

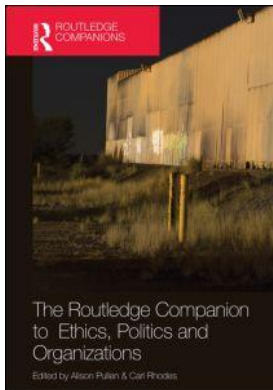
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The oppressed organize against mega-mining in Famatina, Argentina

Enrique Dussel's ethics of liberation

Maria Ceci Misoczky and Steffen Böhm

The philosopher of liberation neither represents anybody nor speaks on behalf of others (as if this were his sole vested political purpose), nor does he undertake a concrete task in order to overcome or negate some petit-bourgeois sense of guilt. The Latin American critical philosopher, as conceived by the philosophy of liberation, assumes the responsibility of fighting for the other, the victim, the woman oppressed by patriarchy, and for the future generation which will inherit a ravaged Earth, and so on – that is, it assumes responsibility for all possible sorts of alterity. And it does so with an ethical, ‘situated’ consciousness, that of any human being with an ethical ‘sensibility’ and the capacity to become outraged when recognizing the injustice imposed on the other.

(Dussel, 2008: 342)

Introduction

Enrique Dussel¹ was born in 1934 in the town of La Paz, in the region of Mendoza, Argentina. He moved to Mexico in 1975 as a political exile and is currently a Mexican citizen, professor in the Department of Philosophy at the Iztapalapa campus of the Universidad Autónoma Metropolitana (Autonomous Metropolitan University, UAM) and also teaches courses at the Universidad Nacional Autónoma de México (National Autonomous University of Mexico, UNAM). He has an undergraduate degree in Philosophy (from the National University of Cuyo in Mendoza, Argentina), a Doctorate from the Complutense University of Madrid, a Doctorate in History from the Sorbonne in Paris and an undergraduate degree in Theology obtained through studies in Paris and Münster. He has been awarded Doctorates *Honoris Causa* from the University of Friburg in Switzerland and the University of San Andrés in Bolivia.

Dussel is among the founders of the movement referred to as the Philosophy of Liberation (PL), which emerged around 1970 and is defined by him (2008: 340) as a ‘critical philosophy self-critically localized in the periphery within subaltern groups’. The PL emerged at roughly the same time as the first works of Ranajit Guha in India. For Dussel (2008: 340), the PL and the movement later identified as ‘Subaltern Studies’ share common grounds, such as being a

critical perspective ‘that utilized their own reality as a point of departure, and in some cases a revitalized Marxism as a point of theoretical reference’. However, these similarities may be ‘misinterpreted if the original situation is not taken into account and, consequently, the theoretical perspective is distorted’.

According to Dussel (2008: 340), ‘the originary intuition was influenced by the events of 1968’ and ‘inspired by the Frankfurt School (Horkheimer, Adorno, and especially Marcuse’s *One-dimensional Man*), which illuminated the political meaning of the said ontology, allowing it to be more thoroughly understood’. At that time, the mass struggles against the military dictatorship in Argentina and the rest of Latin America obliged philosophers and scholars to adopt critical and theoretical responsibility. No less than a ‘historical rupture in the field of philosophy’ (Dussel, 2012: 32) was required, a rupture that could not avoid the consideration of the victim – a notion inspired by Walter Benjamin – as a material corporeal being:

From the first Frankfurt School, we discovered ‘materiality’ in the sense of living corporeality. . . . This anthropological materiality, a far cry from Soviet dialectical materialism, was perceptibly close to our situation of impoverished, starving, and suffering Latin America. In the Southern Cone, the multitude of demonstrations shouted: ‘bread, peace, and work!’ three necessities that refer strictly to life, to the reproduction of its corporeal content (*Leiblichkeit*). . . . Philosophy of Liberation set out from the *locus enuntiationis* of the material victim, from the negative effect of authoritarianism, capitalism and patriarchy. However, this is the root of a profound divergence with Critical Theory that continues up to the present . . . that of the material negativity of colonialism . . . a phenomenon which corresponds to metropolitan capitalism, Modernity, and Eurocentrism.

(Dussel, 2011: 17)

It was in this context that Emmanuel Levinas’s (1969) category of ‘totality’ provided the ground for overcoming the ‘narrow understanding of ontological Totality that dominated Critical Theory from Horkheimer to Marcuse, Apel and Habermas’ (Dussel, 2011: 18). The contact with Levinas, mainly with *Totality and Infinity: An Essay on Exteriority*, produced a ‘subversive disorientation’ (Dussel and Guillot, 1975: 7²) and allowed the definition of a position of exteriority that was indispensable for understanding the experience of domination and exclusion, as it refers to another person, defined as Other (*Autrui*) and as poor (*Pauper*). Dussel (1998: 20) explains why this ‘metaphysical exteriority of the Other’ is essential:

The original experience of the PL consists in discovering the massive ‘fact’ of domination that is constituted by a subjectivity as the ‘master’ of another subjectivity – at the world dimension (since the beginning of the European expansion in 1492 – the original constitutive fact of ‘Modernity’) Center–Periphery; at the national dimension (elites–masses, national bourgeoisie–worker classes and people); at the erotic dimension (man–woman); at the pedagogical dimension (elitist imperial culture *versus* popular peripheral culture, etc.); at the religious dimension (fetishism at all levels); at the racial dimension (discrimination against all non–white races), etc. . . . The poor, the dominated, the massacred indigenous, the black slave, the woman as sexual object, the child subjected to ideological manipulation. . . . It is the anteriority of the Other that interpellates that constitutes the possibility of the ‘world’ or the possibility of him–herself as reflexively valuable.

The anteriority of the Other that interpellates becomes the base of the ethical act. The discovery of Levinas in conjunction with the propositions of Dependency Theory and critical economics

'demanded the incorporation of social classes as intersubjective actors to be integrated into the definition of culture' (Dussel, 2012: 32). The consequence was the review of Dussel's previous culturalist approach (influenced by Heidegger and Ricœur) and the repositioning of the PL:

Latin American philosophy, as *Philosophy of Liberation*, discovered its cultural conditioning (since it understood itself *from the perspective of* a determinate culture), but, moreover, it was articulated (explicitly or implicitly) from the perspective of the interests of determinate classes, groups, genders, races, etc.

(Dussel, 2012: 32)

Another consequence was the need to construct new categories and a new philosophical architectonics. The first category to be developed was 'the Totality of the world of the oppressed' because it is insufficient to ontologically consider the 'being of the existing Totality', a Totality that 'justifies the oppression of the oppressed and the exclusion of the Other' (Dussel, 1995: 285). To overcome this ontology, it is necessary to look beyond the horizon of the world (in Greek, 'beyond' and 'higher' is *aná*, and 'word' is *logos*). *Ana-lógos* means: 'word that irrupts in the world far beyond the world' (Dussel, 1995: 285). Analectics requires the openness to think, to listen, to see, to feel, to taste the world from the perspective of the Other; it is conditioned by humbleness and an expectant solidarity. Analectics allows one to recognize the existence of a politics of Totality and the Other. The 'politics of the Other is an anti-politics, it is a politics of subversion and contestation', since it challenges established hierarchies and legal truths. It proclaims the injustice and illegitimacy of the actual system in the name of a new legitimacy (Mendieta, 2001: 21).

Alcoff (2011: 67) defines analectics as 'an epistemology for the new revolution': a decolonized epistemology that puts 'at the center not simply the objective conditions of global impoverishment and oppression, but the systematic disauthorization of the interpretive perspective of the oppressed in the global South'. The idea of analectics is driven 'to get to a larger, more comprehensive, and more adequate understanding of all that is true concerning the experience of those whose experiences are most often ignored' (Alcoff, 2011: 71).

Dussel's (2012: 34) next intellectual exercise was 'a careful and archaeological rereading of Marx (from his early works in 1835 to those of 1882)', which provided greater clarification of the theme of Exteriority–Totality (see Dussel, 1985, 1988, 1990a, 1990b). The concept of 'living labor' (Marx, 1973) as the pure subjective existence of labour, in Dussel's (2011: 22) interpretation, cannot be separated from the person, from the immediate bodily existence: 'This naked, carnal subjectivity is the height of materiality in Marx's understanding (and in that of the first Frankfurt School)'. In Latin America, 'philosophy must inevitably confront this negative materiality' and deal not merely with the economic level, 'but rather with the entire material sphere, which has its own economic and political origins and its own historical and systemic institutions' (Dussel, 2011: 22).

The next stage in Dussel's trajectory involved a critical dialogue with the ethics of discourse. Starting in 1989, Dussel and Karl-Otto Apel engaged in a North–South debate that lasted for ten years (see Apel and Dussel, 2004). For Dussel (1997: 1), the result was double-edged: the clarification of the reasons why discourse ethics has difficulties with the grounding and application of moral norms, and the positive appropriation of its formal and procedural aspects, resulting in the elaboration of 'an ethics that is able to incorporate the material aspects of goods and the formal dimension of ethical validity and consensuability'.

In defending the articulation of the formal with the material, Dussel (2004a) considers the *principus exclusionis*: the Other, those affected, those excluded from the community of

communication, those who cannot participate. Mere representation does not solve the problem of validity. The difference between discourse ethics and liberation ethics is basic: the starting point for the former is the community of communication, while the starting point of the latter is those excluded from that community, at precisely the point where discourse ethics is at its limits. 'The concrete principle *liberta hic et nunc* the oppressed, or turn the affected–excluded into a participant, has a logical procedural difference: those situations considered exceptional for the practice of the discourse ethics are the normal situations for the ethics of liberation' (Dussel, 2004a: 275). Therefore, there is a critical knot in the application of the basic norm of procedural morality: the empirical historical material is relegated to a secondary and unimportant position; it has no relevance because validity, defined by discourse ethics as the rational universality of formal intersubjective consensuability, has priority in relation to the ethical content (Dussel, 1997).

For Dussel (1997: 6), 'formal morality always presupposes material ethics, which determines the criteria of universal and concrete truth'. The formal must be in conjunction with the material. More than that: the material principle of ethics concerns, in the last instance, the reproduction and development of human life – a content that has universal validity and determines all levels of the formal moral (Dussel, 2004b: 344):

The moral 'formal' aspect (the correct, right, *richtig*), the level of universal intersubjective validity (*Gültigkeit*) determines, abstractly and formally, all levels of material ethics. There is a continuously present mutual constitutive co-determination, with different meanings (one being material, the other formal). It is then possible to interpret the materiality of the victims ethically . . . from the material criterion *a priori* of all critique (the negative critique which sets out from . . . the impossibility of living, from the unhappiness and the suffering of the victims).

The universal material principle is enunciated as follows (Dussel, 2004b: 345):

Whoever acts ethically presupposes *a priori* and always *in actu* the requirements (obligations, ethical duties) of the reproduction and self-responsible development of the human subject's life, as mediations with the practical truth, in a community of life, in the perspective of a good cultural and historical life (as a way of interpreting happiness and evaluating values), which is in solidarity and have as ultimate reference the humanity and, therefore, has a universal claim.

The criterion of the reproduction and development of human life, which is internal to each culture, allows each of them to be self-critical regarding intrinsic moments which prevent life. It also allows them to dialogue with other cultures regarding what is valid or invalid for the reproduction and development of human life. As a consequence, a universal, formal, moral principle can be formulated: 'The procedural intersubjectivity is valid if it conforms to the practical criterion of truth and to the ethical content' (Dussel, 2004b: 350).

However, for Paulo Freire (2005), to achieve that condition, it is necessary to experience a process of *conscientização* (consciousness), which can only be effective within the intersubjective communication of the oppressed people. It is at this first and negative moment that, for Dussel (2004b: 355), 'the victim uncovers the normal system which exists as "natural" and "good", like the "fetishistic capital" of Marx, the ethically perverse "Totality" of Levinas, the "non-truth" of Adorno. As a consequence, it loses its validity, its hegemony (in the words of Gramsci)'. Thus, in the eyes of the victims, of the dominated, the system solely appears as repressive, as a

‘dominating anti-validity’. The first subject of this ethical, critical, pre-thematic, but substantially creative, consciousness is the victim.

In a second moment, those who have some ‘experience’ of the ‘we’ of the oppressed can reflexively think about the situation of the Other. This is the moment when ‘organic intellectuals’ (again using the words of Gramsci) construct a thematic critique: a thematically explicit, scientifically informed, consciousness that results in the consensus of the oppressed. The third moment is the existential, historical and practical consciousness of the people, which corresponds to the organizational moment, when the anti-hegemonic consensus is expressed in concrete struggles and in building alternatives.

For us, Dussel’s ethical and political philosophy of liberation provides an affirmative critique of the dominant consensus of what is called ‘critique’ within the field of critical management and organization studies. The purpose of this chapter is not to outline and discuss that consensus, which, as a shorthand, we could call ‘Eurocentric’ for now, but, instead, to focus on introducing Dussel’s philosophy of ethics and politics and apply it to a concrete struggle currently underway in Latin America.

A note on our ethics

Let us also say a few words about the meaning of the ethics of liberation for us, academics. As it is clear by now, the victims always have the original historical and concrete ethical consciousness. At a second moment, ‘only those that have some “experience” of an “us” against the domination can reflexively think about the un-happiness of the Other: it is the thematic critique (scientific and philosophical, but both critical)’ (Dussel, 2004b: 356). Acting as organic intellectuals, it is this explicit thematic critique that we, from our position, can elaborate. Thematic critical consciousness consists of three moments: an ethical–critical consciousness of the oppressed, which is pre-thematic but substantively original; a thematically explicit consciousness; and an existential thematic critical consciousness. From that latter moment, the construction of new collectives becomes possible, including the oppressed and academic organic intellectuals. It is this kind of collective that can be found in the ‘Argentinean communities of NO’ against mega-mining. It is our intent that this chapter is also located within such collective.

We hope Dussel’s critique will become implicitly visible by way of our in-depth discussion of the struggle against mining companies in Famatina in Argentina. For us, this struggle is an example of a situation in which the dominant approaches in discourse ethics fail to produce adequate insights and critiques or starting points for alternatives. It is a case where the oppressed, the subaltern – those that are not even represented by ‘normal’ political structures and discourses – rise up and struggle. It is the rising of the oppressed in defence of life.

El Famatina no se toca

Since 2006, when the Canadian corporation Barrick Gold first obtained authorization to start exploring the Famatina hills for gold and uranium, the people have been organizing themselves to protect their livelihoods, the hills and the glacier located in the Department of Famatina, in the Argentinean Province of La Rioja. *Vecinos de Famatina Autoconvocados en Defensa de la Vida* (Famatina’s Self-Convended Residents in Defence of Life), *Coordinadora de Asambleas Ciudadanas por la Vida de Chilecito* (Chilecito’s Coordination of Citizens Assemblies for Life), *Vecinos Autoconvocados de Chañarmuyo* (Chañarmuyo’s Self-Convended Residents), *Vecinos Autoconvocados de Pituil* (Pituil’s Self-Convended Residents) and *Vecinos Autoconvocados de Los Sauces* (Los Sauces’ Self-Convended Residents) – these are some of the names of the many people’s assemblies that

have been organized to resist the onslaught of mining companies. Their united slogan is: ‘*El Famatina no se toca*’ (‘Don’t touch the Famatina’).

The people of one of the poorest regions of Argentina – humble, common people – have so far been able to stop large and powerful transnational corporations, which have closely worked with national and provincial governments, supported by corporative media, international development banks and other powerful institutions: first Barrick Gold, then Shandong Gold and, more recently, the Osisko Mining Corporation. The transformation of these common people into a political force involved the construction of a new critical consensus (Dussel, 2012), the consensus of the social bloc of the oppressed (Gramsci, 1975). That construction has been achieved in horizontal autonomous organizations (the assemblies), in public demonstrations (often repressed with violence), in the meetings of the *Unión de Asambleas Ciudadanas* (Unions of Citizens Assemblies), as well as in the constant awareness and recognition that the struggle will last forever – the mountain will always be there, full of precious metals. Therefore, its defence will require the dedication of the current activists throughout their lifetimes and extend beyond the present generation.

Following we will present and discuss the people’s struggle to protect Famatina³ against transnational mining corporations and their allies through the lens of Enrique Dussel’s philosophy of liberation. The data presented here were collected from documents produced by the ‘Argentinean communities of NO’, a designation provided by Antonelli (2011: 7) to identify the ‘network of environmental and citizens’ *asambleas* (assemblies) as well as other actors who oppose mega-mining projects and share the same ‘ethical values and epistemic evaluations, and the promotion of citizens’ consciousness by disseminating the NO discourse through different means (professionals, academics, media etc.)’. We have also used data collected during a field trip in August 2012, when we visited Chilecito and the roadblock *Alto Carrizal*, conducting in-depth interviews with a range of activists.

Before we present the case, we will briefly discuss the recent Argentinean history and context of mega-mining projects.

Argentina’s mining boom⁴

Argentina’s 1993 Law of Investments in Mining 24.196/1993 assures fiscal stability for 30 years; reimbursement of value added tax (VAT) on exploration activities and exemption from tariffs and customs duties on capital goods, special equipment or components of such goods. It also assures that mining servicing companies enjoy equal benefits: profits from mines and mining rights that are destined to increase company capital are not subject to income tax; the capitalization of mining reserves can reach up to 50 per cent; there is VAT advanced reimbursement and financing in the case of new projects or substantial expansion of production capacity. Furthermore, the law provides tax exemption on mining properties and facilitates accelerated amortization, while royalties are limited to a maximum of 3 per cent at the mouth of the mine. Also in 1993, Law 24.228, which harmonizes provincial mining procedures and establishing public bids for large-scale mining, was passed. As part of this agreement, the provincial governments agreed to lift all municipal taxes, rates and documentary stamp taxes that might encumber mining activities; it also included the reimbursement of VAT fiscal credit stemming from investments in exploration 12 months after expenses have occurred. The legislation was complemented by Law 24.585/1995, the Environmental Protection Code for the Mining Industry, which requires that each provincial government create an enforcement authority, introducing the concept of ‘sustainable development’.⁵ In Giarraca’s (2007: 4) view, it is this legal framework that has paved the way for ‘the enormous flux of foreign capital that has flooded’ into Argentina over the last few years.

The Argentinean Mining Laws are an expression of how ‘distinctive institutional and administrative territorial arrangement’ produces a ‘regional configuration in the divisions of labor and

of production systems' that results from 'the conjoining of economic and political forces' rather than being 'dictated by so-called natural advantages' (Harvey, 2010: 196). As a result of these institutional and administrative territorial arrangements mining activity in Argentina has dramatically expanded over the last decade, with: growth in cumulative exports of 424 per cent; expansion in the number of mining projects from 18 in 2002 to 614 in 2011; growth in cumulative mineral exploration of 664 per cent, from 135,000 metres in 2002 to 1,031,600 in 2011; increased cumulative investment of 194 per cent; and growth in cumulative production of 841 per cent (Argentina, 2012a).

Another governmental document presents mining as a public policy, advertising the geological potential of 2.3 million square kilometres for the development of mining (Argentina, 2012b). Considering that the entire country measures around⁶ 3.75 million square kilometres, this is an astonishing proposition. It would imply the transformation of around 60 per cent of the country into open pits. The same document advertises the existence of specific legal apparatus, following international patterns, and a competitive taxation scenario. Very true remarks! However, the same cannot be said about the following remark: 'metallic mining developed with non-contaminating technologies' (Argentina, 2012b: 16).

In fact, mega-mining projects, based on a developmentalist dogma and on the fallacy of the endless availability of natural resources, have an enormous adverse impact, producing territorial fragmentation and destroying any chance of a multidimensional organization of labour and production. They are an example of a practice that, 'with respect to the physical world and within the web of ecological life . . . changes the face of the earth in often dramatic and irreversible ways' (Harvey, 2010: 185).

Consequently, amid the mining boom, there has been an explosion of social protests and confrontations all over Argentina. Adopting the slogan 'No a la mina', the opponents of plunder and contamination have mobilized a variety of resistance movements, which have been actively confronting the extractive model of development driven by national and provincial governments in association with transnational corporations. As Harvey (2010: 203) indicates, 'the institutional and administrative arrangements within a territory are, theoretically at least, subject to the sovereign will of the people, which means they are subject to the outcomes of political struggle'.

The consensus of the oppressed against mega-mining

Initially, Barrick Gold began exploratory operations to identify the resources available in the Famatina Hills in 2003. In 2006, Barrick Gold received authorization to exploit the region. The first meetings of the neighbours of Famatina and Chilecito⁷ occurred in March of the same year. They decided to look for information regarding mining procedures and their impact on the environment. Soon the people started to organize in many provincial *asambleas*, such as *Los Vecinos de Famatina Autoconvocados en Defensa de la Vida*, *Coordinadora de Asambleas Ciudadanas por la Vida de Chilecito*, *Vecinos Autoconvocados de Chañarmuyo*, *Vecinos Autoconvocados de Pituil*, *Vecinos Autoconvocados de Los Sauces*. On 8 March 2006 the neighbours blocked the access to the mine in *Peñas Negras*. On the same day, following months of mobilization, which included demonstrations and roadblocks, the provincial government approved a law that included the prohibition of open pit mining in the province and that a referendum would be held in Famatina and Chilecito to deliberate about mining activities in the province on 27 July 2006. Barrick tried to negotiate and promised to leave the camp in place. However, the company did not fulfil its promises and attempted to remove the blockade with a judicial injunction and by violence. However, the people resisted and kept Barrick without access to the mining area (Mapa de

Conflictos Mineros, 2013). The decision to block the road expresses, in many senses, the people's decision to place their bodies between the mine and the mountain, generating a 'continuity between the life of the body and the life of Famatina, which are considered as being threatened by one and the same enemy'. The life risk that someone runs by putting his or her body directly into the conflict is comparable to the risk to life of allowing the mine to operate (Avalle et al., 2012: 90).

At *Peñas Negras*, everything seems static, but there is a constant uncomfortable feeling that something might suddenly happen. The stars are so big that they don't just twinkle, they throb. In the distance, a fire illuminates the banner (*El Famatina No Se Toca*) that blocks the path leading to the Barrick Gold mine camp, which defines itself as the 'best of the world'. Close to the fire, there is a retired 80-year-old watchmaker, a public worker, an engineer, a walnut farmer, a teacher, a retired policeman, and a housewife. They are part of a big network of citizens' assemblies, those strange horizontal organizations without bosses, without leaders, without political parties, which are open to any member of the community. They will hold the blockade throughout the night. Barrick Gold removed the 30 workers and 9 vehicles, part of the lighter equipment, from the mine, but the blockade will continue until the definitive removal of the company. How did it happen? How, in less than one year, have these assemblies come so close to changing history? A blind man who saw too much⁸ told in one of his stories: 'When something is true, it is enough that someone says it just once to know that it is right'. . . . Maybe the assemblies are saying, only once, the new and coherent way of thinking in our times: the present and the future can be different from the past.

(Lavaca, 2007)

In March 2008, the activists celebrated the first anniversary of the *Peñas Negras* blockade. In commemoration, the assemblies of Chilecito, Famatina, Pituil and La Rioja blocked another road, close to the provincial capital, in protest against the failure to implement laws approved the previous year. The fact is that the provincial governor – Luis Beder Herrera – was elected on promises to eliminate mining activities, but very soon betrayed his promise and became a supporter and partner of the mining companies. The activist Gabriela Romero told Lavaca (2008: 4):

The governor changed his discourse. First, he supported our struggle; he used to say that it was necessary to protect the water and the natural resources. However, after the election he forgot his own words. A few days ago in San Juan, he announced that La Rioja would become a mining province (*una provincia minera*). When he makes this kind of statement, he stays outside the province. He does not have the courage to make it here because he knows that more than 90% of the population would not agree. We worked very hard and today there is a strong social movement opposing this activity. The radio stations, newspapers and the television have reacted by playing down our actions and refusing to publish our communications.

At that point, the anti-mining activists faced the usual types of criticisms: they are against everything, against progress; they ignore the fact that mines are present everywhere, also in developed countries (Lavaca, 2008). In contrast, the activists rejected the ideas of development and progress in its connection with extractive practices and, at the same time, denounced the fallacy of having to choose between mining and poverty, reaffirming their right to choose how to live with dignity.

On 14 April 2009, representatives from Barrick Gold were received by President Cristina Kirchner. On the same day the people were violently repressed in *Peñas Negras* when they protested in and occupied the city of Famatina. On 16 April a judge accused one of the activists injured during the repression, and she ended up being condemned for assault. The judge also ordered the installation of a police station in *Peñas Negras* to guarantee the free movement of vehicles on the road. In September that year the *asambleístas* returned to the road and set up a selective blockade, which led to Barrick Gold not being able to continue the project. The words of an activist, documented by Avalle et al. (2012: 74), explain why the people organized and resisted:

We did not think, we did not reflect that we were evicting the biggest mining company in the world, we felt a sense of urgency – there was something here we had to confront. If the mine entered into operation, we would be left without water; if the mine started working, we would be at serious risk. We decided, we moved forward, we acted, we had to do it.

After that, in 2010, a Chinese company, Shandong Gold, attempted to ‘develop’ the mine. However, realizing that the popular organization was too strong, it soon withdrew from the area (Langoni, 2012). On 31 August 2011 another company, Osisko, released the following communication:

Osisko Mining Corporation and Energía y Minerales Sociedad del Estado (EMSE), La Rioja state mining corporation, are pleased to announce that they have entered into a binding agreement regarding the development of the Famatina gold project (‘Famatina’ or the ‘Project’) in La Rioja Province, Argentina. The Famatina project area covers a 40-square-kilometer zone hosting various gold-enriched epithermal and porphyry targets. Terms of the agreement include: US\$500,000 cash payment to EMSE to be made within 15 days of signing the agreement; a first-year US\$10M commitment in exploration expenditures during the initial 4 years term (‘Initial Term’) of the Agreement; Osisko may earn a 70% interest in the Project by completing a feasibility study within the Initial Term, as said Initial Term may be extended at Osisko’s discretion for an additional term of 4 years if required to complete said feasibility study; Osisko commits to financing 100% of the Project’s development and construction costs, with repayment of EMSE’s portion from 25% of its attributable project cash flows; EMSE will be responsible for obtaining all required permits throughout the life of the Project. . . . Mr. Sean Roosen, President and Chief Executive Officer of Osisko stated: ‘In Famatina, Osisko has identified an ideal project with which to enter one of the best mining jurisdictions in South America. We are very excited at the addition of another high quality project to our current portfolio of properties. We believe Famatina hosts very promising targets with excellent potential for future development. We have assembled a highly experienced team to oversee the work and we look forward to an intensive exploration program on the property over the coming year.’

(Osisko, 2011)

The people know, as we were told by the Famatina activists, that they will have to resist forever, because the minerals will be in the hills forever and will always attract the greed of mining corporations and associated national partners. Instead, for them, Famatina will always be a provider of clean water and much more, as we were told: ‘the mountain gives us this joy of seeing it every day; it is beautiful; the mountain is our mother’. Therefore, there is no option, but to continue to be on permanent alert and struggle.

Since the first days of January 2012 the people of Famatina have been in a state of total rebellion. What happened is that some politicians confuse electoral votes with the social license to blast hills and destroy aquifers. In their rejection of the agreement signed by the governor, the people of Famatina have continuously interrupted access to the exploration site since the first day of the year. Special security forces from the capital of *Rioja* surround the protesters who count on the support of the people and local and ecclesiastic authorities. . . . The popular insurgence and the blockade of the traffic to the mine are so important that the *assembleístas* in *Alto Carrizal* had almost all the inhabitants from the town participating in shifts. The new selective roadblock is located a few kilometers from the long-standing blockade of *Peñas Negra*, which has been in place against Barrick Gold since 2006. . . . The people insist on rejecting the agreement between the governor and Osisko, announcing that they will never get the social license required for the mine to enter into operation. (UAC, 2012)

On the second day of the new roadblock, the people were threatened by a group of around 25 young men, dressed as mineworkers, who identified themselves as ‘Mining Action’ (*Acción Minera*). They were carrying machetes and sticks. They were supported by some policemen from Chilecito and from the provincial security forces. The people resisted and the operation failed to open the way to the mine (Prensa del Pueblo, 2012). However, provincial security forces continued to besiege the activists who have the support of the people, the mayor and the priest of Famatina. The bells of his church are a key organizational resource: they sound to alert when there is any attempt to remove the activists from the road. When they sound, the people know that they have to leave whatever they are doing and go to the hill to defend the blockade (UAC, 2012). According to the priest Omar Quinteros: ‘the people cannot crawl like snakes, they have to fly like eagles’. He has been facing threats of removal to another place and attempts to prohibit him from ringing the bells. The mayor who supports the struggle also faces legal threats from the provincial authorities.

The 22 January 2012 was a day of national struggle in defence of Famatina, a day marked by a demonstration in Buenos Aires and other cities around the country, and by a march in Famatina, with more than 4,000 people. On 26 January around 10,000 people marched in the provincial capital, filling the central square opposite the governor’s office with slogans and songs against the agreement with Osisko. The demonstration started around 18:00 and went on until almost midnight. Under the slogan ‘No to mega-mining; yes to water, land, work and justice!’ they constantly reiterated the pacifist nature of the protest (Rodríguez, 2012a). It was one more expression of the self-constitution of a people. As we were told by activists, there are many cries in addition to *El Famatina No se Toca*; there are also many possibilities to see the other as a *compañero* (companion, comrade), of understanding that the people have the power to decide whatever they want. Referring to this possibility, we heard in a meeting: ‘we are a people who walk slowly, who think a lot; we had never confronted the establishment; it is a blessing that such a thing is happening to us’. De La Vega (2012: 1–2) tells us more about this metamorphosis:

Who could have imagined that in such a small place – an apparently insignificant place compared to the mountain’s immensity – and during another exhausting January due to the *Riojano* summer, a people could rise up again. Did I say people? Yes, even if in some institutional monotonous spaces to speak of a people sounds like a delusion. Instead, they say: ‘four mad cats’ (some generously talk about five . . .). There is no doubt that in these corners we are witnessing a metamorphosis. Public meetings, marches, manifestations, caravans of cars and bikes, open radios . . . bear witness to the many who have joined those

four. Even if no one counts, even if the corporate media hides, in the quieter moments around 4,000 'cats' were seen. First transformation: the cats are multiplying in a geometric progression. Yet, more than this: the cats speak of rights, dignity, history and life. From their mouths come 'meows' of resistance and struggle. In some places there are cats talking of popular power and painting future horizons. And yes, without giving it much thought, they call themselves a people. . . . This is the second transformation . . . the animal has acquired the face of a people. A people, who do not kneel, have lost fear, are proud of the passion that makes them march and contaminates others. A people who reaffirm their condition as the subject of politics, affirming life in the decision to struggle and, while doing so, dance and sing to scare death.

On 30 January 2012 Osisko issued a statement on the status of Famatina exploration project:

In response to recent community protests and media reports and requests regarding Osisko's activities in La Rioja State, Argentina, Osisko would like to provide an update regarding the company's current and planned involvement in the Famatina Project. . . . At this point in time Famatina is only an exploration project; there is no current plan, design or intent for any mining operations. Osisko has committed to spend \$10 million, including environmental baseline studies, during the initial year of a 4-year term. Osisko intends to execute the agreement through its subsidiary Minera El Portal S.A. (MEP). Osisko's partner in the project, EMSE, is responsible for gaining all required permits through the life of the Famatina Project. Osisko, in all its endeavors, is committed to socially and environmentally responsible exploration and development, and is dedicated to performing its work programs to the highest international standards of acceptance. . . . MEP representatives have started to design and prepare a community information and consultation program. This information and consultation is primary to the commencement of any exploration work on the site. If there is no social license for exploration and development around the Famatina project area, no work will be conducted by MEP. In the days immediately following the signature of the Agreement, groups from Famatina and elsewhere in Argentina commenced organized protests against what has misleadingly been called the 'Famatina mega-mine project'. In fact, the development of a mine is still highly hypothetical, since very little is known about the amount, quality and location of the mineral resources that may exist in the properties within the Famatina Project. The environmental regulations of Argentina and the best practices policy of Osisko ensure that even if future exploration were to prove successful, there are many checks and balances in place that would ensure a thorough and lengthy review process prior to any potential mine permit being granted. On January 2, protesters obstructed access to the Famatina Project site. As of today this blockade is still in place, and demonstrations have been staged in Famatina, La Rioja City and elsewhere in Argentina. Although this obstruction has not had any impact on field work, the protest activities have impeded MEP representatives in their efforts to make initial contacts with people living in the vicinity of the Famatina Project as part of the community information program for planning and preparation. Osisko believes that factual information about mineral exploration in general and about this project specifically would reassure Famatina residents regarding environmental impact, as well as potential economic benefits to the community and state. Osisko fully supports the government of La Rioja and EMSE in this endeavor. (Osisko, 2012)

Immediately the governor fully embraced the task assigned by Osisko, which transferred the responsibility for obtaining the social licence to the provincial government. Precisely the day

before the corporation's announcement, Luis Beder Herrera called for dialogue and consensus building, speaking of the need for information and clarification and launching a project to disseminate the truth about the mining project. In response, the activists defined the plan as an attempt at brainwashing (Rodríguez, 2012b) and announced that they would remain in *Alto Carrizal*, in *La Dignidad* (The Dignity) camp, until the agreement with Osisko is cancelled. In the words of Marcela Crabbe, a resident of Famatina and one of the first to join the blockade: 'The company is exerting pressure on the governor to remove us from here. But they will not succeed.'

During those days the people of Chilecito intensified their activity, going from door to door, informing the population and distributing posters with the sentence 'This family is informed that the water is more valuable than gold. Chilecito is not for sale' (El Periódico, 2012). In the words of Famatina's mayor, Ismael Bordegaray: 'We don't want the mine because we want tourism, we want the production of fruits, of peaches and grapes, of pears and everything that would die if they contaminate and leave us without water, as is happening now in Catamarca'⁹ (Rodríguez, 2012b: 2).

The struggle continued during the whole of 2012. The celebration of the first year of the ongoing insurgence started at the end of December, in Famatina, and continued during the first days of January 2013 in *Alto Carrizal*. In the words of the activist Carolina Suffich, 'this year was more difficult than the previous six years; the attacks were much stronger, as it also is the awakening and the people's reaction'. Marcela Crabbe also sees 2012 as the 'most difficult and dynamic, the year that determined there would be no mega-mining in Famatina and it was also the first time that we felt the weight of the people: the sense of unity is as strong as the sense of conviction, the love and the determination to defend'. Normando Ocampo recalls that 'during 2012 the people achieved a state of deep conviction as a consequence of almost six years of consciousness (*concientización*) and passed from resistance to the offensive constructing a strong unity and defeating the mega-mining policy of the provincial and national governments'. According to Carina Díaz Moreno, 'the people realized that it would be the mine or us; that we need to be alert and defend what is ours by right. The struggle in Famatina is a great act of courage, dignity and sovereignty.' For María Laura Santillán, 'the struggle in Famatina is building towards the truth, towards discovering alternative forms while saying no'. In the evaluation of Gabriela Romano, 'the conquest was not accidental; we organized as a people to defend ourselves and to decide the ways we want to live, because when a people stands and stops living on their knees, no one and nothing can stop them'. Domingo Palacios mentions that 'no one has been exempt from defending the common goods', a common cause which represents 'an immense commitment because it represents the future of our children and of all generations yet to come'. He adds that 'it is not easy to leave our lives aside, because we have families and, many times, we leave them and move forward'. Inés Brizuela y Doria speaks of an 'impeccable, dignifying and exemplar struggle that is successful because the people are conscious that they hold the real power'. 'We will not give up not even for all the gold in the world, even when it means to experience many bad things in the way to defend Famatina', says Adriana Bertuzzi. Carlos Nilson describes how 'the people took the struggle and made it their own' in an historical event, a symbol of resistance because 'it is a struggle for life, not the life of one person, but of the whole people'. These were some of the testimonies collected by the *Diario Chilecito* (2013) during the first anniversary of the road blockade in *Alto Carrizal*. According to the editors, these are just a few, because it is impossible to access the thousands and thousands of citizens who are involved in the defence of Famatina who share the objectives each and every day: to organize, to struggle and to construct alternatives.

The first months of 2013 marked an intensification of the conflict, with episodes of violent repression and persecution. On 6 April (Easter Sunday) the neighbours of Famatina and Chilecito protested against the ‘mining dictatorship’ expressed by the judicial accusations against 17 activists from Famatina (Diario Chilecito and Voces a Cielo Abierto, 2013). On 11 May, there was a particularly violent episode. It started when dozens of neighbours and members of the Famatina Assembly were protesting in the town’s San Martin square just opposite the place where the governor would arrive for a party meeting with the pro-mining groups. According to Miguel Arca, an *asambleita*, ‘the pro-mining group started to throw stones and soon after the police, instead of controlling them, started firing rubber bullets and tear gas against us’. The repression resulted in 17 activists injured and 5 arrested. Despite the presence of around 400 police officers and their violent tactics, the governor could not participate in his political event. According to the activists, the intense repression of recent months is due to the impotence of the pro-mining groups: ‘they know they cannot convince us, they think that by aggressive means, beating, they will impose us their projects’ (Página 12 and Diálogo Chilecito, 2013: 2).

Paula Ríos was one of the many who struggled in Famatina to defend life against the mining projects. She was one of the victims of the repression and told Giachino (2013: 1):

I was protecting myself to avoid being beaten, I was not, at any time, confronting or provoking anyone, then a young man came and he was more harmful in his language than in his acts. When he realized that I could not get out of the dry well where I’d taken refuge, he kicked in the head, when I changed position, he stepped on my shoulder. Then he said ‘get up son of a bitch’. As I couldn’t get up he lifted me and pressed my face against the sand. At that moment, he pressed the gun directly against my body and said: ‘you will never do this again, because if I leave you alive it is because you are very lucky’. He then shot me five times: four in my back and one in my leg, and he repeated ‘hopefully we will not meet again, because if we do I will fucking kill you’. I confess that I never thought they were rubber bullets, I thought I was going to die. At that moment I thought about my kids and that if I had to die for a just cause, so be it.

The corporate media put a different slant on the violence and the resistance, as it can be seen in the comments from Aranda (2013: 1), taking the case of Paula Ríos as an example. He wrote:

Paula Ríos committed the crime of protesting against the visit of the governor Luis Beder Herrera, booster of mega-mining in the province. Paula Ríos was not the only victim of repression. Another eleven people were injured by rubber bullets, many more were beaten with truncheons and stoned by local militants of the Justicialista Party and supposed mineworkers. ‘Anti-mining provoked disorder in Famatina’ was the title of a 15-line report in *Tiempo Argentino* that was very different from reality. . . . *Tiempo Argentino* did not interview Paula Ríos.

That episode was followed by a statement that ‘neither bullets nor gas will stop the people’. At that moment 30 activists were being persecuted by the judicial system. Even then, the people kept on pleading for peace. They also organized a protest against the violent repression in the capital La Rioja on the day the city celebrates its foundation: 20 May (Moreno, 2013: 1). They constantly received expressions of solidarity, such as the note from the *Grupo de Curas en la Opción por los Pobres* (2013), a group of priests aligned with the theology of liberation who also supported the priest from Famatina and his involvement in the struggle. At the same time, the

retaliations continued. After 22 years of broadcasting, TV channel 5, which had not favoured an anti-mining position, but had been reporting the events related to this issue, was closed down in an obvious act of censorship, which resulted in the unemployment of all the workers who, however, continue to provide information online (www.DiarioChilecito.com.ar) and are planning to organize a cooperative and have their own channel (La Tijereta, 2013).

Despite all these repressive events, the people continue to be firmly organized, engaged in the struggle and convinced of the justice and value of their cause. On 12 June 2013, the *Asamblea de Vecinos Autoconvocados, Resistencia Juvenil* (Youth Resistance) and the people of Famatina (2013) released this request on the Web:

To the friends, neighbors, assemblies, families, and social fighters involved in other causes: we need flags and/or posters in support of our struggle to display in *La Dignidad* – Alto Carrizal. As everybody knows, we have been maintaining the blockade against Osisko since January 2nd 2012. Due to weather inclemency and to the passage of time, many flags deteriorated. *Alto Carrizal* is the place where we resist most of the time, it is a symbol of anti-mining resistance. . . . Thank you for the support and greetings from the eternal snow of Famatina.

On 2 July 2013, the contract with Osisko was rescinded. In another triumph of the people, the provincial governor recognized that their struggle ‘has made it impossible until now to begin the scheduled activities’ (Depsky, 2013). The intense violence of the repression became more understandable. It was the last resort used to try to enforce the contract. It is clear that the people will continue to face the risk and threats which forced them to engage in direct political action and to organize in response to the immediate and daily experience of an intolerable reality. More than 50 activists are being prosecuted and had to pay a bail of around US\$1,300 (the mayor mortgaged his house to collect the money). In addition, as the people say, the struggle will continue as long as the mountain and the gold are there. However, this time and once again, the mountain and its blue slopes have been saved. The people of Famatina and Chilecito defeated yet another transnational company and its local partners.

Such experiences constitute subjects and interrupt cycles of alienation and submission. These subjects construct cooperative relations and challenge the aims and practices of domination imposed by capital; at the same time, they reintroduce conflicts and demands in the public domain, confronting the public organizations allied with capital (Ciuffolini, 2012), as we have been seeing in the defence of Famatina over the last seven years and will continue to see as long as it is needed.

Defending life, practising the ethics of liberation

The oppressed have organized themselves in defence of life, which represents a new intersubjective consensus of the victims excluded from the formal procedures employed in the hegemonic forms of democracy. In their critical anti-hegemonic process the people have confronted the dominant and dominating system and, at the same time, have outlined a viable utopian project, aiming to build new possible norms and institutions. The struggle in defence of Famatina is organized around the material conditions that define the possibility or impossibility of life. It helps the understanding of, what Dussel (2004b: 344) calls, the ‘content’ of ethics. We briefly presented Dussel’s ethico-philosophical project in the introduction, but to repeat his proposition acquires now a renewed sense:

The ‘content’ of ethics (the reproduction and development of life) has, abstractly, its own universality and always *materially* determines all levels of formal ethics. The ‘formal’ aspect of moral (the right, *richtig*), the level of universal intersubjective validity (*Gültigkeit*), abstractly and formally determines all levels of material ethics. It is a situation of constantly present mutual determination with different meanings (one is ‘material’; the other is ‘formal’). This is a fundamental thesis of the ethics of liberation, because in such a way it is possible to ethically interpret the *materiality* . . . as an *a priori* of all critique (a negative critique which departs from the ‘absence’ of material actualization of the subjects, namely the impossibility of living, unhappiness, suffering . . . of the victims).

Therefore, from the position of the victims of the system, of the oppressed community of life, it is necessary to demonstrate the contradictory position of those institutions that intend to negate life and the impossibility of choosing death. In the words of Freire (2005: 77): ‘oppression is necrophilic; it is nourished by the love of death, not life’. Such love has been expressed in the episodes of using the state’s legitimate monopoly of force against the people; a monopoly which becomes illegitimate when used against those who fight for life (Dussel, 2004b). Legitimate coercion becomes violent domination (public repression) when it is used against the people who choose life and oppose death within their cultural and political context of reference.

Another principle of the ethics of liberation is that of feasibility, the necessary organizational praxis which comes from consciousness: ‘a deepened consciousness of their situation leads people to apprehend that situation as a historical reality susceptible to transformation’; ‘the awakening of critical consciousness leads to the expression of social discontent precisely because such discontent is a real component of an oppressive situation’ (Freire, 2005: 85). Therefore, the emergence of consciousness demands critical intervention in reality; and the critical intervention demands organization. This is the moment Dussel (2004b: 353) calls ‘critical–instrumental reason’. For him, the instrumental–strategic reason has a place in the ethical praxis of liberation: ‘we cannot fall into fetishisms; we cannot ignore the subaltern function of instrumental reason’. The problem resides when the feasibility criterion becomes an absolute principle. Dussel (2004b: 353) provides a description of the principle of the ethical feasibility:

An action, an institutional or systemic norm, is ethically operational and concretely feasible if it complies (a) with the logical, empirical, technical, economic, etc., conditions, the possibility of which is judged by the following (b) [deontic] requirements: (b.1) ethical–material practical truth, and (b.2) formal–moral validity; within a range that goes from (b.a) actions ethically allowed (which are merely possible because they do not contradict ethical and moral principles), until (b.b) mandatory actions, which are ‘necessary’ for the actualization of basic human needs (materially – the reproduction and development of life; formally – the participation of the affected by the decision-making).

This principle is ethical because it defines as necessary that all human action that intends to be human and feasible must have a dutiful bond with the life of each subject. At the same time, it ensures the recognition of each subject as equal and free. In this process of recognition, however, it is also necessary to organize the praxis of liberation, taking into consideration the natural–physical and technical possibilities available at any historical moment.

The metamorphosis of isolated individuals into a people, mentioned before, is an expression of this second moment of ethics: when the oppressed feel their life is threatened, their critical consciousness awakens and, with it, the need to organize, to make decisions based on critical–strategic reasoning which is expressed in the many forms of struggle.

From the positivity of the ethical principle of life, from the negativity of materially risking death, and from the absence of power in relation to the institutional (corporate and governmental) power, the victims realize the non-validity of the system, experience being a people, confront the actual valid consensus and elaborate the formal intersubjective consensus of the oppressed. In the process of building this consensus, the people elaborate a new project, a future validity that will guarantee life and will be collective at political and organizational dimensions.

Notes

- 1 His work, which is concentrated in the field of ethics and political philosophy, is almost entirely available at: http://enriquedussel.com/Home_en.html.
- 2 All original texts quoted in this chapter were translated into English by Maria Ceci Misoczky.
- 3 The Famatina Hills have a glacier that provides water for human consumption and for irrigation in the whole valley, including many towns and communities. It is also a cultural reference for the people.
- 4 This section is based on Misoczky and Böhm (2013), where we present the case of Andalgalá (a small town in the Province of Catamarca in Argentina) and the people's struggle against transnational mining corporations and their allies.
- 5 See: www.mineria.gov.ar/marcolegal.htm (accessed 14 September 2012).
- 6 See: www.argentina.gob.ar/pais/57-geografia-y-clima.php (accessed 14 September 2012).
- 7 The Famatina Department is located in the Province of La Rioja. The town of Famatina is a small place (around 6,500 inhabitants), Chilecito is also small, but less so (around 30,000 inhabitants). Both are located in the Famatina Valley.
- 8 A reference to the Argentinean writer Jorge Luis Borges.
- 9 See Misoczky and Böhm (2013).

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