, was informed by a group of outside experts in 2000 that indigenous resistance movements in Latin America will be one of the principal challenges for national governments in the next fifteen years:

Indigenous protest movements [...] will increase, facilitated by transnational networks of indigenous rights activists and supported by well-funded international human rights and environmental groups. Tensions will intensify in the area from Mexico through the Amazon region [...] [It goes on to report:] Internal conflicts stemming from state repression, religious and ethnic grievances, increasing migration pressures, and/or indigenous protest movements will occur most frequently[...] in Central America and the Andean region (Tenet 2000, 46-49).

⁴ The significance of these other epistemologies is explored in important contributions to our understanding by colleagues who are involved in exchanges with peoples whose organizations and productive systems are guided by other cosmologies. For an introduction to this other literature, see the contributions of Boaventura de Sousa Santos; his “*Una Epistemología del Sur: La reinención del conocimiento y la emancipación social*” (2009) offers a clear enunciation of this approach. The seminal work of Robert Vachon among the Iroquois in North America (1995) and the tradition of Ivan Illich (1977, 1982, 1992) now have abundant heirs.

Although we concentrated our efforts on collaborating with groups in a limited number of regions in Mexico with high concentrations of ethnic populations, it quickly became clear that resistance movements are proliferating throughout the hemisphere, partly in reaction to State policies promoting local integration into national and international development projects, by permitting outsiders privileged access to natural resources and to construction of infrastructure, in territories traditionally controlled by these peoples.⁵ What we found, however, was that there are also positive developments motivating communities throughout the Americas to strengthen their abilities to govern their territories, by better understanding the relationships between themselves and their surroundings while also engaging in deliberate efforts to build alliances among themselves and transnational organizations capable of defending their claims in international arenas.

The need for this process of organization has become increasingly evident as conditions within each country change dramatically with globalization. A concerted effort to accelerate the region's internal integration and connectivity with the global economy as well as to facilitate the access of international enterprises to domestic resources as part of a drive to promote domestic growth is altering the map of Latin America (Bessi and Navarro 2014), impacting first and foremost indigenous communities in the hemisphere. These analysts summarized the problem:

The reordering of territory has blurred borders in both economic and political terms with projects such as the Mesoamerican Project (previously Plan Puebla-Panama) and the Initiative for Regional Infrastructure Integration of South America, which both entered into force after 2000.⁶ Their primary objectives include the construction of transportation and telecommunication networks, as well as energy-generation projects such as hydroelectric dams and wind farms. They also plan to designate national parks, protected areas, Heritage for Humanity sites, cross border conservation areas, transnational parks (also called Parks for Peace), ecological and biological corridors and networks of protected areas... The design of these projects is indeed strategic, and 'progressive' governments are presenting them as a development opportunity (in Navarro and Bessi 2014).

Ana Ester Ceceña, a Mexican economist, added (in Bessi and Navarro 2014):

What will happen with IIRSA is that local governments will be forced to be more disciplined because they will be brought in line with global markets. There are 500 transnational companies that produce half of global gross domestic product; when one looks at IIRSA's design and these companies' projects, they complement one another: The groundwork is being laid for the circulation of communication, merchandise, raw materials and energy... Capital needs a reordering of territory - considering this as a type

⁵ An important effort to systematize our knowledge of these movements is ongoing by a dedicated group of researchers who have organized a project, Environmental Justice Organizations, Liabilities and Trade (<http://www.ejolt.org>) that maintains an ongoing inventory of resistance movements as well as maps to locate and identify the people involved.

⁶ Both of these projects are very large scale proposals for infrastructure investments to facilitate the penetration of large-scale capitalist organizations into the less exploited but important and well-endowed regions (*cf.* <http://www.proyectomesoamerica.org/> and <http://www.iirsa.org/>).

of historical-social construction - in order to continue reproducing itself, as much in terms of materials as in power relations, of accumulation of capital and profits. The ordering enables access on a large scale to certain types of material from the earth.

In characterizing this latest form of neoliberal development, Gustavo Esteva (2014) observed: “Indigenous people are on the front lines of a battle, fighting a war that is on behalf of all of us, because it is there that the capitalist system looks to relaunch a new form of accumulation.”

Indigenous peoples are increasingly insistent on demanding the recognition and integrity of their territories, many of which are threatened by the grandiose proposals of global capital; their actions are confronting directly these schemes, and changing the maps of the Americas in the process. They have strengthened their resolve to prosecute their historical claims as they become increasingly skilled in achieving the enforcement of the agreement ratified at the International Labor Organization (ILO) to guarantee prior consent of native peoples with territorial claims for outsiders to undertake activities or exploit natural resources in their regions.⁷ Accompanying the changing map is a new consciousness of the significant differences in understandings of the most elemental concepts in their exchanges with their interlocutors in the States of which they are a part. Although a significant discrepancy occurs throughout the Americas, as different social groups and peoples question governmental procedures to charge a single agency with implementing unified policies for the myriad ethnic groups in their countries,⁸ an even more serious source of conflict involves the very notion of property and the apparent freedom with which outsiders (government agents) can discuss the possibility of alienating people’s claims to land or natural resources. This problem arises because of the profound differences between the historical significance attached to the different concepts of property and territory; for many groups territory is an all-encompassing term with complex implications that are not easily incorporated into prevailing market-based understandings of the significance of land or property. This is so essential that even the Organization of American States finds itself obliged to take note of its consequence in the context of the demand to draft an American Declaration of the Rights of Indigenous Peoples. This discussion is central to our understanding of the underlying basis of the prosecution of demands for autonomy by native peoples (OAS-CJPA 2003, 1-2):⁹

Territorial rights are a central claim for Indigenous Peoples in the world. Those rights are the physical substratum for their ability to survive as peoples, to reproduce their cultures, to maintain and develop their organizations and productive systems... Indigenous Peoples have strengthened their organizations and developed a more organized struggle to reclaim their rights. Central among those demands are the issues related to land, territories and natural resources... these rights are not merely a real estate issue... Rather indigenous

⁷ The Indigenous and Tribal Peoples Convention 169 (<http://www.ilo.org/indigenous/Conventions/no169>) guarantees this right and when ratified by a nation, has the standing of a constitutional mandate. It is noteworthy that of the 22 countries that ratified the Convention, 17 are from Latin America.

⁸ See Benno Glauser’s insightful presentation of this problem in his exchanges with leaders of the Ayoreo people in Paraguay (in Venkateswar and Hughes 2011, Ch. 1). In the other six chapters, this book offers a variegated picture of indigenous activism in many parts of the world.

⁹ The working group charged with preparing the “American Declaration on the Rights of Indigenous Peoples” was formed following a resolution of the OAS General Assembly in 1989; in 2014, the declaration has yet to be approved, reflecting the profound differences among the competing interests in the hemisphere.

land rights encompass a wider and different concept, that relates to the collective right to survival as an organized people, with control of their habitat as a necessary condition for the reproduction of their culture, and for their own development, or as Indigenous experts prefer, for carrying ahead “their plans for life” (“planes de vida”) and their political and social institution.

Indigenous areas, then, are a complex amalgamation on which the very existence of these peoples depend. This is clearly defined in the Brazilian constitution which gives renewed strength to the ancestral possession as basis for the territorial rights characterized by four significant traits: 1) permanent ancestral possession; 2) areas necessary for their productive activities, including the reproduction of flora and fauna; 3) areas necessary for their cultural reproduction, and for their survival as a collective; and 4) habitat with the physical capacity and shape to allow the full functioning of the mechanisms of authority and self-government of the Indigenous People. These territories are the habitat necessary for their collective life, activities, self-government, and cultural and social reproduction.¹⁰

Problems arise when the State seeks to exercise its sovereignty or eminent domain, to build infrastructure, to exploit or license the exploitation of natural resources, or any other action or project that may affect indigenous lands and the use of their territory. International law now restricts this possibility, obliging the previous fair and serious consultation with the affected indigenous peoples (Convention 169, ILO, endnote vii). Since indigenous peoples are consolidating their constitutional and legislative demands to codify symbolic and political elements of autonomy and self-government, as elements of internal self-determination, governments are finding themselves treading on new ‘ground’ as they attempt to reconcile global visions of ‘development’ with local efforts to achieve well-being.

Throughout the Americas, governments continue to assume that prices of both landed property and natural resources can be fixed according to market processes and, in the best of circumstances, negotiators of good will can arrive at mutually beneficial agreements for their exploitation, thus assuring their “unlocking” to promote national development by trading them in the global marketplace. In these circumstances, it seems almost incomprehensible to the dominant powers that local groups might object to the terms of these negotiations, refusing to even discuss the possibility of emplacing a forest enterprise, a mine or a power generating facility in their regions, as it would upset a delicate historical and spiritual balance that they consider threatening to their social structure or cultural integrity, defined in terms of one or more many non-monetary dimensions for which financial compensation is inconceivable.

The nature and scope of this struggle is very old. At the end of the colonial period, for example, in the XVIII century, the areas claimed by the indigenous peoples in Mexico were called “Indian Republics”, meaning they not only represented a piece of land but a whole way of life and government, in spite of being subordinated to the Spanish Crown. This struggle also has very old precedents: known as the *Magna Carta* and the *Charter of the Forests*, the King and the nobility in England agreed, at the end of “the long twelfth century,” to establish limitations on their

¹⁰ Chapter VII, Article 231, of the 1988 Constitution as summarized in the OAS document mentioned in the previous footnote. Elsewhere in Latin America, these territorial rights are constitutionally protected (Argentina, Bolivia, Colombia, Ecuador, Mexico, Guatemala, Paraguay, Peru, Venezuela). Moreover, the newest Constitutions, like those of Ecuador (1998) included environmental and gender components.

power to assure the subsistence of the commoners (Linebaugh 2008, Ch. 2). The traditional struggle for land provoked the first social revolution of the XX century, in Mexico, and played itself out with diverse intensity in all Latin American countries during the last hundred years. The upheaval of the last 20 years represents a political mutation from such tradition to a struggle of territorial defense, as expressed in the *Declaración de Quito* (2009) by the International Commission for Integral Agrarian Reform of Vía Campesina: “For the agrarian reform and the defense of land and territory”. This implies a profound conceptual shift: “A specific form of relation to the land is claimed which is markedly different to the one imposed by public and private developers in the last 50 years. It expresses a sovereign practice of the collective will, which does not contain separatist elements but openly challenges governmental institutions. The political form of this claim is usually presented as autonomy” (Esteva 2010, 65).

Territorial defense is also a new central theme in the cities. The old tradition of illegal settlement, which shaped most Latin American cities during the XX century, is today complemented with active movements to redefine urban life. The most spectacular case was Argentina (2001-2002), but from Oaxaca (2006) to Brazil (2014) vibrant movements express the vitality of new social subjects and new forms of social protagonism (Colectivo Situaciones 2002; Mariotti *et al.* 2007; Zibechi 2008; Giarraca and Teubal 2009).

II. Building the Commons: Local Solutions are Collective Endeavors

This complex process of differentiating territory from property and clarifying the significance and importance of social ownership and membership as distinct from individual activities encompasses yet another important dimension: the communities generally think of themselves as part of a regional and even a global commons. But unlike the formal discussions of the concept in much of the academic literature, their understanding of the commons cannot simply be reduced to a collection of “common pool resources” such as air, waters, and other natural resources shared by all that were the focus of the debate set off by Garret Hardin’s “tragedy” (1968);¹¹ rather their activities are much more akin to what one of the leading historians of the process describes as the “active movements of human commoning and the worldwide demands to share wealth and safeguard common resources on every continent” (Linebaugh 2008, 280). The organizations that are so engaged are not involved in shaping “an alternative economy, but rather an alternative to the economy” (Esteva 2014, i149). The commons is extended to encompass the social and cultural components of collective life; they are not simply a set of things or resources. Rather, like many other aspects of the societies we are discussing, the organizations they are creating bestow great importance on social relations within the community as well as a firm commitment to ensuring the conservation and even the enlargement of the commons. This relationship reflects a collective and enduring transformation of the way in which society conceives and manages itself while also developing the basis for collective and communal management.

Protecting, defending and governing the commons are complex and risky processes. Complex, because doing so encompasses all aspects of social and biological existence. Risky, because it

¹¹ Hardin himself was forced to acknowledge at the end of his life, that he only examined the “tragedy” of regimes of open access, as those dominant today, and not the commons (*The Ecologist* 1993, 13).

involves challenging the *de facto* powers and questioning the legitimacy of their ‘rule of law;’ that is, the legal system that is creating and perpetuating a profoundly unjust society, exacerbating social disparities, and accelerating environmental destruction. This dispute about the nature of the State stems from a rejection of the philosophical underpinnings of the hegemonic order, based on the idea of a single “social contract” that presupposes the possibility of applying universal norms, like ‘social justice,’ ‘equality,’ or even ‘democracy,’ impartially to attend to the needs of all social groups.¹² For this reason, it also involves a *prima facie* repudiation of the legitimacy of national ‘authorities,’ who assume their right to transfer community resources –the commons–to others for whatever reason, without regard for the well-being of the people, local decisions, or historical and environmental considerations, as is common practice in mining, forestry, and water management, although it now extends to complex issues of bio- and nano-technology in many nations today.¹³ Thus, the efforts to promote solidarity among diverse social groups calls for a political approach that requires each to extricate itself from the dominant social and political institutions that are incapable of attending their particular needs.

However, consolidating the foundations of this society entails much more than undertaking specific activities or establishing appropriate institutions for governance or management. The solidarity society requires personal commitments from each member to assume responsibility for the well-being of others and for limiting individual claims for access to collective resources (Martinez Luna 2010; Robles and Cardoso 2008). To strengthen these foundations, it is essential to begin with a common vision of society as a whole whose point of departure is reversing the historical tendency for the personal enrichment of a few at the expense of the many; as such, they incorporate collective decisions to assure transparency and direct participation in decision-making and universal responsibility for administration or implementation of this dynamic. It challenges presumptions concerning the freedom of the individual within a group because each member is obliged to carefully measure his or her impact on other individuals in the community and to act in accordance to what is best for the greater populace. In historical terms, and specifically in light of practice in today’s globalized society, it calls for a redefinition of peoples’ relationship with their society, rejecting the notion that one person has the unfettered right to withdraw from, or even oppose, the commonweal after having participated in the process of arriving at a decision.

This point of departure has important implications for the way in which priorities are determined and activities are organized. Perhaps one of the most striking and demanding of these is the need to reverse the hierarchical organization of the workplace: of course, people should be paid for their work, but they should not have to submit to demeaning and authoritarian social relations to satisfy their basic needs. The existing proletarian organization of society is part of an underlying condition of the helplessness of the workers, unable even to survive without entering the labor force; the alternative under construction here starts with the presumption that all members of society enjoy the legitimate right to a socially determined way of life, independent of their contributions to production or output. Their participation in collective activities becomes rooted

¹² Luis Villoro (2003) offered an insightful analysis of the differences in the meanings of social contracts in differing social contexts.

¹³ Mexican laws give the government the right to expropriate common land for public works or public interest. In 2013, the Constitution was amended to permit this faculty to be applied for the benefit of private operators.

in a sense of duty and belonging to the community, but also an obligation that is explicitly enforced by communal authorities. Such an approach eliminates the double alienation of modern labor: from the fruits of work and from the logic of creative activity.

III. Creating the Foundations for Communal Governance: Generating and Managing Surplus

The decision to create autonomous forms of self-government within the framework of the nation-state represents an audacious challenge to the prevailing model of governance and of social and economic justice based on representative democracy and its marriage with the free market. Rooted in the commitment to define and defend their territories, the process involves creating new institutions and processes for the social appropriation of both the natural environment and the productive systems that they have created to assure their ability to maintain and strengthen their community, to provide for their basic needs, and to facilitate exchanges with partners (barter) and in the marketplace. The mechanisms established by the communities for management often involve complex dynamics for mutual consultation among different groups within the communities as well as forms for delegating responsibilities to members on the basis of expertise and social commitment, or for assuring broad political participation and accountability. Thus, it is not only the choice of activities themselves but also the implementation processes that are crucial for the design of the social mechanisms that contribute to the desired outcomes related to equity and sustainability. In the following discussion of individual projects with which we have come into contact (see the next section), an interesting facet of the analysis is not only the choice of technique but also, and often just as important, the nature of the activities themselves; they speak to a concern for addressing the socially defined basic needs of people in the communities while also creating a balance between the use of natural resources and the restoration, regulation of land use, and conservation of the ecosystems from which they are drawn.

What makes these activities unique is that they are organized by groups who come together on a voluntary basis to ensure their viability and continuity. In many cases, they are trying to regenerate the social fabric eroded by both external and internal forces. While we focus on the collective nature of decision-making, it is just as significant to understand the mechanisms that make possible the consolidation of the community and its ability to advance. During our interactions with the communities in their search for solutions that provide the wherewithal for moving forward we identified a central feature that contributed to this success – one that also explains their ability to consolidate the capacity to implement the collective governance model that is fundamental for society's continuity and its possibility to assure improvements in the lives of its members: the explicit organization of social and productive resources to generate surpluses for 'reinvestment' and 'redistribution' (Baran 1957).

The centrality of surplus in community management is an often invisible and misunderstood facet of the administrative process. Much of the literature describes rural communities in general and indigenous groups in particular as living at the margins of subsistence, as the poverty in material means limits their ability to advance and reduces the scope for broadening the range of activities they can undertake. In contrast, our dealings with communities throughout the Americas reveal their ability and commitment to produce this surplus and manage it collectively, using it to reward members who have made important contributions in producing it and channeling the rest for collective purposes.

By focusing on the processes of producing and managing surplus within the limits for satisfying socially defined needs and the possibilities of their ecosystems, this collective management structure of the diverse local projects has proved effective in constructing a framework for environmental justice that is proving so elusive in the larger societies of which they are a part. Unlike those other parts of society closely tied to the global market economy, these communities have created possibilities for organizing themselves to assure that their members need not suffer from extreme poverty and unemployment. As a result, they are generating a productive potential far greater than might be appreciated by a simple accounting of the financial resources that they have at their command. Some of this potential is well documented in the literature, as is the case of the ‘voluntary’ labor that is expected from all members for collective tasks involving building and maintaining infrastructure or conserving ecosystems (e.g., *tequio*, *minga*). The social mechanisms for assigning and rotating administrative and political positions so important for governance is another way in which resources that are often invisible in the market economy or formal accounting calculus are generated in these communal organizations. But just as important, the commitment to universal inclusion or participation also creates a corresponding responsibility from the members to contribute to collective tasks – assuring that most individuals will be involved in a multiplicity of activities for their own benefit and that of the community.

Surplus has existed in human organization from time immemorial. Even when there were no formal institutions for exchange and accumulation, the construction of large and small projects to channel water or create monuments is testimony to the ability of societies to advance beyond their immediate needs, building projects to increase productive capabilities or the grandeur of their ‘leaders.’ What distinguishes the myriad communities guided by cosmologies removed from those based on material gain and individual benefit at the expense of the whole, is their ability to promote a broad participation for advancing the general welfare. Most recently, these societies have improved their possibilities for implementing new projects, taking advantage of advances in science and technology while also critically incorporating knowledge and contributions from the past, generating opportunities for increased or more efficient production as well as more effective means for improving their well-being and ability to protect their ecosystems. By examining the availability and mobilization of surplus, the communities are better equipped to consider how best to implement their long-term visions. What is striking about the individual experiences related in this paper is the clear understanding by many of the participants engaged in local problem solving and the ways in which leaders have implemented activities to achieve change.

IV. Communal Approaches to Environmental Justice

Communities across the Americas are involved in designing and implementing local solutions that contribute to their broad struggle for environmental justice under circumstances of harassment and overt violence exercised by State powers in the societies of which they are a part. While a great deal of energy must be devoted to protecting themselves from encroachment by forces attempting to control their natural resources and subject them to the various disciplines of markets and political systems, it is remarkable that they continue to mobilize locally and nationally while associating internationally with other communities and non-governmental organizations to consolidate new lines and technologies of production and experiment with ways to improve existing activities.

These actions are the product of the complex interaction of dynamic forces within the communities and reactions to outside pressures. They are part of a search for a unique identity that has become increasingly important as these peoples assert their legally binding rights to self-determination as defined by their varied histories and their understanding of the privileges accorded to them under the ILO Convention 169 and similar agreements promulgated in other international bodies, and the ongoing efforts in the Organization of America States (2003) to draft a similar commitment (endnote ix). In Mexico, as elsewhere, this process has a long history, which was codified in the Constitution of 1917, as indigenous communities were recognized and granted collective rights by the agrarian reform.¹⁴

During the last half of the XX century, Mexican communities waged an unrelenting and difficult battle to assert their rights to control the lands over which they were able to retain or regain control after the Revolution. They were particularly effective in wresting exploitation contracts for their communal forests from private firms that had been given concessions to manage them (Bray and Merino 2004). Today there are a variety of management plans in effect, testimony to skills that the communities have acquired as they attempt to reconcile pressures for ensuring conservation with the need to create jobs and generate incomes. The literature offers rich accounts of this variety of strategies, and many studies explore the relationship between these approaches and the cosmologies of the participating communities particularly in community managed forests, which comprise 71 percent of the nation's forests (e.g., Bray *et al.* 2005; Cronkleton *et al.* 2011; Barkin and Fuente 2013; Stevens *et al.* 2014).¹⁵

The movement to reassert indigenous identities in Mexico was further strengthened in the aftermath of the 1994 uprising in Chiapas by the Zapatista Army of National Liberation (EZLN) (Muñoz 2008).¹⁶ Since then the activity and visibility of indigenous peoples throughout Mexico has increased along with a gradual recognition of their importance in the population, because of *and* in spite of the growing intensity of repressive actions by the State and other actors, including private corporations given concessions in these territories and organized groups in various parts of the society.¹⁷ While a recounting of the initiatives being implemented in these communities

¹⁴ The 2007 United Nations Declaration of the Rights of Indigenous Peoples should serve to reinforce the 1992 amendment to Article 4 of the Mexican Constitution asserting the country's 'plicultural character;' unfortunately the legislative changes was not accompanied by adjustments in the legal structure to define the judicial relationship between the State and the dozens of indigenous peoples. Serious conflicts continue to arise because recent legislation (2013-2014) reinforces the State's right to appropriate resources on lands in territories recognized as belonging to many of these peoples in spite of their declared opposition in the terms of the ILO Convention. (<http://undesadspd.org/indigenouspeoples/declarationontherightsofindigenouspeoples.aspx>).

¹⁵ The efforts to assume collective control of the forests began in the 1970s (Simonian 1995). Today, Mexico's community forest movement is recognized as one of the most effective and sustainable in the world, encompassing more than one-quarter of the nation's land area with differing management strategies that are cited as exemplary. The Mexican Network of Peasant Forestry Organizations and the Mexican Civil Society Organization for Sustainable Forestry (<http://www.mocaf.org.mx> and <http://www.ccmss.org.mx>) continues to play an important role in coordinating their activities and providing information about their history and achievements.

¹⁶ Cf. <http://enlacezapatista.exln.org.mx>

¹⁷ The very definition of indigenous in the Census was modified in 2010 as a result of the inadequacy of the previous categorization, based on fluency in a native language. While Bonfil Batalla mentioned there being about 8 million in his path-breaking book (1987), the Census reported only 6 million in 1990. Today, however, there are about 18 or 20 million people who consider themselves indigenous (Toledo 2014). The Mexican indigenous population is the largest of any country in the hemisphere; Bolivia, Ecuador, and Guatemala have larger proportions.

would be too lengthy for inclusion here, suffice it to say that the discussion of many of them within the framework of the National Indigenous Congress, and the increased circulation of information and meetings among members is contributing to strengthen the resolve and ability of members to carry their projects forward.

In connection with their efforts to gain recognition and elaborate local management strategies, control of water resources has been particularly contentious as communities try to assert their rights to adequate supplies and protect their sources. We are accompanying a number of communities in their efforts to reinforce control in their territories by developing systems for managing water resources and organizing to impede encroachment by national and state-level authorities trying to limit their historical access. These movements are now inextricably combined with others in opposition to large-scale construction projects for dams designed to harness waters for electricity generation or for long-distance transfer between water basins to supply urban areas where aging infrastructure and excessive growth in consumption are causing shortages due to lack of administrative and technical capabilities of dominant bureaucracies. As a result, many communities that have historically been able to satisfy their own needs and even share surpluses with neighboring communities are now finding themselves involved in coalitions with others defending their water sources, along with ecologists who are generally arguing that the engineering and public works approaches of the public sector are inappropriate and simply postponing the day of reckoning with regard to the need for a more ecologically informed approach to water management.

An interesting finding in our collaborations with communities involved with protecting water sources is the combination of traditional and leading-edge technologies applied to protect their natural sources – the streams and springs on which they depend. This combination of technologies with direct community involvement in water management contrasts sharply with the national water authorities' approach that eschews local diversity, preferring a homogenous administrative model conducive to centralized management and engineering solutions. In response to the great differences in local conditions, there are many examples of water saving technologies being implemented by the communities, such as installing composting toilets and separating grey from black water flows to allow for low cost and passive biological processing conducive to restorative environmental practices. A particularly noteworthy project, 'Water Forever,' transformed a million hectares of barren plateau and steep slopes, using 'appropriate' technologies to construct a large number of low impact landscaping projects, including rock dams and ponds to channel surface flows and collect run-off, recreating underground aquifers and structures found in some of the oldest irrigation projects in the Western Hemisphere from the 11th century. This project, which began in the 1980s, is noteworthy because it combines community managed agro-ecological and agro-industrial activities and enterprises belonging to the participants, creating jobs and products that are proving attractive to consumers for their social, ecological and nutritional qualities (Hernández Garcíadiego and Herrerías 2008).¹⁸ In Bolivia, the experience of the "Water War" of 2000 in Cochabamba is still vivid in people's

¹⁸ This project continues to mobilize the participation of more than 100,000 people in a region that has been in operation for more than a quarter of century. By focusing on a broad range of activities that create numerous opportunities, requiring an ever-increasing range of skills, the region is encouraging people to remain, thereby strengthening communities and improving people's welfare.

memories as local water committees continue to organize actively while resisting the State's effort to manage the commons (Fogelberg 2013; Dwinell and Olivera 2014).

These community based management proposals embrace important parts of their members' collective existence, but cannot provide for all of the needs of the community. Having adequate water supplies and sustainable models for forest management offer important points of departure for building stronger and more resilient communities. Unfortunately, the recent pressures on national governments to increase energy production from renewable sources are heightening the conflicts with indigenous communities threatened with being flooded out of their territories;¹⁹ in Mexico, the refusal of the government to permit indigenous communities to undertake their own micro-hydroelectric power projects is clear evidence of the fear of the degree of independence that such activities would promote.

In spite of these obstacles and conflicts in the power and water sectors, numerous communities are undertaking productive activities to supply basic needs and to create goods that can be traded for other products. Ongoing efforts are oriented to identifying new activities that make use of available renewable resources to produce goods that might be advantageously exchanged with others to provide for these basic needs. The objective of this approach is to induce social dynamics that bring the producers together into stronger organizations that become, in turn, parts of their communities.

As part of this effort, many groups are accompanying communities in introducing complementary activities and assisting them in modifying technologies or introducing new ones that would strengthen their organizational capabilities to contribute to the collective well-being. The objective of these undertakings is to contribute to community efforts to strengthen their own capacity to govern themselves. One of the most significant organizations engaged in accompanying people to strengthen their communities, thus enabling them to achieve an enhanced quality of life is Vía Campesina (VC). This group has a presence in 73 countries representing more than 200 million members; its purpose is to promote food production by using agroecological techniques to move groups of producers toward greater self-sufficiency. In 1996, VC expanded and redefined food sovereignty, associating it with the capacity to determine autonomously what to eat and how to produce it (Rosset 2013).²⁰ Its achievements are best reflected in the somewhat controversial decision of the FAO to declare 2014 the International Year of Family Farming (CEPAL/FAO/IICA, 2014), where participating organizations declared rather wistfully: "Countries look to family farming as the key to food security and rural well-being." La VC also noted that this was the first time in its almost 60 year history that the organization made reference to the theme of agroecology, one of the principal strategies that can assure farmer control of agriculture and an appropriate response to the need for assuring food security for societies.

¹⁹ The scope and intensity of conflicts originating from paradigmatic clashes with regard to the appropriate model for managing water and its use is such that a whole issue of the UNDP's *Human Development Report* (2006) was dedicated to the theme. Similarly, UNESCO's 2013 World Social Report (2013) addresses the need for a new kind of social science occasioned by the scope of the social impacts of environmental changes resulting from conflicting models of environmental management and the legitimate rights of indigenous peoples.

²⁰ Cf. <http://viacampesina.org>

Other social groups are actively engaged in activities that promote social, political, and productive changes to contribute to improving their own lives as well as those of others while attempting to conserve and enhance environmental quality or sustainability. In Mexico, the local *Caracoles* in Chiapas are contributing to this objective, directly improving the lives of hundreds of thousands of its members while also portraying a model of social organization and change that continues to have a powerful effect on other communities as well as in other countries.²¹ There is ample evidence that its activities are improving the well-being, contributing to diversifying the economy, and increasing productivity in a region where perhaps as many as 500,000 people are participating; they have achieved a very high level of self-sufficiency in food, health and education (Baronnet *et al.* 2011).

In South America, Andean communities are similarly involved in promoting collective strategies known as “*buen vivir*” (*Sumak Kawsay* is a Latinized version of an expression in Quechua)²² Throughout the Americas, groups of communities are involved in mobilizations to defend their territories, cultures, and societies from trespassing by people who lust for their resources or institutions that would erode the basis of their differences; there are groups like “Idle no More” in Canada, the Haudenosaunee (Iroquois) Confederacy in eastern North America; the Landless Workers Movement (MST) in Brazil, the Mapuches in Chile, and numerous others throughout the region, as well as the National Indigenous Congress, the Network of Environmentally Affected Peoples, and the Movement Against Mining in Mexico. Similarly, there is a coalition of indigenous peoples in the Americas and a series of international non-governmental organizations that are promoting strategies for better resource use but most of the mobilizations are still defensive groupings helping to defend groups against others trying to take control of their resources or organizing to forestall activities that might contaminate their lands or their waters (Vergara-Camus 2014).

Accompanying these actions of resistance, many communities are involved in other constructive activities, promoting collaboration with university and civil society researchers who are contributing to explaining the value of the work, while contributing to diversifying economies and improving production in sustainable ways (Toledo *et al.* 2013; Toledo and Ortiz-Espejel 2014). One application that has proved particularly illustrative, involves the inclusion of unsalable avocados that were causing an environmental burden in diets to fatten hogs in backyard settings, resulting in metabolic changes to produce low-cholesterol meat, improving incomes as they are being marketed at a premium in local markets; in this case, as in others based on a similar paradigm, indigenous women were especially benefitted, as they implemented the projects and were soon recognized for their leadership capabilities (Barkin 2012; Fuente and Ramos 2013).

In a different approach, scholar-activists are working with producers in diverse regions to protect and enhance production of a traditional Mexican alcoholic drink, mezcal, modifying the traditional planting and harvesting techniques of agaves, taking care of the forest, and enriching

²¹ Five Caracoles or “Good Government Councils” were established in 2003 to implement a local governance structure in Zapatista territory.

²² There is an ample literature describing and evaluating this approach and similar proposals for alternative strategies to improve the quality of life in a ‘sustainable’ manner that emerged from indigenous cosmologies (*e.g.*, Acosta 2013; Huanacuni 2011; Lang 2013; Bretón 2005; 2013).

community life by promoting cooperative production that is contributing to raising incomes and rehabilitating ecosystems (Delgado 2014). In Guerrero, this work is part of an ambitious program of the Grupo de Estudios Ambientales (Illsley *et al.* 2007) for collaborative promotion of local forms of “*buen vivir*” and ecosystem restoration that was awarded the “Equator Prize” in 2012 by the UNDP. In another region of Oaxaca, four communities continue to care for their mulberry trees, raising silk worms to produce the traditional thread that they then weave into highly attractive and fairly priced garments, displayed and marketed locally and through a well curated Textile Museum; elsewhere, others are experimenting with new plantings of perennial indigenous cotton varieties (that were cultivated before the Spanish conquest) that are ideal handicraft weaving as an alternative to genetically modified cotton that currently dominates the industry. In Peru and more recently Bolivia, a well-established technical promotion and development organization, Pratec, is deploying effective approaches for community based learning, improving production in the multiple ecologies of the Andean world, focusing on potatoes but carefully balancing its work to support broad-based, diversified progress (Gonzales 2014).²³ Ecotourism is yet another, more controversial activity, because it involves an explicit opening of the community to outsiders who are frequently unable to comprehend the magnitude of the cultural and economic chasm that separates them from their hosts (Barkin 2002).

Elsewhere, indigenous peoples, peasants and industrial workers are all exploring new routes to reorganize their workplaces and contribute to improving living standards for themselves and their communities. New production systems are being invented as workers occupy closed factories, continuing operations by changing management and incentive systems (Ruggeri 2013; Ness and Azzellini 2011). In many cases, the initiatives not only placed the direct producers in control of the enterprises but also often created possibilities including the community in decisions and incorporating the impact on the environment into the new decision-making calculus.²⁴

V. The Prospects for Alternative Strategies for Environmental Justice

While these initiatives are changing the map of the Americas (Navarro and Bessi 2014), many other developments are threatening to erode the possibilities for improving peoples’ lives and taking better care of the environment. Throughout the hemisphere, much environmental governance involves attempts to minimize the deleterious social and ecological impacts of the aggressive activities that are the foundation of national and international development. Industrial

²³ The breadth of this creativity can hardly be captured in this discussion. For more details about the projects mentioned in this paragraph, consult the following pages on the internet: <http://geaac.org>, http://www.equatorinitiative.org/index.php?option=com_winners&view=winner_detail&id=67&Itemid=683&lang=es, and <http://www.museodetextitoaxaca.org>, <http://www.pratec.org>. Among the groups participating in our project, peasant and indigenous communities are engaged in urban agriculture, waste separation for reutilization, and rain-water harvesting; near the center of Oaxaca’s capital city, one of these initiatives received a national prize for “Local Management and Governance” in 2012 (<http://oaxaca.me/recibe-san-bartolo-coyotepec-premio-nacional-por-el-cuidado-ecologico>).

²⁴ A review of many of these initiatives, involving different organizational models and cooperation among producers that encompasses not just the productive aspects but also the governance institutions that are now incorporating whole communities into the management process (*e.g.*, Bollier and Helfrich 2012; Burbach *et al.* 2013; Giarraca and Teubal 2005; Lavaca 2007; Piñeiro 2013; Rebón 2004; Sitrin 2006; Webber 2011).

work is intensifying and ever more alienating and labor has fewer protections; natural resource concessions are opening up vast new territories to exploration and production, with terrible environmental impacts. The privatization of public services and the deterioration in the quality of those remaining in the public sector are a palpable threat to peoples in every country.

Even as indigenous communities are asserting their new found rights to proceed with forestry and water management activities, governments are encouraging large-scale initiatives by transnational corporations that threaten to upset the delicate balance of productive activities on which the communities depend for their livelihoods and for ecosystem balance. These projects pose fundamental questions about the ability of the communities to defend their territories, including their substantial cultural, social and productive heritage that entrenches them in their ecosystems. The conflicts continue to this day, posing apparently irresolvable differences and oft-times violent encounters, as mines, ecotourism and other projects threaten the very existence of the communities (and with the recent reforms, fracking and other forms of resource extraction). The communities generally reject the assumption that the sacrifices that this destruction entails can be compensated by monetary offers that would only force them onto a path of institutionalized marginalization as isolated individuals, a life of limited opportunities without the social support systems and safety nets that their communities offer.

The ongoing initiatives to strengthen or generate “niches of sustainability” by peasant and indigenous communities throughout the Americas are heartening and important. While the momentum in the global marketplace is clearly threatening social groups and environments everywhere, the continuing successful efforts of peasants and indigenous peoples to implement their own strategies for social and productive change that deliberately incorporate the environment in the process offer a window on the possibilities for making environmental justice a reality for increasing segments of the population; this will not happen where the capitalist structure of production and control dominates. Thus, the implementation of local solutions that create regions for autonomous action will become even more significant and effective as the spaces dominated by the global market continue to suffer from deteriorating environments and heightened conflict.

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