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**Nonviolent Grassroots
Activism in the Global Era:
challenging environmental degradation
and socio-economic inequality**

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CONTENTS

Abstract	vii
Introduction	xix
List of Abbreviations	xxiii
List of Figures	xxv
Chapter I. Global Challenges for the XXI Century	
1.1 Globalization and emerging grassroots opposition	1
1.2 Collateral effects on equality and the environment	4
<i>1.2.1 Socio-economic inequality</i>	5
<i>1.2.2 Environmental degradation</i>	11
1.3 Egoism and oligarchism within the Global Governance	20
1.4 Postmodern social movements and the rediscovery of human identities	25
1.5 Towards ‘global citizenship’: from environmentalism to global justice	30
Chapter II. Case study on Environmental Justice: The Belo Monte Dam	
2.1 Latin American social movements: a general framework	37
2.2 Social and environmental impact	39
2.3 Legal disputes over licensing process	46
<i>2.3.1 Preliminary licence</i>	47
<i>2.3.2 Installation license</i>	49
<i>2.3.3 Operating license</i>	57
<i>2.3.4 Further considerations on corruption and intransparency</i>	59
2.4 Chronology of the protest	60
<i>2.4.1 The birth of a multi-tribe, inter-ethnic and regional alliance</i>	60
<i>2.4.2 Preventive Direct Actions and Actions for halting the construction</i>	61
2.5 The Challenge of Resettlement	68
<i>2.5.1 Noncompliance with the PBA</i>	68

<i>2.5.2 The problem of being recognised as “affected”</i>	72
<i>2.5.3 Forced evictions and police violence</i>	75
2.6 Features of Indigenous Activism	77
<i>2.6.1 Nonviolence and innovative usage of traditional culture</i>	77
<i>2.6.2 Declarations, petitions and open letters</i>	78
<i>2.6.3 International support</i>	81
Chapter III. Case Study on Socio-economic Justice: Occupy Wall Street	
3.1 The financial and economic crisis	85
3.2 The global response from the U.S. to the world: Occupy	92
<i>3.2.1 Sources of inspiration</i>	92
<i>3.2.2 Chronology of OWS</i>	94
<i>3.2.3 Horizontal approach to democracy and democratic structures</i>	100
<i>3.2.4 Showdown with the Power: police strategies and criminalization</i>	103
3.3 Occupy as a global movement	109
<i>3.3.1 Heterogeneity and solidarity</i>	109
<i>3.3.2 Ideology and Symbology</i>	111
3.4 The crime that has not been prosecuted	116
Chapter IV. GCS Activism and the Evolution of Politics	
4.1 Dissent, Resistance or Rebellion?	123
4.2 Digging up the “morality issue” and pursuing justice	126
4.3 Old tactics, new tools: the social media	128
4.4 The Evolution of Politics	132
4.5 Why Nonviolence	137
Conclusions	141
Annexes	145
Bibliography & Web References	151

ABSTRACT

La globalizzazione, incentivata dall'innovazione tecnologica nei campi dei trasporti e della comunicazione, ha portato a una crescente integrazione dei mercati e all'incredibile espansione della finanza, che si è imposta come nuovo protagonista sullo scenario globale. I mercati finanziari caratterizzati da grande instabilità e le dinamiche economiche globali esercitano sempre una maggiore influenza sulle politiche nazionali soprattutto in termini fiscali e di spesa pubblica. Con la fine del mondo bipolare è venuta però a mancare la componente ideologica che consentiva agli Stati di manipolare le masse per giustificare politiche volte a soddisfare i loro principali interessi economici. Infatti la fiducia nelle classi dirigenti sta calando drasticamente, mentre la postmodernità sta portando con sé la nascita di una ricca varietà di istanze: dal femminismo, alla lotta indigena, all'ambientalismo, ai diritti umani e della comunità LGBT. Tutti questi movimenti sono espressione di uno scontro di valori che si oppone al capitalismo globale, che ha ridotto gli individui a soggetti economici guidati dai propri interessi. Le politiche della globalizzazione fondate sulla logica del profitto e supportate dal modello neolibrale hanno però causato l'universalizzazione della disuguaglianza, che oggi è visibile soprattutto nelle città globali. La disuguaglianza economica è considerata uno dei principali fallimenti della globalizzazione, che aveva elevato la promessa di un prospero futuro per tutti. Da essa derivano serie implicazioni sociali, quali la riduzione della mobilità sociale, le opportunità di accesso all'istruzione superiore e alla sanità, e l'aumento della criminalità. In un paese come gli Stati Uniti, dove le politiche nazionali hanno privatizzato i sistemi scolastici e di assistenza, la povertà è una situazione da cui difficilmente si esce, anche perché, con l'apertura dei mercati e l'ingresso di economie competitive nel settore manifatturiero come India e Cina, la disoccupazione tra i lavoratori meno specializzati è aumentata e i loro salari ristagnano. Sia Repubblicani che Democratici hanno adottato politiche neoliberali nel corso degli anni, favorendo le grandi multinazionali ai danni della spesa pubblica. Inoltre, dato che il sistema elettorale statunitense si affida a ingenti donazioni private e permette l'accesso alla vita politica solo ai più abbienti, la disuguaglianza diventa un problema di partecipazione.

Mentre in tutto il mondo si ampliava il divario della ricchezza, la volontà di integrare velocemente i Paesi sottosviluppati nel “grande banchetto globale” ha prodotto politiche di industrializzazione accelerata con danni spesso irreversibili agli ecosistemi e che di fatto hanno amplificato le condizioni di sottosviluppo. Inoltre, prima della riflessione sullo

sviluppo sostenibile, i costi ambientali non furono calcolati per lungo tempo nel bilancio economico generale, causando l'aumento spropositato dei gas serra e il conseguente surriscaldamento globale. Solo con l'Accordo di Parigi del 2015 è stata finalmente riconosciuta l'importanza di investire nella preservazione delle foreste e nell'afforestamento, oltre che nella riduzione dell'uso di combustibili fossili, dato che le foreste non solo riducono la CO₂ presente nell'aria, ma contribuiscono a mantenere il ciclo idrologico e la biodiversità. Il Brasile ha una delle più estese zone di foresta pluviale del mondo, l'Amazzonia, che ha sofferto delle decisioni di chi guardava alle foreste come zone sottosviluppate e quindi incentivava la corsa alle risorse tramite grandi progetti soprattutto nel settore minerario e delle infrastrutture. Anche se negli anni '80 grazie ai movimenti ambientalisti sono stati fatti dei passi avanti per il riconoscimento dei diritti dei popoli indigeni e le politiche mondiali abbiano intrapreso un processo di 'greening', il Brasile appare ancora diviso tra la sua smania di raggiungere velocemente i Paesi sviluppati e il ruolo che oggi potrebbe (e dovrebbe) ricoprire come leader nello sviluppo sostenibile.

La Governance Globale, che è investita del dovere di risolvere le minacce globali, come il cambiamento climatico e la disuguaglianza, non è né democratica né efficiente nel contrastare tali problematiche, e questa sua inefficienza dipende dai suoi limiti intrinseci. Innanzitutto, gli unici attori con potere decisionale nei vertici globali sono gli Stati, che però sono intrappolati dai loro interessi economici, come dimostrato dagli Stati Uniti rispetto all'adozione del Protocollo di Kyoto. Inoltre, spesso alle organizzazioni internazionali manca un approccio multidimensionale, infatti, anche se è stata creata la OIL per tutelare i lavoratori alla luce delle nuove dinamiche globali, questa è statica e debole nelle sue funzioni e lavora in modo indipendente dall'OMC, che è invece rapida ed efficiente. Le stesse istituzioni a cui si dovrebbe dar fiducia sono rappresentative della disuguaglianza che annunciano di voler combattere. Di fatto, nei poli decisionali mondiali quali il G7 e il Consiglio di Sicurezza dell'ONU, sono i Paesi del tradizionale "Primo Mondo" a dettare le regole del gioco, e nonostante il maggior coinvolgimento delle ONG della società civile, la questione del diritto di voto di tali organizzazioni non è mai uscita dal piano puramente teorico. Dinnanzi all'inefficienza delle organizzazioni internazionali e alla separazione tra classe dirigente e i presunti rappresentati, non c'è da stupirsi della crescente mobilitizzazione dal basso che vuole proporre un cambiamento effettivo, tramite la promozione di valori agli antipodi del capitalismo, ma con una base molto più ampia ed eterogenea di quella ipotizzata da Marx. I movimenti emergenti non mirano a una presa di potere ma all'abbandono delle relazioni verticali che da esso derivano, chiedendo quindi

una reale partecipazione. Ogni lotta contro il capitalismo promosso da politiche neoliberali ha in sé la riaffermazione di valori quali la dignità umana e la giustizia, che si unisce alla celebrazione della diversità. Sta nascendo una società civile di “cittadini globali”, conscia delle dinamiche mondiali, così come dei propri diritti e doveri, e disposta ad agire localmente senza mai perdere la visione d’insieme. Il movimento ambientalista è stato fondamentale per lo sviluppo di questa coscienza collettiva globale, che con il rapporto Brundtland ha aperto un dialogo multilaterale sullo sviluppo sostenibile. Accanto ai poli istituzionali, sono sorti numerosi movimenti dal basso e ONG per la difesa dell’ambiente, che hanno recentemente ampliato i loro obiettivi includendo la richiesta di una “giustizia ambientale”, iscritta nel più complesso panorama del movimento per la giustizia globale, o altromondismo, che mira al raggiungimento della giustizia in ogni campo (sociale, ambientale, economico, politico). Questi movimenti, a partire già dalla rivolta in Chiapas del 1994 e dalle proteste di Seattle, hanno dimostrando di avere consapevolezza dell’opportunità che le nuove tecnologie della comunicazione offrono, non solo per ispirare solidarietà globale, ma per promuovere l’integrazione di punti di vista sempre differenti all’interno del grande dibattito mondiale e combattere dal basso la verticalità delle tradizionali relazioni di potere.

L’America Latina è stata ed è tuttora lo scenario di numerosi conflitti ecologici, riguardanti la questione della terra e delle risorse del sottosuolo. Non altrettanto noti sono i conflitti scatenati dalla costruzione di complessi idroelettrici, su cui il Brasile fa affidamento per soddisfare fino all’80% dei suoi bisogni energetici, seppur non siano così ecosostenibili come descritti. Il progetto della diga di Belo Monte sul fiume Xingu in Amazzonia, abbandonato negli anni ’80 in seguito a forti proteste, fu rilanciato nel 2005, dopo aver ricevuto il via libera ufficiale dal Congresso, nonostante le numerose perplessità suscite fin da subito riguardo le sua efficienza e l’impatto ambientale e sociale. Il progetto costituisce il cavallo di battaglia dei Programmi di Crescita Accelerata promossi nel 2007 e nel 2010 dai presidenti Lula da Silva e Rousseff. Tra gli effetti della costruzione della diga, molti già noti prima dell’inizio dei lavori ma non riportati negli studi sugli impatti condotti prima del rilascio della licenza preliminare, ci sono: lo sfollamento di centinaia di famiglie che abitano le sponde della Volta Grande dello Xingu e le zone inondate della periferia di Altamira; il sovrappopolamento di Altamira e il conseguente aumento della disoccupazione, di disagi sociali legati alla criminalità, all’abuso di alcol e alla mancanza di infrastrutture sanitarie e scolastiche adeguate; il tracollo sociale e culturale causato dall’introduzione di denaro e prodotti confezionati nell’economia indigena basata sulla pesca, che ha avuto

ricadute sulla salute e sulle abitudini delle tribù, con la comparsa di problematiche quali droga e prostituzione. Per quanto riguarda l'impatto ambientale, Belo Monte, oltre a deviare il corso del fiume modificando o impedendo la riproduzione di specie autoctone e migratorie su cui si basava la sopravvivenza delle comunità rivierasche, ha causato l'allagamento di una zona di oltre 640 km² di foresta pluviale, che oltre a non svolgere più le sue molteplici funzioni ambientali, rilascerà metano inquinante nell'atmosfera. La torbidità dell'acqua e la costante illuminazione degli impianti impediscono inoltre le tradizionali tecniche di pesca notturna e anche l'attività di impollinazione delle api, con conseguente deperimento della vegetazione. Probabilmente i danni maggiori li hanno subiti le identità ancestrali dei popoli indigeni, molti dei quali sono stati costretti ad abbandonare la pesca e il fiume a causa della riduzione del corso d'acqua e delle ingenti demolizioni stabilite da Norte Energia che hanno portato all'estinzione di un modello culturale che prevedeva la divisione della vita tra la città e il fiume. La storia di Belo Monte è costellata di dispute legali: il Brasile è stato accusato di aver disatteso la convenzione 169 dell'OIL, oltre allo stesso art. 231 della sua Costituzione, per non aver condotto propriamente i colloqui preliminari con le popolazioni colpite, e il caso ha attirato l'attenzione dell'OSA e delle Nazioni Unite. Inoltre, sotterfugi e appelli giudiziari hanno caratterizzato il lungo procedimento per la concessione delle licenze (preliminare, di installazione e di esercizio), ognuna accompagnata da specifici accertamenti quali lo Studio di Impatto Ambientale (EIA) e il programma per la mitigazione di tale impatto (PBA). Le condizioni che dovevano essere soddisfatte di volta in volta sono state per lo più ignorate da Norte Energia. Questo è stato possibile grazie alla negligenza o accondiscendenza di altri istituti, quali IBAMA, BNDES, ANA, ISA, l'Unione dei difensori pubblici e perfino FUNAI, che avrebbe dovuto garantire la protezione dei diritti dei popoli indigeni e delle loro terre. IBAMA ha concesso illegalmente delle licenze parziali ed ha più volte ignorato il mancato adempimento degli obblighi prima stabiliti, trasferendoli illegalmente alle seguenti fasi di licenza; BNDES, che finanzia per l'80% il progetto, cercò di occultare uno studio sugli impatti nascondendosi dietro al segreto bancario, e a causa delle pressioni del governo non si accertò del compimento dei requisiti prima di concedere i fondi; l'Unione dei difensori pubblici ha di fatto impedito l'esercizio del diritto alla difesa, opponendosi alla creazione di un'unità di difensori d'ufficio nella zona fino a fine 2014; ANA ha persino modificato una sua precedente risoluzione per consentire il riempimento della diga di Belo Monte nel periodo proibito per legge. Lo stesso governo è stato complice e talvolta ideatore di alcune delle strategie che hanno permesso a Norte Energia di proseguire le proprie attività, ricorrendo

all’artificio legale della presunta minaccia alla sicurezza nazionale per rovesciare sentenze di sospensione e non adempiendo al suo compito di rafforzare IBAMA e FUNAI proprio nel momento di maggior bisogno. Quando la giustizia si piega alla volontà del più forte, non resta che agire. Ed è quello che fecero le popolazioni indigene dello Xingu, sotto la guida della tribù dei Kayapo che aveva già lottato e vinto contro la diga negli anni ‘80. L’alleanza indigena negli anni si era estesa anche ad altre comunità rivierasche e gruppi sociali colpiti dal progetto, promuovendo l’incontro e il dialogo tra chi si opponeva alle mega-dighe. Nel 2008, in occasione del II Incontro dello Xingu, nacque il *Movimento Xingu Vivo Para Sempre* che si batte da allora per i diritti umani e accoglie istanze di diversi gruppi sociali che hanno subito gli effetti della costruzione della diga. Nell'estate del 2011, quando fu garantita la licenza di installazione, il gruppo passò da tattiche di protesta passive, come le petizioni e i dibattiti pubblici, all'attivismo, e da ottobre di quello stesso anno le proteste interessarono i siti dove erano iniziati i lavori per la diga e gli uffici delle aziende coinvolte. Dal 2012, accanto agli indigeni, hanno iniziato a protestare anche altri gruppi sociali che subivano le conseguenze del progetto e ne chiedevano la sospensione. Tra loro vi erano pescatori, barcaioli, donne, allevatori, e i ceramisti di Altamira. I pescatori denunciarono i danni subiti dalla pesca, che era la loro fonte di sostentamento, e le difficoltà di transito attraverso la diga a causa della tarda costruzione del sistema di trasposizione per permettere la navigazione alle barche. Le donne promossero per diversi anni marce e dimostrazioni in occasione del Giorno della Donna, oltre a combattere quotidianamente contro l'aumento della prostituzione e i casi di violenza sessuale in aumento nella città di Altamira a causa del massiccio afflusso di lavoratori. I ceramisti si videro espropriati della zona in cui svolgevano le loro attività fin dalla fondazione della città, così come i barcaioli, la cui clientela si ridusse a causa delle condizioni precarie che spinsero molti alla fuga e delle donazioni di Norte Energia in beni materiali, tra cui barche. Gli stessi lavoratori assunti alla diga scioperarono chiedendo migliori condizioni lavorative e dimostrarono il loro supporto agli altri gruppi, anche se sotto la costante minaccia di licenziamento. Tra le azioni più significative della coalizione ci furono le proteste sulla diga provvisoria durante le quali fu aperta con picconi e badili la barriera per ripristinare il corso del fiume, e furono piantati alberi e croci in ricordo di tutti gli attivisti morti difendendo la foresta. Alle proteste si alternavano gli incontri conciliatori in cui Norte Energia faceva nuove promesse che non avrebbe mantenuto. A partire dal 2014, alle proteste contro la diga si aggiunsero i reclami di chi fu costretto a lasciare la propria casa senza avere garanzie di un equo rimborso o di una nuova sistemazione, come invece stabilito dal PBA. Molti ricevettero compensi inadeguati,

calcolati sui prezzi degli immobili del 2012 o poiché le case furono considerate periferiche; molti altri non furono considerati “colpiti” dalla compagnia e non ricevettero nulla, o furono ricollocati lontano dal fiume in zone isolate e in case non adatte ad accogliere famiglie numerose. Causa di ulteriori scontri fu l’incongruenza tra le abitazioni costruite e il reale numero degli sfollati, e ancor più seri problemi derivarono dal ritardo nella costruzione della rete fognaria, delle scuole e dei servizi sanitari, oltre che dei ponti e dei passaggi per garantire l’accesso all’area. Durante le occupazioni Norte Energia otteneva facilmente ingiunzioni che stabilivano multe salate per chi non avesse sgomberato, ed anche il supporto della polizia, che interveniva prontamente per sedare le proteste rimuovendo con la forza i dissidenti, per la maggior parte pacifici. Il governo garantì la presenza della polizia militare, chiamata più volte ad intervenire usando spray al peperoncino, proiettili di gomma e ordigni stordenti, che gli costarono un’accusa di abuso di potere da parte della Società per la Difesa dei Diritti Umani dello Stato di Parà. Anche se le azioni di protesta più eclatanti sono state le occupazioni fisiche dei siti di lavoro e della Transamazzonica, in realtà le azioni intraprese includono forme diverse di attivismo, tra cui la diffusione di informazioni alternative a quelle ufficiali tramite dichiarazioni o lettere aperte indirizzate a personalità di spicco, petizioni e istanze giuridiche, ed anche il rifiuto del compenso monetario offerto da Norte Energia. Inoltre, con il loro attivismo gli occupanti si sono posti come difensori della Costituzione e dei diritti umani, cercando di segnalare le violazioni costituzionali alla giustizia inviando lettere alle più alte cariche federali. L’attivismo degli indigeni è sempre stato dichiaratamente non violento, ed anche durante i momenti di maggior tensione hanno sempre cercato il dialogo. Negli anni si è rinforzata la loro abilità di sfruttare le nuove tecnologie, che hanno utilizzato per lanciare diverse petizioni online, e la consapevolezza dell’importanza di dare visibilità alle proteste, anche grazie all’utilizzo creativo delle loro tradizioni quali danze, canti e costumi. Ancor di più che negli anni ‘80 era fondamentale attirare l’attenzione del mondo intero, dato che i finanziamenti alla diga dipendevano quasi totalmente da un governo non disposto ad ascoltare, ma gli interessi coinvolti erano cinesi, tedeschi, francesi, austriaci e americani. Quindi organizzarono proteste presso le ambasciate brasiliane e presero parte alle giornate mondiali di mobilitazione come il 15 ottobre 2011, e la Giornata Internazionale per i Fiumi. Inoltre organizzarono proteste all’estero presso le sedi dei principali partner commerciali nel progetto e dei rappresentanti dei popoli indigeni parlarono al Parlamento Europeo e al Consiglio per i Diritti Umani delle Nazioni Unite.

Nel 2007, mentre Belo Monte non aveva ancora sconvolto le comunità rivierasche dello

Xingu, qualcos'altro stava per sconvolgere l'intero pianeta e soprattutto i Paesi sviluppati, scatenando prima una crisi finanziaria, e poi una crisi economica. Fin dai primi anni 2000 era aumentato enormemente l'utilizzo e la diffusione dei mutui subprime, concessi a chi normalmente non avrebbe avuto sufficienti garanzie per ottenerli, grazie alle dinamiche del mercato immobiliare statunitense e alla cartolarizzazione di attività finanziarie più diversificate e flessibili. Nel mercato immobiliare statunitense i prezzi stavano crescendo spinti dai bassi interessi imposti dalla Fed, e quando nel 2004 ricominciarono ad aumentare gli interessi, la domanda si ridusse ed anche il valore dei prestiti cartolarizzati, che causarono lo scoppio della bolla immobiliare. Le terze parti si rivolsero quindi alle banche che avevano emesso i titoli cartolarizzati garantendone la sicurezza, ma molte di queste non possedevano la liquidità necessaria. In seguito la crisi di fiducia tra istituzioni bancarie fece crollare i titoli delle maggiori banche statunitensi, e mentre alcune furono salvate da interventi del governo, la Lehmann Brothers dichiarò la bancarotta. In Europa, dove i tassi bassi statunitensi avevano trasportato le cartolarizzazioni, le banche furono salvate da ingenti iniezioni di fondi pubblici, che però innescarono il rischio della crisi del debito sovrano. L'incapacità di emettere prestiti di fatto rallentò l'intera economia e mondialmente si entrò nella cosiddetta Grande Recessione, con pesanti conseguenze sull'occupazione e sul reddito sia in Europa che negli Stati Uniti, dove nel 2008 una famiglia su cinquanta ricevette una notifica di pignoramento. Nel giro di due anni raddoppiò il tasso di disoccupazione, colpendo soprattutto la fascia più giovane della società e allargando il divario tra ricchi e poveri, e causando la crescita di problemi sociali quali i suicidi e la violenza domestica. In risposta al disagio diffuso nella società è emerso nel 2011 il movimento Occupy Wall Street, come parte di un risveglio globale che coinvolse prima il Nord Africa e il Medio Oriente e poi l'Europa. Anche se differiscono per dimensioni e obiettivi, OWS si ispirò all'occupazione democratica e alle assemblee generali di Piazza Tahrir, così come alle richieste per la giustizia sociale ed economica innalzate dagli *Indignados* di Puerta del Sol che si opponevano alle istituzioni finanziarie e chiedevano una vera democrazia, non vedendo una reale alternativa tra i partiti presenti, accondiscendenti verso le politiche di austerity imposte dalla BCE e dal FMI. Nonostante la data di nascita di OWS sia il 17 settembre 2011, negli Stati Uniti ci furono dei precedenti importanti, come l'occupazione del Campidoglio di Madison, in Wisconsin, o l'accampamento, battezzato "Bloombergville", fuori dal comune di New York, contro le politiche dei tagli proposte dal sindaco. A luglio, la rivista canadese Adbuster dette un nome ed un appuntamento a un movimento che stava già nascendo, e si tennero delle assemblee generali fin da agosto per

stabilire le dinamiche dell'imminente occupazione di Wall Street. Poiché Tompkins Square Park e Wall Street erano ben pattugliate dalla polizia alla fine la scelta ricadde su Zuccotti Park. Il movimento supportò diverse cause, catalizzandone i messaggi. Tra coloro che furono aiutati ci sono gli autotrasportatori della sezione 814 contro Shoteby's, gli studenti che dimostravano già da alcuni mesi contro i tagli all'educazione e l'aumento delle rette universitarie, e il gruppo Occupy 477, formato da inquilini a basso reddito che rischiavano lo sfratto. I membri del movimento provenivano da tutti gli Stati Uniti e alcuni avevano già partecipato alle proteste in Europa e perfino in Nord Africa. Nei mesi successivi organizzarono manifestazioni e marce in tutta Lower Manhattan, talvolta trovandosi ad affrontare gli sbarramenti della polizia. Intanto nella piazza gli occupanti si diedero regole e rituali, come le due assemblee generali giornaliere a cui tutti erano invitati a partecipare, gli orari dei diversi gruppi di lavoro e dei pasti. Pian piano ogni cosa trovava il suo posto: la cucina, la biblioteca, il palco, l'infermeria; e affianco ai gruppi della logistica nascevano gruppi di lavoro sempre nuovi che raccoglievano necessità differenti di musicisti, artisti, ambientalisti, persone di colore, e lavoratori. Tra questi gruppi fu fondamentale il Legal Desk, che monitorava le manifestazioni e aiutava chi veniva arrestato. Dentro alla frenetica società si formò una società diversa fondata su quello che gli attivisti chiamano "approccio orizzontale alla democrazia", che consiste nel non identificare alcun leader e valorizzare tutti i punti di vista. Quest'idea veniva incentivata soprattutto durante le assemblee, dove con gesti silenziosi delle mani tutti erano chiamati ad esprimere il loro pensiero, e con lo stesso "microfono popolare" usato soprattutto durante le manifestazioni, che necessitava la partecipazione attiva di tutti per far proseguire l'onda di informazione fino ai margini della folla. Fin dalle prime settimane, nonostante i commenti populisti del sindaco sul diritto di protestare, furono ordinate azioni volte a scoraggiare gli occupanti. Furono dichiarati illegali i teloni utilizzati come riparo dalla pioggia e fu impedito l'uso di generatori e impianti sonori, ma queste azioni stimolarono la creatività degli occupanti, che si dimostrarono sempre reattivi con ingegnose soluzioni. Ci furono però anche veri scontri con la polizia, come durante la marcia di ottobre, organizzata per protestare contro le tattiche violente usate nella precedente manifestazione, in cui un poliziotto aveva usato dello spray al peperoncino su delle ragazze indifese. La marcia divenne uno dei simboli della repressione del sindaco Bloomberg, dopo che sul Ponte di Brooklyn i manifestanti furono circondati e più di 700 vennero arrestati. Un'ulteriore scontro si verificò durante lo sgombero notturno del 15 novembre, quando la polizia colpì inaspettatamente utilizzando gas lacrimogeni e dispositivi stordenti, dopo aver prontamente isolato l'area per impedire

testimoni indiscreti, una pratica di fatto illegale. Lo sgombero fu giustificato con “motivi di pubblica sicurezza”, e successivamente al ricorso degli attivisti, la Corte Suprema, con il sotterfugio giuridico della limitazione di “tempo spazio e modi” del Primo Emendamento, sancì di fatto l’illegalità dell’occupazione. In altre città furono imposte sanzioni, coprifuochi e perfino installate telecamere, come a Chicago, dove sfruttando la paranoa per gli imminenti incontri del G8 e della NATO, il sindaco amplificò i suoi poteri e ridusse il diritto di protesta. Più volte la polizia utilizzò spray al peperoncino e proiettili non letali contro persone indifese, contribuendo ad allargare il supporto popolare nei confronti di Occupy. Solo mesi dopo si scoprì la verità sull’abuso di potere del governo federale e sull’utilizzo delle agenzie di intelligence federali come forze di sicurezza private, mosse contro un movimento non violento trattato al pari di una minaccia terroristica. Oltre allo scontro con la polizia, ben presto il movimento dovette fare i conti con la stampa, che, inizialmente incapace di gestire un movimento privo di leader e richieste, passò poi a screditare i manifestanti. Questo ancora una volta ispirò la creatività del movimento, che con l’utilizzo delle nuove tecnologie dette vita a nuove fonti di notizie attendibili per diffondere il proprio messaggio e la propria storia. Dopo lo sgombero di novembre e l’arrivo dell’inverno, volse al termine il periodo di occupazioni americane, nonostante i tentativi di riconquista della Piazza nei mesi successivi. Le manifestazioni però continuarono e le giornate in occasione del secondo mesiversario del movimento e del 1 maggio attirarono molti partecipanti. Tuttavia, nonostante rimanesse ancora utile l’atrio al numero 60 di Wall Street che aveva ospitato i diversi gruppi di lavoro, ormai era chiaro che il clima non era più quello dell’autunno e che Occupy fosse entrato in una nuova fase. L’esperienza di Occupy lasciò in eredità a molte città l’impegno per la creazione di cooperative e di azioni solidali verso i settori più emarginati per contrastare le problematiche legate alla povertà e ai debiti. Fu proprio la capacità di adattare la lotta alle necessità locali a garantire la rapida espansione di Occupy che si diffuse in poche settimane in oltre 100 città americane e ispirò azioni di solidarietà in 1.500 città nel mondo. Le azioni venivano coordinate grazie al saggio utilizzo di Internet, alla piattaforma di InterOccupy.net e ai social media che contribuirono alla narrazione del movimento con video e foto in diretta. La molteplicità delle istanze raccolte da Occupy è una caratteristica imprescindibile per un movimento che si propone di rappresentare il 99%, ma ciò non ha impedito di protestare sotto un unico slogan e di utilizzare i medesimi simboli, bensì ha rafforzato il movimento che ha prodotto un cambiamento nel dibattito statunitense sulla disuguaglianza e sul potere sproporzionato del denaro sulla politica, e perfino nella lingua

stessa, investendo un semplice verbo, “occupy”, di un grande significato simbolico. I simboli, gli slogan e l’arte furono usati per diffondere il messaggio della lotta per la giustizia del 99%, divenendo forme creative di resistenza e di attivismo. Tra le tanti voci presenti a Zuccotti Park, vi era anche quella di chi chiedeva giustizia per chi aveva subito la crisi, che, come successivamente constatato, scaturì da molteplici attività fraudolente in seno alle istituzioni finanziarie. Il reato di frode risulta però difficile da perseguire: non solo è un argomento tabuizzato a causa della scarsa competenza del pubblico (presunta o reale), con la complicità dei media che oltre a non informare traggono profitti pubblicizzando le stesse attività finanziarie incriminate, ma l’influenza delle istituzioni finanziarie sulla politica ha portato all’adozione di regolamentazioni sempre più tolleranti e alla riduzione dei fondi per le agenzie investigative incaricate di scovare tali reati. A questi problemi si aggiungono le questioni politiche e gli interessi che hanno spinto il governo a salvare “il sistema” e non a perseguire chi avevano appena salvato con fondi pubblici; inoltre, ci sono difficoltà legali dovute al crimine stesso, come la necessità di provare l’intento criminale, la scappatoia della personalità giuridica delle società e la presenza di creditori non bancari che sfuggono ai controlli periodici della Fed. Tutte queste criticità hanno impedito ai top executive di Wall Street di essere condannati per le attività fraudolente dietro alla crisi, e molti di loro si sono ulteriormente arricchiti con i profitti ottenuti dopo esser stati salvati dalla bancarotta.

I movimenti che stanno emergendo, promuovendo la riscoperta della dignità umana e dei valori di democrazia e solidarietà, stanno creando legami che superano confini geografici ed ideologici, e suggeriscono la nascita di una vera società civile globale, investita di diritti e doveri universali. Questi movimenti non operano tramite i tradizionali attori sociali come le ONG, che hanno acquisito importanza sul piano internazionale, ma sono espressione di spontanee volontà che *dal basso* si propongono di cambiare l’intero sistema, ricercando la giustizia in ogni dimensione del reale. Il loro attivismo ricopre tutte le fasi: protesta, resistenza e ribellione. In questo senso OWS è più completo, in quanto contiene in sé, insieme alla critica della società, anche un intento di azione diretta e propositiva, tanto che è stato definito come identificativo di un nuovo tipo di disobbedienza “politica” in quanto anti-sistemica nella sua natura. In ogni caso, sia l’insurrezione indigena che OWS rappresentano degli atti di cittadinanza, intesi da Thoreau come il momento in cui la minoranza riconosce l’ingiustizia della maggioranza e ritira il proprio consenso agendo.

La lotta per la giustizia in un mondo controllato dall’abuso di potere e da rapporti di sfruttamento e marginalizzazione porta con sé inevitabilmente una rivoluzione morale. La riflessione di Hannah Arendt sulla figura di Eichmann è ancora attuale ed utile per

descrivere le azioni di uomini corrotti dalle posizioni di potere da loro rivestite, che non si pongono più questioni morali, ma sono immersi in un sistema che annienta il loro senso di iniziativa e di responsabilità. Gli uomini si nascondono dietro all'ottimismo e al pessimismo per giustificare il loro immobilismo di fronte all'amoralità, e il sistema rappresentativo e le false promesse dei governi hanno contribuito a far loro credere che ci sono altri incaricati di risolvere i problemi, incoraggiando questa inattività. Invece i movimenti emergenti, sfruttando le nuove tecnologie che sfuggono al normale controllo del potere, contribuiscono a rivelare l'amoralità dilagante. Poiché l'informazione è fonte anch'essa di profitto e espressione di potere, l'utilizzo dei nuovi network di comunicazione è indispensabile per i movimenti anti-sistemici di giustizia: permettono una ampia partecipazione democratica; sfuggono, nei limiti del possibile, alle restrizioni imposte dall'alto; richiamano l'attenzione su fatti che non trovano spazio nei media ufficiali. Tuttavia il semplice click su una pagina internet non crea un vero attivismo, così come non lo crea la firma di una petizione. È necessaria un'azione per generare un cambiamento, altrimenti rimane un semplice atto di dissenso. Invece tramite l'incontro diretto con altre persone è possibile riscoprire il significato di solidarietà, compassione e partecipazione attiva. Questo è anche l'unico mezzo con cui le persone si riappropriano del loro Potere, dopo aver preso atto del fatto che lo hanno scambiato con una falsa promessa di sicurezza e rappresentazione, che li ha resi passivi sia a livello nazionale che internazionale. Ma se le classi dominanti non possono trovare soluzioni ai problemi globali perché agiscono negli interessi del mercato e del profitto, allora è dal basso che dovrà scaturire questa rivoluzione. Forse agli sviluppi tecnologici, finanziari ed economici, deve seguire naturalmente un'evoluzione della Politica, in cui le persone vengono interpellate per essere investite di responsabilità e di potere decisionale, soprattutto per le questioni che li riguardano direttamente. I movimenti dal basso che stanno esprimendo questa forte volontà di partecipazione costituiscono anche una reazione nei confronti di un sistema che riconosce i diritti di espressione e partecipazione sotto i principali trattati internazionali, ma non può far nulla di concreto per proteggerli se sono minacciati. Lo stesso sta avvenendo in ambito economico, dove è dimostrata la validità delle cooperative, in cui i lavoratori sono anche investiti di potere decisionale. Infine, questi movimenti sono destinati ad avere successo perché utilizzano il metodo non violento, che non solo è una sfida ideologica al sistema fondato sulla violenza e sugli squilibri, ma si dimostra efficace anche in situazioni tradizionalmente affrontate con metodi violenti, poiché pone barriere morali, fisiche, psicologiche e di impegno minori rispetto alla violenza. Infatti la non violenza può attirare

un maggior numero di persone, anche i più deboli e coloro senza risorse, poiché non richiede nient’altro se non la presenza fisica. Ciò comporta anche una maggiore qualità, in termini di diversità dei partecipanti, che quindi massimizza il peso e l’influenza del movimento sulla società. Inoltre la non violenza, come dimostrato da OWS e dalle occupazioni in Brasile, smaschera più facilmente le ingiustizie subite, suscitando solidarietà anche a livello internazionale e talvolta producendo un trasferimento di lealtà dall’avversario alla causa non violenta. Si pensi per esempio a coloro che sono andati contro lo schema generale della loro categoria: ai giudici brasiliani che hanno seguito la giustizia nonostante le pressioni del governo e ai funzionari delle agenzie per l’ambiente che hanno rischiato il loro posto di lavoro; ai poliziotti americani rispettosi e calmi durante gli arresti. Sfortunatamente l’uso di mezzi non violenti non garantisce una risposta congruente. Sono infatti sorti dei dubbi riguardo a comportamenti ai limiti della legalità o illegali da parte dei poliziotti americani, e il Brasile, come tutta l’America Latina, resta di fatto una delle aree più pericolose per gli attivisti ambientali e per i diritti umani.

Concludendo, sebbene la protesta indigena non abbia fermato definitivamente il progetto idroelettrico sul fiume Xingu e OWS non abbia innescato il tracollo del sistema finanziario globale e dell’influenza del denaro sulla politica, queste, come altre iniziative dal basso e non violenti, rappresentano un’importantissima risorsa contro le sfide globali di questo secolo, che richiedono un’azione repentina e consapevole. Non solo la non violenza è un presupposto ideologico per innescare un radicale cambiamento, ma permette il coinvolgimento proprio di coloro che stanno soffrendo maggiormente per le politiche che incrementano le disuguaglianze e danneggiano l’ambiente. Se i vertici decisionali sia nazionali che internazionali sembrano ormai separati dalla base che rappresentano e sfiduciati, questi movimenti contribuiscono a rendere l’invisibile, visibile. Evidenziano di conseguenza il fallimento della democrazia rappresentativa e la necessità di rivoluzionare la politica per permettere agli emarginati, che sono la grande maggioranza, di far sentire la loro voce. Per di più dimostrano di avere consapevolezza delle potenzialità degli strumenti messi a loro disposizione e delle dinamiche globali di cui sono parte. Contestano il dominio del capitalismo e le relazioni di potere non solo tramite l’occupazione fisica di spazi pubblici, come strade e piazze, ma anche promuovendo valori che l’etica economica vorrebbe negare, per ridurre gli individui a consumatori-debitori. Quindi rivelano la crisi morale di cui tutti siamo testimoni, producendo un cambiamento in seno alla società valutabile a lungo termine e contribuendo a ravvivare il confronto pacifico rivolto all’azione, sfruttando le armi più diffuse al mondo: la ragione, il coraggio e l’umanità.

INTRODUCTION

During the 20th century Nonviolent Direct Action has proved to be a valid mechanism in the hands of social actors for the recognition and the protection of basic rights. From the Salt March led by Gandhi to the civil rights movement in the US, the effectiveness of nonviolent tactics, such as public demonstrations, boycotts and occupations, has been confirmed. This work wants to investigate the reasons why in the contemporary globalized world this type of grassroots activism, found on nonviolence and solidarity, is likely to have an important role to play both on the moral and on the material ground. As a matter of fact, globalization was supposed to bring everyone in a new phase of permanent prosperity, but this dream has not come true. We are witnesses instead of a growing global inequality and of the unstoppable destruction of the ecosystems, both with serious consequences on people's livelihood. This is the purpose of this work, to question if and how nonviolent grassroots activism can challenge the imperative of the neoliberal discourse and thus if global civil society can be regarded as a resource in the face of global challenges.

For investigating the topic will be presented two recent case studies which involve grassroots nonviolent activism against two of the main serious consequences produced by the economic imperative spread by globalization, i.e. environmental degradation and socio-economic inequality. Since the money-driven global economy has caused a shift of values from the human dimension to profits, as well as the dominion of ethics based on economic relations, before presenting the case studies will be described in general terms the Global Era in which they took place and the general features of the growing postmodern social movements, which is indeed necessary for the accounting of potential and opportunities of such type of activism with respect to the current Global Governance's response to global problems and its limitations.

The choice of the two cases has been driven by their peculiarities with respect to the purpose of this work, not only by themselves but also considering them as parts of a greater movement for justice that is asking for a fairer world while opposing global capitalism. As regards environmental justice, the choice has fallen upon the case of Belo Monte Dam in the Brazilian Amazonia, which is little known, although quite emblematic of the unsustainability of the current development path, that has severe repercussions on the rainforest and its inhabitants. The relevance of this case lays not only on the global importance of the Amazon rainforest in facing the greatest challenge of this era, i.e. climate

change, but also on the leading role of Indigenous tribes, which, despite living at the margins (or outside) of a fast-changing society ruled by economic powers and financial institutions, demonstrate to be aware of the global dynamics around them, as well as prove the validity and the inclusive nature of the Nonviolent Action. Furthermore, the fact that this case has been mostly ignored by official media in the last decades even in Brazil is an additional proof of the pervasive presence of power oligopolies which influence information flows, thus show the importance of the wise managing of new media sources, which have played indeed an important role in both case studies. The main difficulty in investigating the case has been dealing with a multifaceted movement that includes different ethnic groups and social actors. For instance, only among the indigenous there are nine ethnic groups, and their protests have been joined or accompanied by the direct actions of other riverine and affected communities, such as workers, farmers, potters, fishermen, besides all the activists, professionals and common people who were mobilized. Despite the heterogeneity of the opposition movement, the main focus is on the indigenous component, for its frontline position during the last thirty years of struggle against Belo Monte. In addition, for the completeness of the description here presented, also the protests of dam-workers will be taken into account, even though their demands are not related to socio-environmental changes caused by the dam, but to labour conditions. Another difficulty has been the research for materials to build a chronology of the events, as the topic is mostly unknown outside Brazil and the sources are mainly in Portuguese. Thus a first phase of collection and translation of data was required, an activity that inevitably relied on the official websites of the main social movements and organizations involved, i.e. the *Movimento Xingu Vivo Para Sempre*, Amazon Watch and International Rivers, as well as the important contribution of Philip M. Fearnside, a Research Professor at the National Institute for Research in Amazonia (INPA).

Data collecting was instead easier for the second case study, in which are reported the events regarding the global phenomenon of Occupy, whose symbols and ideology were spread around the globe through social media as well as traditional media and books. Particularly relevant to the needs of this work have been the publications of Danny Schechter, who was considered a leading light in the field of independent information in the United States, as well as the reflexion of Noam Chomsky and the contribution of the same protagonists of the movements, that published a book under the collective label of “Writers for the 99%”. In order to deal with the theme of inequality, which is considered an universalized failure of globalization, the choice of the case could not have been

anything else but Occupy Wall Street for several reasons. Firstly, the location. If Brazil perfectly embodies the frenetic actions of a country that wants to narrow the gap with the developed States, within the Western democracies, the United States represent the downturns of the implementation of neoliberal policies and loosen regulations to favour multinationals and big businesses. For instance, the U.S., the country that fostered the diffusion of the successful model of the liberal democracy, has one of the most conflictive society with a growing marginalized population. Secondly, the global outreach. Occupy evolved from local to global movement at a pace as never seen before, and it is therefore the most vigorous experience of nonviolent activism of the Global Era. Finally, the greatest peculiarity of Occupy is its deliberate refusal of identifying a leader, a list of demands and an interlocutor within the top 1%, which make it totally anti-systemic in its nature, thus appears as a concrete example of the evolution of Politics towards an absolute democracy renewed from the bottom up, which challenges the dominant flows of power.

Even though the cases chosen could appear as separated not only geographically but for requests, scale and strength, they are in fact parts of the same phenomenon, and parts of the same struggle for justice, that developed starting from the global consciousness that was inspired by environmentalism in the late twentieth century. It is for this reason that, being conscious of the fact that these two case studies are only partially descriptive of the multitude of movements that are emerging, it is in the interest of this work to look also at the implications beyond the particular contexts in which such events take place, to investigate the overall effects on morality and put a spotlight on the values for which such experiences are advocating. By doing this, will be clear not only the corruption and the injustices within the dominant system, but the validity of the nonviolent activism in challenging its foundations.

The fact that we hold that the central nucleus of capitalist domination is in the ownership of the means of production does not mean that we ignore (in the double sense of being unaware of and not giving importance to) other spaces of domination. *It is clear to us that transformations must not focus only on material conditions.* Therefore for us there is no hierarchy of realms; we do not hold that the struggle for land has priority over gender struggles or that the latter are more important than recognition and respect for difference. We think, rather, that all emphases are necessary and that we should be humble and recognize that there is currently no organization or movement that could presume to cover all aspects of antisystemic, that is, anticapitalist, struggle.¹ [italics added]

(Subcomandante Marcos qtd. in Stahler-Sholk & Vanden, 2011)

¹ Richard Stahler-Sholk and Harry E. Vanden (2011) A Second Look at Latin American Social Movements: Globalizing Resistance to the Neoliberal Paradigm, *Latin American Perspectives*, Vol. 38(1): 5-13, Sage Publications Inc. <http://www.jstor.org/stable/29779303>

LIST OF ABBREVIATIONS

AFL-CIO	American Federation of Labor and Congress of Industrial Organizations
AGU	Advocacia Geral da União / Attorney General's Office
AIG	American International Group
ANEEL	Agência Nacional de Energia Elétrica / National Electric Energy Agency
BNDES	Banco Nacional de Desenvolvimento Econômico e Social
	National Bank for Economic and Social Development
CGU	Controladoria-Geral da União / Comptroller General of the Union
CNPE	Conselho Nacional de Política Energética / National Council for Energy Policy
CONAMA	Conselho Nacional do Meio Ambiente / National Council for the Environment
DPU	Public Defender Union
ECB	Central European Bank
EIA-RIMA²	Estudos de Impacto Ambiental - Relatório de Impacto Ambiental Environmental Impact Assessment - Report on Environmental Impact
ELETROBRÁS³	Brazilian Electrical Centers
ELETRONORTE⁴	Electrical Centers of the North of Brazil
EZLN	Ejército Zapatista de Liberación Nacional
FAO	Food and Agriculture Organization of the United Nations
FDA	Fórum de Defesa de Altamira / Altamira Defense Forum
FDI	Foreign Direct Investment
FUNAI	Fundação Nacional do Índio/ National Indian Foundation
GATT	General Agreement on Tariffs and Trade
GCS	Global Civil Society
GHG	Greenhouse gas
GJM	Global Justice Movement
GNNP	Green Net National Product
IBAMA	Instituto Brasileiro do Meio Ambiente e dos Recursos Naturais Renováveis

² EIA/RIMA are instruments of the Environmental National Policy established by CONAMA RESOLUTION No. 001/86. All the activities considered potentially polluting or damaging have to submit the EIA/RIMA, on which depend their environmental licensing.
<http://www.fepam.rs.gov.br/central/pdfs/eiarimainstabil2002.pdf>

The EIA is a technical-scientific document composed of: Environmental diagnosis of the physical, biotic and socio-economic means; Analysis of the environmental impacts of the project and its alternatives; Definition and development of measures to mitigate negative impacts; and monitoring programs. The RIMA is a public document that reports the information and conclusions of the EIA and is written for granting an adequate understanding by the entire population. <http://www.ibama.gov.br/licenciamento/>

³ The agency under MME responsible for Brazil's energy development

⁴ The government company responsible for electrical power in Brazil's northern region

	Brazilian Institute of the Environment and Renewable Natural Resources
ICTs	Information and Communication Technologies
ILO	International Labour Organization
IMF	International Monetary Found
ISA	Instituto Socioambiental / Socio-Environmental Institute
MAB	Movimento de Atingidos por Barragens / Movement of Dam-affected People
MME	Ministry of Mines and Energy
MPF⁵	Ministério Pùblico Federal
	Public Prosecutor Office or Federal Public Prosecutor
MST	Movimento dos Trabalhadores Rurais Sem Terra
	Landless Rural Workers' Movement
MXVPS	Movimento Xingu vivo Para Sempre / Forever Alive Xingu Movement
NAFTA	North American Free Trade Agreement
NBER	National Bureau of Economic Research
NESA	Norte Energia S.A.
NLM	National Liberation Movement
NYABC	New Yorkers Against Budget Cuts
NYSR	New York Students Rising
NYU4OWS	New York Universities for Occupy Wall Street
OAS	Organizaçao dos Estados Americanos / Organization of American States
OWS	Occupy Wall Street
POC	People of Color
RUC	Reassentamento Urbano Coletivo / Collective Urban Resettlement
SAR	Suspicious Activity Report
SPV	Special-Purpose Vehicle
STF	Supremo Tribunal Federal / Federal Supreme Court
TARP	Troubled Asset Relief Program
TRAC	Transactional Records Access Clearinghouse
TRF-1	Tribunal Regional Federal da 1 ^a Região
	Federal Tribunal of Brazil's Amazon region
TRIPs	Trade Related Aspects of Intellectual Property Rights
UN-FCCC	United Nations Framework Convention on Climate Change
UN-REDD	UN Program on Reducing Emissions from Deforestation and Degradation
UNDRI	United Nations Declaration on the Rights of Indigenous Peoples
WTO	World Trade Organization

⁵ Brazilian body of independent public prosecutors

LIST OF FIGURES

Figure 1 – Interdependence among technology, production and finance.....	pag.11
Figure 2 – Environmental Licensing Process.....	pag.47
Figure 3.1 – Subprime Mortgage Originations	pag.86
Figure 3.2 – Historical Decomposition of Real House Price Developments.....	pag.87
Figure 3.3 – GDP growth (annual %) 2006-2015.....	pag.90

CHAPTER I

GLOBAL CHALLENGES FOR THE XXI CENTURY

1.1 Emerging opposition to the economic imperative

Globalisation was in origin an economic term referring to the progressive integration of the goods and services markets which was enabled by the elimination of customs barriers through the creation of the GATT and later the WTO, as well as the creation of free trade areas (EEC, EU, NAFTA, Mercosur). Later on the term began to identify the whole spectrum of cultural patterns that spread all over the world. The post-war period was characterized by the implementation of neoliberal policies and economic deregulation that aim at supporting large amount of freedom for markets with little government control. The effect have been a growing competitiveness in terms of price and quality, followed by the growing interdependence of domestic economies involved in import-export and the internationalization of markets, which produced a new international division of labour. Globalization has been empowered by technological innovations above all in transportation, and has expanded with advances in communication and information sectors, first through radio and television and later with the digital-electronic networking, that has speed up the global production of goods and services. The transformation in communications was particularly astounding and it altered the way capitalism works on a daily basis, opening up its late phase, financial capitalism, that operates constantly and globally through transactions and financial markets and it is characterized by great instability. For instance, till 1971 (end of Bretton Woods) the 90% of international flows was destined to trade and investments and only 10% was for speculation. But it was estimated that by 1990 the speculation share had already reached 95%.¹ Moreover, according to data from the World Bank,² since the early 2000s, the growth rate of credit expansion has doubled the speed of the nominal GDP, thus financial markets imposed themselves as the real game makers of the 21st century.

Despite the enthusiasm for the self-regulating markets, the growing integration of States in the global economy undermined their capacity to control their own societies, that are getting more and more conscious of their position in this new “world disorder”. Each

¹ Chomsky and Dieterich (1997) *La Società Globale*, La Piccola Editrice, Viterbo, Sep. 1997, p.35

² World Bank, (2010), *The Impact of the Boom in Global Finance on Developing Countries*, Global Economic Prospect 2010: 45-74

aspect of life is determined by capital flows and volatile exchange rates. The traditional States' system that had been run by European colonialist countries and later by the USA-USSR bipolarism and U.S. hegemony, imposing the winning model of the liberal democracy, is now held hostage by multinationals and international capital. In this new systemic game the State has the duty of demobilizing the popular forces through propaganda and manipulation for better serving the interests of the dominating agent, the economy. Already in 1995, before the financial boom, *The Economist* (cit. in Burbach) noted that recent history was "littered with examples of markets forcing governments to change policy" especially in the fiscal, exchange rates and social spending fields.³ For instance, the State, just as every individual, has been transformed in a "debtor" in the face of capital. Neoliberalism has undermined the sovereignty of nation-states, as governments prohibited Central Banks from coining money to finance themselves, thus they began to turn to private creditors (financial institutions), which gave loans but imposed conditions. The consequence is that States apply social and economic policies dictated by the financial power block (rating agencies, financial investors and institutions such as the IMF), while promising to the impoverished mass false assistance and redistribution which came from reduction in social spending. At the same time the State encouraged everyone to become an owner, and the bottom became part of an asymmetric pact in which it is not entitled with rights (home, education), but it is convinced that can have access to the same privileges of the top 1%, if only it asks for loans and relies on stock markets that will (as promised) make it rich.

The new utopia that has substituted old ideologies is consumerism, a philosophy that is constantly encouraged around the world by the mass media and that perfectly explains the values crisis of our age. According to Burbach, Núñez and Kagarlitsky (1997, p.22) this is directly linked to the global rise in violence and crimes related to properties. However, without an ideological enemy as were communism and capitalism for the world before the 1990s, the glue that has for long allowed the States to manipulate masses is no more available. As a matter of fact, late capitalism and especially flexible accumulation⁴ has changed the class struggle, as it has weaken the traditional class agencies of the industrialized societies. The social revolution is broader than the Marxist and also more diversified in the forms it takes. For instance, the late 20th century have gave birth to a

³ Roger Burbach, Orlando Núñez and Boris Kagarlitsky (1997) *Globalization and Its Discontents: The Rise of Postmodern Socialisms*, Pluto Press, London, p.152

⁴ "Flexible accumulation" results from the collapse of space and time enabled by modern capitalism. A corporation does not need to have all the factors of production in its own plant and produce all the components in its factories. It rather search for the cheapest components and inputs around the globe.

variety of revolutionary and “anti-systemic” movements in the broad sense, whose claims range from the indigenous issue, to feminism, environmentalism and human rights protection. The Indian movement in particular has promoted pre-modern values that will be essential for establishing a new morality for rescuing the world from its last ecological irreversible disaster.⁵ These movements will have a great role to play in the 21st century, not only because they represent the world’s last hope for restoring the past broken values, but also because the Western capitalism has already found a new ideological enemy to face and use as justification, i.e. Islamic fundamentalism. For instance, the century has opened with the 9/11 terrorist attack to the Twin Towers in 2001, followed by the Iraq war in 2003 that was promoted as the final solution which was not, and recently the world has been shocked by the rise of the ISIS in the Middle East and its attacks against the core of Europe. This “clash of civilizations” is fostered by simplification and disinformation, as it usually fails to depicts a comprehensive vision of Islam with its multitude of varieties, among which there are also more secularist and progressive currents. While the dominant authorities rely on information and mass media control for fabricating loyalty and addressing the enemy, the underlying truth is being revealed: the main threat to the West is not the “clash” theorized by Samuel Huntington, but the internal discontents that have begun to emerge while the 20th century was drawing to an end and that are now consolidating, reacting to the capitalist globalized failure and suggesting new values.

Before the turn of the millennium the elites of the planet were promoting an image of globalization, capitalism and neoliberalism, as the only possible path for progress and development. However, in the late 80s, as the Soviet Union was collapsing, the negative experience of the national liberation movements in the Third World put a spotlight on the truth beneath the economic and political models that they internalized.⁶ Such models caused internal tension and instability. In the economic field, neoliberalism was imposed to countries with weak economies, obliging them to open up to the global economic system. Despite those countries were supposed to face a strong economic growth, the model was unsuitable for them. For instance, they continued to be a source of raw materials for the leading developed countries, but most of the areas of production that had been encouraged by multinationals and FDIs began to pay badly on the international market, where the surplus of commodities pushed down the price.⁷ Modernization theorists, who said that globalization and its introduction of modern assets in underdeveloped countries was good

⁵ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, p.25

⁶ Ibid., pp.84-85

⁷ Ibid., p.88

for everyone as it would result in economic and social wellness, are nowadays criticised, but the flexible accumulation of capital is still allowing multinationals to exploit the natural and human resources of the Third World in a profitable, while less-visible, form.⁸ Actually, it was because of the entry into force of NAFTA agreement in 1994 that in Chiapas erupted the Indian rebellion,⁹ which is one of the first postmodern social movements, as will be later discuss.

The birth of grassroots movements highlights a growing interest of people in engaging for peace and justice through the participation in the shaping of real democratic societies, free from the imposition of the global economic system. At the same time the public trust in the dominant elites is decreasing. Which value could have democracy, if the population is suffering for marginalization and poverty? Political cynicism is nowadays pervasive and it is undeniable that the liberal democracy model that came out victorious from the Cold War is in crisis. Governments are mostly seen as pro-elites apparatuses. The Pew Research Center, analysing data about public trust in government in the U.S., found that even if public trust increased during the Clinton administration, it is on a declining trend since the 60s and it is now close to its historic lows.¹⁰ The Financial Times¹¹ reported in 2014 that public trust in institutions and authorities had reached alarming low levels also in many European countries, where there was also wide distrust of elites. While the global public trust in governments was dropping, especially after the financial crisis, the 2015 Edelman Trust Barometer found a tendency on the rise, the belief that business is changing and developing too fast, that business innovation aims at profit rather than improving people's lives and that more government regulation is needed in many industry sectors.¹² This revolutionary wave will not be pushed with weapons, but with the power of rediscovered values.

1.2 Collateral effects on equality and the environment

Before discussing the potentialities of Civil Society initiatives in challenging the “economic imperative” that has permeated all kinds of relationships, it is useful to stop and analyse two of the most concerning effects that the processes of globalization have caused (and are still causing), i.e. inequality and environmental degradation. For the purposes of this work, the reflection on inequality will be focused especially on the U.S., while in considering side-

⁸ Ibid., p.58

⁹ Ibid., p.63

¹⁰ Pew Research Center, 2014, Public Trust in Government: 1958-2014, Nov. 13rd 2014
<http://www.people-press.org/2014/11/13/public-trust-in-government/>

¹¹ Gary Silverman, “Europe’s public trust in government plunges”, *Financial Times*, Jan. 20th 2014,
<https://www.ft.com/content/d5bd10da-812f-11e3-95aa-00144feab7de>

¹² Edelman, 2015 Edelman Trust Barometer: Trust and Innovation, <http://www.edelman.com/insights/intellectual-property/2015-edelman-trust-barometer/trust-and-innovation-edelman-trust-barometer/>

effects on the environment, forests will be at the focus of the reflection, in particular the Amazonian forest. While reporting about such severe challenges of the 21st century, it is worth reminding that these socio-economic and environmental effects were produced while most of us were looking away, pretending not to see. These days, disinformation is a luxury that we can no longer afford, and an excuse that we can no longer use to justify our inaction.

1.2.1 One pronounced effect of globalization is the growing concentration of wealth in few hands and the spread of poverty and inequality beyond the traditional North-South gap. For instance, globalization has produced the widening of inequality also within the “rich” countries and their major global cities. For this reason, scholars talk of a “universalization of inequality”. While the rich became richer, the poor suffered major reverses in their standard of living. In 1960 the richest 20% of world population had 30 times as much income as the bottom 20% and by 1980 they had doubled that percentage.¹³ But it was with the telecommunication revolution of the 80s and the explosion of financial capitalism that inequality entered in its deepest era. The IMF¹⁴ defined widening inequality as a challenge of our time and found that financial globalization and technological progress are associated with an increase in the top 10 percent disposable income share across all countries. Inequality is likely to have broader detrimental social consequences, such as greater criminality and increased social dependency and it is acknowledged to be a major obstacle to growth drivers. As a matter of fact, inequality affects health conditions and capital accumulation possibility of lower-income households. Moreover, it is likely to affect children education and consequently the level of mobility between generations, which means that parent’s earnings influence their children’s earnings. The U.S. case will confirm that. In addition, economic inequality historically feeds ethnic distrust and causes rivalries. It is not casual that the place where discontents and social clashes firstly broke out are global cities. These cities are a product of globalization and capitalist expansion: people once left the land to find work within the mass labor force of the industries, but in the Information Era the need for mass labor has ended thanks to the automation of processes. Hence, there is no employment for the descendants of those who left the land for finding fortune in the city. These cities where the marginalized population is on the rise are fully integrated in the global markets and deal with high rates of violence and crime, since they

¹³ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, p.13

¹⁴ Era Dabla-Norris, Kalpana Kochhar, Nujin Supaphiphat, Frantisek Ricka, Evridiki Tsounta, 2015, Causes and Consequences of Income Inequality: A Global Perspective, IMF, June 2015

obviously have a quite clear inequality that is easily visible in the urban areas. It was in these cities, from Lima and Buenos Aires to Los Angeles, that in the 1980s there were urban uprisings led by the marginalized sectors of the society as a reaction against neo-liberal economic policies, that in the 80s the Reagan administration began to spread worldwide through the austerity measures imposed by the IMF.¹⁵ Despite the fact that those upheavals were moved by the same reasons that are now mobilizing huge global social movements and were representative of the growing popular alienation from the political authorities, those of the 80s-90s became fast urban riots escalating to violence,¹⁶ whereas the current global justice movement appears wiser, as it is permeated by nonviolence and develops beyond states' control taking advantage of the communication networks.

The U.S.A. have always been a leading country for income disparity between rich and poor. The salaries of the CEOs of the largest American companies in 1980 were already forty-two times higher than that of the average worker, but by 1990 they reached a differential of 100 times¹⁷ and by 2001 they earned 531 times as much.¹⁸ By 2010, the top 1% received the 25% of all U.S. income, while the middle-class has seen incomes declining and living expenses rising.¹⁹ Moreover, the United States have higher rates of crime, violence, teen suicides and drug abuse with respect to other industrialized countries, as well as a worrying state of children care that is even worse than in some developing countries and influences negatively life expectancy. For instance, in New York City one in five children depends on food stamps for survival.²⁰ According to the Global Wealth Report 2015²¹, the U.S.A. have the greatest number of members of the top 1% global wealth group and accounts for 46% of the world's millionaires. The share of top-income recipients in total gross income increased significantly in most countries over the past thirty years, and the U.S. registered the greatest increase as its share almost doubled. The case of the U.S. is particularly interesting because from the mid-70s up to the crisis, while in Nordic countries and in Europe it was the bottom 99% the beneficiary of most income growth, in the U.S. was the top percentile to received almost the totality of it.²² This difference highlights the fact that globalization, as we have get used to know it, is not an inevitable railroad on which governments could not intervene. In the United States inequality is stressed by the high

¹⁵ Burbach, Núñez and Kagarlitsky (1997) *Globalization and Its Discontents*, Pluto Press, London, pp.29-31

¹⁶ Ibid., pp.29-31

¹⁷ Ibid., pp.98-99

¹⁸ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p.168

¹⁹ Ibid., p.11

²⁰ Ibid.

²¹ Credit Suisse (2015) *Global Wealth Report 2015*, Oct. 2015, p.46

²² OECD(2014) *Focus on Top Incomes and Taxation in OECD Countries: Was the crisis a game changer?*, May 2014

costs of education and the private sanitary system. Noam Chomsky (2012)²³ described the U.S. sanitary system as twice expensive as those of similar industrialised countries, although it is the less efficient, and suggested that by converting the current system in one similar to that of other countries, the U.S. could alleviate its deficit, despite the strong opposition of financial institutions. The Patient Protection and Affordable Care Act 2010, called “ObamaCare”, has partially alleviate the problem giving 2.5 million young adults health insurance by allowing them to remain under their parents’ till the age of 26.²⁴ However, there are still millions of Americans that cannot afford health care. The financial crisis has stressed the problem. For instance, the American Medical Journal reported in 2009 that over 60% of all bankruptcy filings in 2007 were due to illness or medical bills.²⁵ Obviously those who suffer the most are the most vulnerable. Back in 1993, a famous U.S. economist published a report for UNICEF called *Child Neglect in Rich Societies*, in which she argued that the Anglo-American model based on free markets was particularly damaging for children, but it would be wrong to say that most of the blame should lie with neoliberal policies; for instance, care and assistance policies established by the State are those to blame, as the privatization of family and children care institutions prevented many from having access to it.²⁶ Moreover, lower wages and more working hours of parents influence the education of children, whose main source of learning is ever more frequently the television. As a matter of fact, today, the education system as well contributes to widen the gap between the haves and the have-nots in the United States, being one of the most unequal systems in the developed world. The New York Times²⁷ denounced that the education gap, that originally depended on racial discrimination and has been narrowed enormously also thanks to the successes of the civil rights movements, is now progressively becoming a class issue. College-level education has become a precondition for upward mobility, but a son of non-college educated is unlikely to attend one. As a matter of fact, the cost of attending college is becoming a growing burden for a huge portion of Americans and statistics show that the problem of student loan debt is on the rise in the United States. According to the Fed, as of January 2017, the student debt amount is rising at a rate of \$2,698.3 per second and there is increasing understanding that the financing of

²³ Noam Chomsky (2012) Siamo il 99%, Ed. Nottetempo, Rome, July 2012, pp.50-51

²⁴ HealthPAC Online, 2017, Health Care Statistics in the United States, [Accessed Jan. 3, 2017]
<http://www.healthpaconline.net/health-care-statistics-in-the-united-states.htm>

²⁵ Ibid.

²⁶ Chomsky and Dieterich (1997) La Società Globale, La Piccola, Viterbo, Sep. 1997, pp.37-38

²⁷ Eduardo Porter, “Education Gap Between Rich and Poor Is Growing Wider”, *The New York Times*, Sep. 22nd 2015, http://www.nytimes.com/2015/09/23/business/economy/education-gap-between-rich-and-poor-is-growing-wider.html?_r=0

post-secondary education influences several economic outcomes, including growth and inequality.²⁸

Also the technological change driven by capitalism directly affected and increased unemployment, as well as overproduction and marginalization, and despite overproduction could be solved by the bottom sectors of the society, those with power and capital have no interest in enabling them to become consumers and thus to take part in the “party of globalization”.²⁹ The technological progress caused the fall in real wages of non-college-educated workers, especially males. For instance, between 1979 and 2007 has been registered a sharp falls in real earnings because of different reasons.³⁰ For sure the introduction of computer-intensive machinery for routine jobs has damaged the demand for non-qualified workers. It affects also manufacturing industry that became more capital-intensive and automatized. For instance, every year the number of industrial robots in this sector grows of 200'000 units, and since 2002 the service sector has stolen the primacy of leading sector for employment, accounting to 46% of all jobs in 2013.³¹ At the same time the globalization of labor markets and the increasing integration of developing countries into the world trading system, in particular China and India, fostered the decline in U.S. manufacturing employment. It became increasingly convenient for firms to engage in activities such as “outsourcing” and “downsizing” that aim at decentralizing the different stages of the production in disparate locations worldwide, taking advantage of cheap inputs (labor force, raw materials and components).³² Such decisions, are effective responses to a growing competitiveness in the market, but have direct impact on national employment. In the U.S., manufacturing jobs have been diminishing since the 80s, with the shift from this sector to services, and between 2001 and 2004 2.8 million jobs were lost in manufacturing. It has to be noticed that although there may be immense benefits in countries hosting outsourced activities (despite concerns about levels of labour protection)³³, in developed countries the new jobless may require training and new skills to survive in the competitive environment; but, as previously said, access to education could pose further challenges to individuals from the middle-class or disadvantaged sectors of society, especially in the

²⁸ Jillian Berman, “Watch America’s student-loan debt grow \$2,726 every second”, MarketWatch, Jan. 30th 2016, <http://www.marketwatch.com/story/every-second-americans-get-buried-under-another-3055-in-student-loan-debt-2015-06-10>

²⁹ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, p.13, 63

³⁰ David H. Autor (2014) Skills, Education, and the Rise of Earnings Inequality Among the ‘Other 99 Percent’. *Science* 344: 843–51

³¹ UNDP (2015) The Changing World of Work, in Human Development Report 2015. Human Development Report 2015. Work for Human Development, pp.79-80

³² Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, pp.58-59

³³ UNDP (2015) The Changing World of Work, in Human Development Report 2015. Human Development Report 2015. Work for Human Development, pp.85-86

United States. An additional factor that contributed to the rise of unemployment in the U.S. is, according to experts, the decline of labor unions' influence and importance in the United States. As a matter of fact, since the early 70s to 2011 the number of private workers who belong to labor unions has fallen by 70%.³⁴ Burbach et al. (1997) notice that the globalization of production has not only eroded the capability of unions to negotiate favourable contracts, but also made it easy for multinationals to avoid responsibilities about labor conditions and environmental impacts. Moreover, the growing integration of China and India in the world economy will contribute to push down the wages of unskilled labor in the West till stagnation, as their work is likely to be substituted by cheaper work in the developing countries.³⁵ An implied promise of the globalization through the digital revolution was that it would increase labour productivity and, consequently, wages. However, none of the two has grown as expected, instead in the United States the gap between productivity and wages has been widening since 1973.³⁶ Technology was used in the 80s by white-collars to consolidate their economic power, by controlling certain type of information and technology, instead of increasing productivity. They actually used technology to extract wealth from other sectors, while blue-collars workers faced the loss of employment as multinationals and factories preferred to move to Third World countries that offer cheaper labor force and loosen regulations.³⁷ Hence, even though globalization could allow overall increase of income, it widens the gap of inequality, and the adoption of national neoliberal policies reinforces it. In the U.S., Democrats and Republicans contributed both to aggravate the situation.³⁸ Under the Reagan administration (1981-1989) once again were the rich who gained the most from public policy, since the President chose to increase the national debt through investment in military programmes instead of increasing social spending for assistance and employment. Later, the Clinton administration (1993-2001) addressed the problems of the big cities by reinforcing police forces instead of dealing with poverty and unemployment that were the real causes of crime. Moreover, it favoured multinationals enhancing economic agreements such as the GATT and the NAFTA, undermining U.S. labour.

The fact that there is no more a political class closed to the needs of the grassroots is perceived as a real problem, and it is just another expression of the growing inequalities

³⁴ David H. Autor (2014) "Skills, Education, and the Rise of Earnings Inequality Among the 'Other 99 Percent?'" *Science* 344: 843–51

³⁵ Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, pp.270-272

³⁶ UNDP (2015) *The Changing World of Work*, in Human Development Report 2015. Human Development Report 2015. Work for Human Development, pp.99-100

³⁷ Burbach, Núñez and Kagarlitsky (1997) *Globalization and Its Discontents*, Pluto Press, London, pp.101-103

³⁸ Ibid., pp.103, 107, 110

within the society, which from the economic field can influence also the political. As a matter of fact, the perception that the vote for one party or the other is useless for improving real living conditions is widely common among voters. Data from the Pew Research Center has confirmed it, warning about the declining trend of trust in U.S. government since the 60s.³⁹ But the problem is deeper, since the issue of inequality in the U.S. is even a problem of political participation. For instance, “it is now widely recognized that wealth is used to buy political power in the U.S.”, as there is a strong financial and lobbying infrastructure in politics that undermines and discourages grassroots participation.⁴⁰ People are disillusioned about the value of their vote, which leads to less and less participation. Moreover, politicians spend more time looking for financiers than for campaigning among common people, which implies the belief that they would get nothing from meeting the needs of the bottom 99%. With the end of the communist threat and the increasing importance of ‘big fish’ financiers, even politics does not rely anymore on mass participation. And it is really hard to become “one of them”, and above all, really expensive. It has been estimated that costs more or less \$1.5 million to win a seat in the U.S. House of Representatives and six times more in the Senate.⁴¹ Therefore, even if there are formal processes and democratic institutions, are those with capital and power to choose the rules of the game. According to the Report published by the Center for Responsive Politics in 2009, more than 1'500 billion dollars had been spent in political contribution in the previous decade and directly contributed to the establishment of deregulation and other policy decisions that led to the financial collapse. They included for example, prohibitions on regulating financial derivatives and the cancellation of regulatory barriers between commercial banks and investment banks, together with the federal commitment not to interfere with the predatory subprime lending⁴² that was a major cause of the last financial crisis (addressed in Chapter 3).

Before moving on to the environmental issue, to sum up, it is illustrated hereafter an overall view of the relations between global finance, technological innovations and the international production chain.

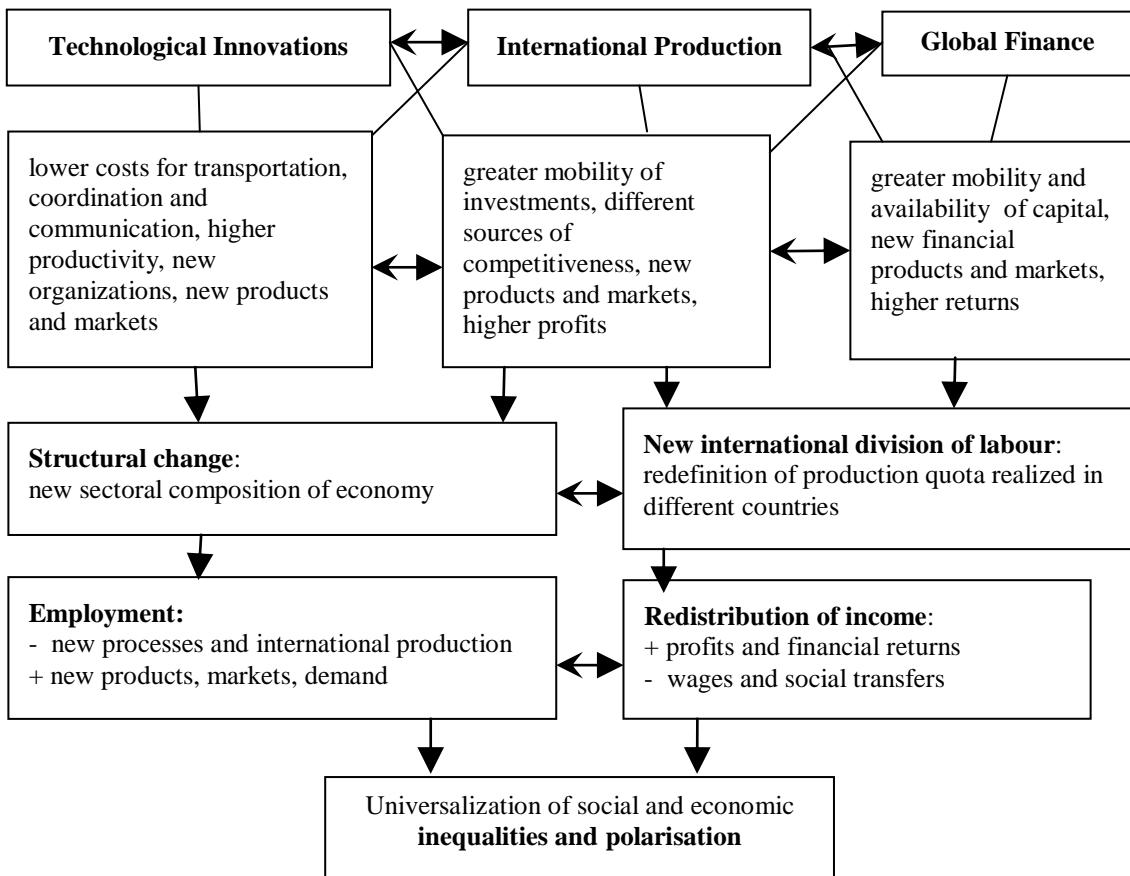
³⁹ Pew Research Center, 2014, Public Trust in Government: 1958-2014, Nov. 13rd 2014, <http://www.peoplepress.org/2014/11/13/public-trust-in-government/>

⁴⁰ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, pp.106, 110

⁴¹ Carne Ross (2011) The Leaderless Revolution, Penguin, USA, p.47

⁴² Danny Schechter (2009) The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”? , Ed. Mediachannel.org, New York, p.179-180

Figure 1 – Interdependence among technology, production and finance



Source: Chomsky and Dieterich (1997) p.34

1.2.2 The history of mankind is a history of dominion upon nature. Development theories have been for long intertwined with modernism⁴³, which led to progress based on increasing depletion of natural resources and promotion of top-down development strategies that aimed at exporting the Western model of development, which obviously included capitalism. According to Serge Latouche,⁴⁴ economic capitalism sees nature as a “stingy mother”, meaning that the scarcity of natural resources is a central issue in the relationship with it, thus it is better to be the first to grab it and to exploit it. Latouche underlines that the scarcity is produced by the way in which the resources are used, better said, by the underlying egoism that in his opinion has to be substituted by a solidarity management of resources. However, despite the ecological movement has contributed to

⁴³ Walter Rostow, a “modernization” theorist, identified five growth stages: 1) the traditional society based on agriculture; 2) The preconditions for take-off which include the industrial revolution; 3) Take-off, economic growth, mainly self-sustained (low imports); 4) The drive to maturity, characterized by growing investments and economic and technical progress; 5) The age of high mass consumption, and prosperity. Modernisation implies that underdevelopment is due to internal factors, and can be solved by external intervention.

⁴⁴ Serge Latouche (1998) Il Mondo Ridotto a Mercato, Lavoro, Rome, p.95

raise awareness of the precariousness of the ecosystems, the technological advances fostered theories that do not relate to natural resources as scarce or limited. Such theories replaced the anxieties of Malthus and gained the support of several prominent economists, such as the Nobel Prized Robert Solow who described the depletion of natural resources as a simple accident and not a catastrophe.⁴⁵ Once the Earth resources have run out, they said, they will be substituted and the replacements will be sold at the right price as others goods in the global markets, the dream of the capitalist elite. For the Rio de Janeiro Earth Summit of 1992, the UN prepared a report that suggested to manage the environment through “ecologically rational technology”⁴⁶, which highlights the limitation of the modernist theories of development, that prefer to cure the symptoms through technological innovations, instead of preventing disasters from happening. Even if there will be environmental technologies that will reduce the destroying effect of capitalist development, and we will be able to find alternative sources of energy as well as new ways of recycling and reduce garbage, would the world still be a liveable place? The 2012 OECD Environmental Outlook warns: “the current growth model and the mismanagement of natural assets could ultimately undermine human development”.⁴⁷

Capitalism has an inherently polluting nature and it was evident as the Third World countries tried to improve their economies by purchasing technology and industries by the capitalist countries that wanted to fix the technological gap to face the alarming population boom that the Third World was experiencing. The strategy caused environmental mistakes, such as the “Green Revolution” that by introducing harmful pesticides, herbicides and chemical fertilizers with the aim of expanding agricultural production, ended up polluting water resources. As a matter of fact, the Green Revolution managed to increase the output, but was accompanied by policy that reinforced the condition of underdevelopment. Moreover, global capitalism brought to the destruction of non-globalized self-sufficient societies and cultures.⁴⁸ The case of Amazonian Indians that will be covered in Chapter 2 is an emblematic example of such pattern. Another example of the tragic influence of imposing an unsuitable Western model of development to unprepared underdeveloped countries is the “Resource Curse” that affect resource-rich countries and it is addressed by Joseph Stiglitz (2006)⁴⁹ as representative of the globalization’s failures. These countries are rich countries with poor people, and the public usually gets none of the real value produced

⁴⁵ Ibid., p.98

⁴⁶ Ibid., p.107

⁴⁷ OECD (2012) Environmental Outlook to 2050. The Consequences of Inaction, p.1

⁴⁸ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, pp.18, 79

⁴⁹ Joseph E. Stiglitz (2006) Making Globalization Work, W. W. Norton & Company, New York, pp.139-159

by the natural asset lying beneath the land. Oil, gas and mining companies try to seize as much wealth as possible for themselves, even in solid democracies such as the U.S.A., where the mining companies essentially own the totality of mineral resources and can influence politics by giving monetary support in presidential political campaigning, as they did for Bush. While in developed countries the exploitation is usually hidden by those who gain from it, in developing countries it is legalized through negotiations with informative gaps and power unbalance. Despite the promise of large social benefits coming from developing a specific region, such negotiations tend to leave the country with only few jobs as benefit, while taking any risk. The IMF played a role in fostering the “curse” by pushing resources-rich countries, to which it had lent when the material price was high, to adopt policies that worsen economic downturns. For example, in the 90s the IMF discouraged Ecuador and Bolivia, both resource-rich, from spending public money backed by their natural assets for facing the recession, obliging them to cut public spending instead. In addition, Western countries have set a bad example as regards transparency and accountability and now widespread corruption is a major obstacle to a better management of the countries’ natural resources, since it impedes the investment of gains for the population’s sake. Everything considered, maybe the major problem is that the damages caused to the environment have not been considered among the costs of development for a long time, as the most common measure of output, GDP, focuses on making progress (not natural assets) durable. This was due mostly to the unwavering conviction that economic growth through industrialization (modernization) would bring the underdeveloped countries to acceptable levels of welfare. The environment was excluded from the equation, since there were no markets to value the natural asset of a country or the services provided by forests to the ecosystem, which are considered positive or negative market externalities and are hard to quantify.⁵⁰ The introduction of a complementary indicator, the GNNP (Green NNP), that measures both the depletion of resources and the degradation of the environment, could compensate this lack and could encourage the implementation of conservation projects, according to Stiglitz (2006)⁵¹. Papua Nuova Guinea, for example, is reported by the economist as a clear example of the failure of unsustainable development: the country is cutting down its rainforest to sustain the GDP growth, but in twenty years there will be anything to cut and it will not have develop proper alternatives.

Only with the introduction of the concept of “development from below” and the critical

⁵⁰ FAO (2012) State of the World's Forests 2012, p.18

⁵¹ Joseph E. Stiglitz (2006) Making Globalization Work, W. W. Norton & Company, New York

theories of development was put the spotlight on the real role of economic growth and its relationship with natural resources and local communities. Till then, economic growth had been identified as “development”, whereas there is no direct correspondence between the two. Amartya Sen was the first to say that it was human development, including for example education, social infrastructure and access to health care, to enable the economic growth, not the other way round. His reflection opened the door to the acknowledgement of the multidimensionality of development and, of course, to the concept of “sustainable development”, which is a three-dimensional concept that has to entail a balance amongst economy, environment and social equity, and cannot be conceived without any of them. According to Stiglitz (2006), “If economic growth is not shared throughout society, then development has failed”⁵². Development must involve human beings, not only the economy, and it has to be sustainable, which means it should take into account the needs of future generations, although they can only be hypothesized, in order to share prosperity without exceeding the capacity of earth’s ecosystems. Sustainable development has never been more urgent than now. Almost all scientists nowadays agree that a collective action is necessary and the time is running out, since, even reducing quickly global emissions, the atmosphere would recover very slowly; which means that if we do not intervene rapidly, the ongoing processes of climate change will be irreversible. They also agree that greenhouse gases (GHGs), mostly produced from human activities, have fostered global warming and are consequently contributing to the rise of sea levels. Stiglitz (2006) highlights that human activities that are accountable for the rising of greenhouse gases concentration are the burning of fossil fuels (80%) and deforestation (20%).⁵³ As a matter of fact, most of the collective efforts to fight global warming, such as the Kyoto Protocol, have been focused on reducing emissions, but there is another way: removing carbon dioxide from the atmosphere, that is what trees do through photosynthesis. Burning down forests instead, provokes the release of all the stored carbon in the wood, and as previously said, it has caused an increase of the 20% of greenhouse gases, a share that is comparable to that of the world's largest polluter, the U.S.A..⁵⁴ It implies that investing in afforestation would have a double benefit, accelerating the recovery and slowing the destruction of the ecosystems. Unfortunately, the world economy has grown for a long period at the expenses of natural resources, forests included. Since the Rio Earth Summit in 1992, the world economic output has more than tripled. It is a concerning data, considering that in three

⁵² Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, p.45

⁵³ Ibid., p.166

⁵⁴ Ibid., p.178

decades since the first Earth Day in 1970 we have lost a tree cover equal to the size of U.S. east of the Mississippi.⁵⁵ Between 1990 and 2010 Latin America lost (even taking into account the afforestation) 88 million of hectares of forests due to land demand for growing crops and grazing. It has been estimated that if this trend is not reversed, the area is expected to be without forests in a little over two thousand years.⁵⁶ According to the FAO (2012) “including forests at the core strategy for a sustainable future is not an option - it is mandatory”, as they cover an essential role for enabling life, sequestering carbon and helping to provide clean water. Moreover, more than 80% of the world’s terrestrial biodiversity, including plants, animals, birds and insects, lives in the forest. Hence, deforestation, besides causing high costs such as the emission of GHGs and soil erosion, puts in jeopardy the survival of many species. The good news is that it is actually possible to adopt strategies for a sustainable future, by introducing sustainable processes of production and consumption, i.e. changing the rules at the base of the profit-oriented global economy. According to scholars, it is necessary to attack the fundaments of the capitalist world, otherwise environmental reforms will be “superficial and cosmetic”, thus unable to resolve the ecological crisis and they will rather reinforcing the capitalist mode of production and the power.⁵⁷ For instance, despite the growing international acknowledgement of the essential role that forests should have in guaranteeing a sustainable future on the Earth, there are still examples of bad forests management and activities that lead directly to deforestation and forest degradation. Deforestation and population growth rates have had a similar trajectory, rising more during periods of economic development. Till the early 2000s the problem affected especially temperate forests in Europe, Asia and North America, as it was common use to clear forests for agriculture production as well as for fuel and raw material extraction. Since then the trend reversed as the deforestation rate began to increase in tropical forests due to several land-related activities.⁵⁸ About a third of the world land area is still covered with forests but it has been calculated that if the current pace of deforestation is not stopped, the world’s rainforests could completely vanish in a hundred years.⁵⁹ There are three main tropical rainforest regions: in Central and South America, in Southeast Asia and in West and Central Africa. Tropical forests not only reduce GHG emissions, but also help to preserve

⁵⁵ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, p.16

⁵⁶ FAO (2012) State of the World's Forests 2012, pp.16-17

⁵⁷ Arthur P.J. Mol and Gert Spaargaren, 2000, “Ecological Modernisation Theory in Debate: A Review”, *Environmental Politics*, 2000, 9(1): 17-49, p.22

⁵⁸ FAO (2012) State of the World's Forests 2012, pp.9-10

⁵⁹ National Geographic, Deforestation

<http://environment.nationalgeographic.com/environment/global-warming/deforestation-overview/>

biodiversity and water cycling. Moreover, they represent a rich resource for the production of medicines from plant-derived chemicals thanks to native's traditional knowledge; something that foreign drugs corporations have not missed to exploit and it is now addressed as "bio-piracy".⁶⁰ In 1992 with the International Biodiversity Agreement was recognized the right of developing countries to compensation, which could help them to preserve their rainforests, but the U.S.A. did not ratified it and the main international agreements concerning intellectual property, TRIPs, provide few incentives. A group of countries called the Rainforest coalition, suggested in 2005 to use the carbon trading system included in the Kyoto Protocol also for receiving incentives for avoided deforestation, not only for planting trees, which is likely to help fight illegal logging and to preserve their forests.⁶¹ However, there is uncertainty about the reliability of data used for carbon accounting and of the value to be given to permanence time of the carbon in the atmosphere. Moreover, Fearnside (2009)⁶² stresses that negotiations for rewarding environmental services must raise question about money management, as it should be used for maintaining both the forests and its inhabitants. The FAO (2016) reports that while in low-income countries the forest sector generates revenues for the state but public expenditure on forests and rural development is low, in developed countries it is the other way round.

The Amazon Basin, usually referred to as Amazonia, is the biggest tropical rainforest on Earth and covers parts of Venezuela, Colombia, Ecuador, and Peru, even though it extends mostly on Brazilian territory. Brazil, together with Indonesia, paid subsidies for more than US\$40 billion to the palm-oil, timber, soy, beef and biofuel sectors in 2009–2012 and is responsible for a half of the total global forest loss in 1990–2010.⁶³ The Brazilian case is particularly relevant, not only for its frontline position in the management of a rainforest, but also because, according to Barbosa (1996)⁶⁴, it shows how global politics have influenced national activities that led to forests degradation. For instance, a country cannot be an island, not in the Global Era. Until mid-80s the eco-politics of the world system was based on the priority of transforming natural assets into marketable and profitable goods, as Nature was thought of having no inherent value. For this same reason, tropical

⁶⁰ Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, pp.125-127

⁶¹ Ibid., pp.180-181

⁶² Philip M. Fearnside (2009) Global warming in Amazonia: Impacts and Mitigation, *Acta Amazonica*, Jan. 2009, vol. 39(4): 1003-1012

⁶³ FAO (2016) *State of the World's Forests 2016*, p.40

⁶⁴ Luiz C. Barbosa, The People of the Forest against International Capitalism: Systemic and Anti-Systemic Forces in the Battle for the Preservation of the Brazilian Amazon Rainforest, *Sociological Perspectives*, Vol. 39(2), Environmental Conflict (Summer, 1996), 317-331

rainforests were considered underdeveloped areas that needed to bridge the gap with the most developed regions. As we have said, resources are characterized by their ‘scarcity’ and Brazil has always feared an international takeover on its Amazonian resources and was conscious of the necessity of developing the “interior” before someone else would do it (the capital was moved to Brasilia in 1960 for this reason). The development programme involved the paving of roads to link the interior with major coastal cities and to encourage migrations. It was the beginning of the capitalist expansion into Amazonia that eventually accelerated after the military takeover in 1964, thanks to the support of the U.S. and international institutions, in exchange of profitable conditions for foreign corporations’ investments in the region. The military launched large projects for the region, such as the construction of a 4'960 Km highway (BR-320) crossing Amazonia. Even though it has never been carried out, it received one of the highest loans that the World Bank ever released, crossing at least five Indian tribes and provoking the deforestation of thousands of hectares of virgin forest.⁶⁵ But the greatest influence of foreign capital has been in the mining sector, according to Barbosa (1996). In the 80s, foreign capital owned more than 38% of mining rights in Amazonia, a percentage that declined substantially after the approval of the 1988 Constitution that imposed limitations on foreign ownership of Brazilian land, which however cannot impede foreign loans. People of the forests, not only Indigenous but also rubber tappers and riverine communities who rely on the forests ecosystem to survive, had to face land expropriations and environmental degradation caused by such great projects. By the time, the environmentalist movements and NGOs did not have the political leverage they now have on the global stage, and the communities of the forests were mostly divided by rivalries. Moreover, FUNAI was firstly created to lead the assimilation of indigenous tribes (considered non civilized Brazilians) into the industrialized society, and only in the last decades of the twentieth century there was a shift from ideologies of *mestizaje* to the revaluation of differences, in particular those of Indians. In such changed context, ten Latin American countries, among which Brazil, welcomed constitutional reforms recognizing plural citizenries.⁶⁶ For instance, in the mid-80s the environmentalist groups began to be heard and eco-politics entered in a ‘greening’ process, whose apex could be detected in the U.N. Conference on the Environment and Development in Rio de Janeiro in 1992. The world was becoming aware of the risks (mostly economical) of facing changing in the atmosphere due to GHGs, thus those who

⁶⁵ Ibid.

⁶⁶ Jackson, J. E., & Warren, K. B. (2005). Indigenous Movements in Latin America, 1992-2004: Controversies, Ironies, New Directions. *Annual Review of Anthropology*, 34, 549-573

have financed projects (WB, IMF) that destroyed parts of the tropical forests came under criticism. Consequently, Brazil's former allies, including the World Bank, feeling international pressure, decided to withdraw from *Polonoroeste* (the Northwest Brazil Integrated Development Programme) and after some attempts to find another financier, the stubborn government had to abandon its project which included a Highway (BR-364) that was supposed to reach the coast of Peru. Since then, Brazil has shyly begun to invest in sustainable development. For instance, it has linked rural credit subsidies to environmental criteria, implementing the cash-transfer programme “Bolsa Verde”, that has the objective of conserving forest ecosystems and simultaneously improving the livelihoods of extremely-poor people. Moreover, it has achieved a remarkable reduction in deforestation rates thanks to a multidimensional approach to development, including economic incentives, social investments and improved law enforcement and monitoring through the creation of protected areas and the legal recognition of Indigenous Lands.⁶⁷ Nevertheless, as will be later discussed in the case study, Brazil is still trying to find a balance between its desire for a rapid profit-oriented development and its possible commitment as a leading environmentalist country. As a matter of fact, Brazil has the resources and the capabilities to choose a sustainable alternative to massive damming and mining in the Amazon. Actually, according to a 2007 WWF report, Brazil could have enhanced a “PowerSwitch” programme that would have led to a 40% cut in electricity demand (equivalent to 14 Belo Monte plants) and 8 million new jobs by 2020, thanks to renewable sources.⁶⁸ Unfortunately, for now, greed is winning, at the expenses of the forest and of its inhabitants.

Back in 1987 the Brundtland Commission included in its recommendation for policy makers the necessity of taking into account tribal and indigenous people, whose lifestyles were (and are) threatened by disruptive development. Moreover, the Commission called for the recognition of their traditional rights and for the inclusion of those people in the decision process of policies about resource development in their areas, because they “can offer modern societies many lessons in the management of resources in complex forest, mountain, and dryland ecosystems”⁶⁹. Such claims are within the main requests put forward by the global environmental justice movement. Brazil has acted for long with a total disregard for Amazonian people, pretending to ignore their presence. The election of President Lula da Silva in the fall 2002 initially gave hope for the improvement of

⁶⁷ FAO (2016) State of the World's Forests 2016, p.40

⁶⁸ Amazon Watch (2011, August) Fact sheet: The Belo Monte Dam

⁶⁹ UN WCED (1987) Report of the World Commission on Environment and Development: Our Common Future

indigenous rights protection,⁷⁰ which was further strengthened in 2007, as Brazil voted in favour of the UNDRIP⁷¹ that guarantees to indigenous the right to self-determination and the right to free, prior and informed consent for issues that affect their communities. However, Brazil, hasn't complied with the international human rights instruments that it has ratified, including the UN International Covenant on Civil and Political Rights, the Convention on Biological Diversity, the Convention 169 of the ILO (ratified July 2002)⁷², and even its own Constitution (1988), that prescribes in its Article 231 the mandatory prior consulting as well.⁷³ The Belo Monte Dam, built in the middle of one of the richest tributaries to the Amazon river, is just one of the projects that threat the Amazonian region and its people, showing that it is no longer possible to deny the mankind's impact on the environment.

Fearnside (2009)⁷⁴ and other scholars agree that Amazonia offers one of the most valuable and efficient options to challenge climate change, while at the same time it is negatively affected by global warming. For instance, El-Niño-like conditions that warm Pacific waters are demonstrated to cause fires and droughts in Amazonia. Moreover, Atlantic temperature oscillations appeared in 2005 as a new threat. That year, there was warmer water in the North Atlantic and colder in the South, which caused an unprecedented drought in Southern Amazonia. It has been calculated that if GHG emissions continue in the current path they will increase the probability of a drought as severe as that of 2005 from 5% (2005) to 90% by 2060, and by 2080 the Amazon forest will no longer exist. Higher temperatures and droughts will cause the death of trees for thirst and fires, against which they have never developed defences. Again, dying trees will increase the biotic feedback from biomass and soil carbon stock, that, if released, would contribute to the rise of 38% of the world temperature by 2100. The soil stock could be released by deforestation but also by climate change itself, thus it is an additional reason for protecting tropical forests. According to Fearnside (2009), recognising the native forest role in mitigating climate change is the best way to act, in terms of carbon emissions and also for socio-environmental issues. Brazil, in his opinion, should lead the fight, since it is expected to be one of the most affected from climate change: drying in the Northeast and torrential rains

⁷⁰ David Maybury-Lewis, 2003, "Hope for the indigenous peoples of Brazil", *Cultural Survival*, March 2003
<https://www.culturalsurvival.org/publications/cultural-survival-quarterly/brazil/hope-indigenous-peoples-brazil>

⁷¹ UN (2008) United Nations Declaration on the Rights of Indigenous Peoples, March 2008

⁷² ILO, Ratifications of C169 - Indigenous and Tribal Peoples Convention, 1989 (No. 169)
http://www.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312314

⁷³ Keith S. Rosenn (2016) Brazil's Constitution of 1988 with Amendments through 2014,
constituteproject.org, April 18th 2016

⁷⁴ Philip M. Fearnside (2009) Global warming in Amazonia: Impacts and Mitigation, *Acta Amazonica*, Jan. 2009, vol. 39(4): 1003-1012

and typhoons in the South; moreover the rise of sea-levels will affect the entire coast, where most of Brazilians live. Nevertheless, Brazil official position has been to avert the recognition of the problem of savannization of eastern Amazonia for many years and environmental agencies that should be the core motor of environmental policies are marginalized and consulted by the government after the decisions are made. This is quite clear for the Brazilian Institute for the Environment and Renewable Natural Resources (IBAMA), one of the protagonists of the Belo Monte case study that will be discussed later. The approval of the Belo Monte Dam, considered “green energy”, as central part of Brazilian development programme in 2010 contradicts the Brazil’s commitment to an 80% reduction in deforestation rate by 2020 and puts a spotlight on the pervasiveness of the neoliberal doctrine that favours economic growth at the expenses of social and environmental sustainability.⁷⁵

1.3 Egoism and oligarchism within the Global Governance

There is no government ruling the world, although national borders are constantly crossed by people, goods and capital, which makes the world look like a highly disorderly unregulated space. Since there is not a single authority ruling this space, they talk of “governance”. Global Governance is defined as the “sum of laws, norms, policies, and institutions that define, constitute, and mediate trans-border relations between states, cultures, citizens, intergovernmental and nongovernmental organizations, and the market.”⁷⁶ It is in the hands of formal institutions such as the United Nations and the international financial institutions, which have the duty of regulating the multitude of transnational relations among formal and informal actors such as States, NGOs, civil society organizations and private initiatives. Even though the multilateral framework is mostly described as highly democratic and inclusive, there are several criticisms that can be moved about it in front of its disconnected relation between representatives and electorate, as well as its incapacity to deal with concerning global issues that characterized the present, such as the worldwide aggravation of inequality and global warming. By understanding these criticisms, it will be easier to acknowledge the potential of Global Civil Society for shaping a better world.

The main reason behind the failure of a multilateral approach to fight global problems is that States, which are still the only decision-making actors in the post-war international

⁷⁵ Peter Jacques (2015) *Sustainability: The Basics*, Routledge, London, pp. 152-153

⁷⁶ Thomas G. Weiss (2009) *The UN's Role in Global Governance*, United Nations Intellectual History Project, August 2009 <http://www.unhistory.org/briefing/15GlobalGov.pdf>

system, act for their self-interest. Hence, they are uncomfortable to the kind of broad-ranging international cooperation that civil society is claiming for. The U.S. position towards the Kyoto Protocol, through which almost all developed countries agreed on cutting down their GHG emissions by specified amounts from 1990 levels, is explanatory.⁷⁷ It is true that the Kyoto Protocol was far from being perfect, as its carbon trading system allowed the more advanced countries to continue at the same polluting level with enormous potential costs savings, as they could buy pollution reduction credits from less-polluting countries, however it was a milestone in the acknowledgement of the necessity of collective action against climate change. While other countries were ready for ratification, the U.S. Senate passed the Byrd-Hagel Resolution, stating that the United States should not be a signatory to any protocol that were not binding also for developing countries and that would harm the economy of the United States, which (is worthy to remind) by 2000 was responsible for 25% of world GHG emissions. The American step back, together with denialism, is directly responsible for the fact that, so far, States have not been able to manage the global environmental problem. According to Stiglitz it is an emblematic example of the “tragedy of the commons”, that bring people to fail to think on how their actions affect others.⁷⁸ Air, waters, forests are commons for the mankind, therefore everyone is supposed to have free access to them. But there is an inherent paradox: if the expansion of the market produces too much pollution, the intervention of the government is needed for limiting the use of the former free good. Public management could lead officers to give advantages to friends and relatives or to use the commons to collect votes and maintain their political power. Privatization as well brings some downturns, as it produces inequality and it is proved to be inefficient when the privatising policy does not have full legitimacy and the owners are thus encouraged to abuse of their property (till they can). This is what happened in Brazil with forests privatization that resulted in huge deforestation. The tragedy of the commons is real within a State and also on the international level. However, a country usually manages to enforce some laws and regulate the relations among its citizens; the international community instead, despite the recognition of the necessity of a collective action to preserve the planet, lacks the enforcement structure to punish the damaging countries, oblige them to comply with the agreement and defend the injured, which would be a deterrence for future harming behaviours. Some famous economists have shown that beyond the choice between private and public, there is a third system that has proved to be more successful, i.e. spontaneous

⁷⁷ Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, pp.168-172

⁷⁸ Ibid., pp.162-165

active participation for setting and enforcing collective rules for managing the “commons”.⁷⁹ As a matter of facts, individuals have already showed they could manage responsibly resources without the presence of an authority, sharing duties and benefits. International action against global warming (it is true also for globally fighting inequality) needs to be different from actions ruled by self-interested reasons. The required action involves a revolution that will allow the shift from national interest to national altruism. This involves the sacrifice of some domestic priorities for transferring the source of energy to cleaner alternatives. Such sacrifice will affect mostly emerging and fast growing economies, like India and Brazil, which are not directly responsible for global warming and thus find difficulties to act in the interests of the planet instead of that of their own people (more concerning, as shown by the Belo Monte case, the tendency even in this case is to serve their economy, not the population). According to Fearnside, in virtue of the importance of Amazonia, Brazil has to take a stand for the definition of the “dangerous interference with the global climate system”, that consists in the definition of the maximum value that GHG emissions could reach (for Europe and a hundred of countries is fixed at 2°C above the pre-industrial level), but that was left to further debate when in 1992 was signed the Climate Convention (UN-FCCC).⁸⁰ Despite the broader approach of the successor accord to the Kyoto Protocol that is coming into force in 2020 and will include GHG emissions targets also for developing countries,⁸¹ the essential challenge in contemporary global problem-solving remains a world without central authority for making policy choices and mobilizing the required resources to implement them. The COP-20, held in Lima, Peru, was saw by many delegates as a failure, because it did not answer to the demand for the identification of clear methods for financing efforts to fight climate change and enforce future agreements.⁸² For instance, the Green Climate Fund, that was established in Cancun in 2010, became operational only in late 2015 and still lacks most of its promised funding. The Paris Agreement (COP-21) achieved broader commitment from all countries and implemented transparency, monitoring and technology mechanisms to assist developing countries in enhancing a sustainable development while reducing GHG emissions. Another merit of the successor to the Kyoto Protocol is the acknowledgement of the link between deforestation and climate change, which is addressed by the

⁷⁹ Carne Ross (2011) *The Leaderless Revolution*, Penguin, U.S.A., p.174

⁸⁰ Philip M. Fearnside (2009) Global warming in Amazonia: Impacts and Mitigation, *Acta Amazonica*, Jan. 2009, vol. 39(4): 1003-1012

⁸¹ Council on Foreign Relations, 2016, Global Governance Monitor: Climate Change, updated Sep. 2016 <https://www.cfr.org/global-governance/global-governance-monitor/p18985#!climate-change>

⁸² Ibid.

UN-REDD program that gives incentives for good forests managing to developing countries. Nevertheless, it did not solve the critical issues, as it did not establish legally binding targets, undermining the deal's enforcement. However, the fact that the heaviest polluters, India, China and U.S.A., have ratified the Agreement, that entered into force on 4 November 2016, bodes well for the future.⁸³

The climate issue is clearly emblematic of the egoism that rules the world. But besides self-interests there is another concerning fact about the international framework, that is its non-democratic structure that reflects the real power relations based on economic capacity and political influence of States. If common people feel useless and powerless within their own States, they count for nothing in the face of the world oligopolies, where money *is* power. On the top of the pyramid there is the G7, that is a closed group formed by U.S.A., France, Canada, Germany, UK, Italy, plus a representative of the EU, in which access is only possible through invitation from the members. They are actually 5% of world countries that meet and take decisions that can influence the world economy.⁸⁴ However, G7 has not as a purpose that of being democratic, but exclusive. On the other hand, the UN, which is the institution that approximates the most to the idea of a "global government", was born with the scope of enabling better dialogue and cooperation between countries. As a matter of fact, the UNGA that represents the highest form of political representation on the global stage, was created following a democratic pattern, giving one vote to each State. Nevertheless, it is only a "square" for debate that can only issue non-binding resolutions, while real politics is decided by another not-so-democratic organ, the Security Council, whose five Permanent Members (U.K., U.S.A., Russia, France and China) have the power to veto any substantive resolution.⁸⁵ Chomsky and Dieterich (1997) highlight how all UN organs and even its organizations are *de facto* controlled by First World countries and cite the example of UNESCO, that in the 70s and 80s got close to bankruptcy when the U.K. and the U.S.A. stopped the financing because they disagreed on a proposal that would undermine their monopoly on the mass media.

Not only Civil Society remains excluded from top mechanisms of decision-making, but also second-rate countries, that are mainly developing countries. That is particularly clear within the WTO, whose governance system disadvantages the poorest members. Such asset contributes to the maintenance of the status quo, where developing countries provide cheap labour and favourable legal framework for welcoming foreign multinationals. Even

⁸³ UNFCCC (n.d.) *Paris Agreement – status of ratification*. Retrieved from http://unfccc.int/paris_agreement/items/9444.php

⁸⁴ Chomsky and Dieterich (1997) *La Società Globale*, La Piccola Editrice, Viterbo, Sep. 1997, p.58-59

⁸⁵ Ibid.

though decisions are taken by democratic consensus, the economic-strongest countries can influence procedures through incentives or coercion, as well as the dispute mechanism that is based on economic sanctions. This system gives additional power to the already rich economies, those that own the ‘man-made comparative advantage’⁸⁶ that has substituted the traditional advantage given by natural assets and previously accumulated capital, and consists in highly-skilled labourers and technological innovations. The WTO itself states that its goal is “to improve the welfare of the peoples of the member countries”⁸⁷, however it relies totally on profits, mostly ignoring the multidimensionality of development. As previously said, the internationalization of production has produced a new international division of labor with consequences on employment and workers’ conditions in both the traditional North and the traditional South. Due to the decline of the power of national mechanisms to protect workers and the highest grade of interaction among foreign companies and multinationals, it was created in the UN framework an institution for protecting workers’ rights internationally, the ILO. However, while the international trade system, regulated by the WTO, is powerful, influential on national governments, fast in its intervention and non-democratic, the ILO, is democratic but weak, slow and static.⁸⁸ According to Pianta (2001), the global governance system should be revised because it has to take into account the complementarity of each aspect, was it social, economic and laboral, in the contemporary reality, that is getting even more integrated. Instead, he noticed, trade and labor systems, that directly influence one another, act independently: the first, focused on economic growth and profit generation, has effective means for conflict-solving, mainly economic sanctions and compensations; the second is neither binding nor could oblige a member state to comply with its regulations. If these issues were addressed conjunctly, the international negotiations about profits will not ignore the problem of both social and environmental costs and States will be obliged to deal with their responsibilities. Considering the enormous impact that international trades have on real wages and income, it is clear that the only way for having a more equal world it is dealing with the problem without ignoring the multidimensional effects of any decision. Unfortunately, people, as the environment, seem to be at the bottom of the priorities’ list of profit-oriented policy-makers.

It is not a secret that legitimacy and confidence in economic international organizations,

⁸⁶ Ibid., p.91

⁸⁷ WTO (2017) The WTO in Brief,

http://www.wto.org/english/thewto_e/whatis_e/inbrief_e/inbr00_e.htm

⁸⁸ Mario Pianta (2001) Globalizzazione dal basso. Economia mondiale e movimenti sociali, Manifestolibri, Roma, 2001, p.68-69

such as the IMF, the World Bank and the WTO, is eroding (the 1999 Seattle protests, and more recently the “European Summer”, are emblematic) and, according to Stiglitz (2006)⁸⁹, it is due to the fact that the only remaining superpower after the Cold War shaped such institutions on its self-interest, and on that of its multinationals. The economist argues that the globalization does not work as it could because, even though the world is more and more economically interdependent, people (and governments) still think to their small realities, pretending that their actions do not affect the others. What is needed is a change of mindset: local policies as well have to look towards global problems and, at the same time, global policies have to be discussed in terms of global justice. Moreover, supranational and multilateral institutions suffer a great deficit of democratic legitimacy as the distance between the elector and the representatives is outstanding. Assuming that governments and their diplomats do not represent effectively the totality of their population could bring to a change in the international system, however, by now, the debate about democratizing the international economic institutions and, above all, UN organs, opening them up not only to parliaments but also to civil society’s representatives, has not gone beyond the theoretical level. It is true that NGOs participation in international meetings as observers is on the rise, but they are not actually involved in the decision-making process yet.⁹⁰ Moreover, Pianta (2001)⁹¹ points out that even though in the future States and international organizations might agree on giving formally to NGOs a voice, they would never agree on giving them the right (and power) to vote. Also the UN Panel on UN-Civil Society Relations reflects this attitude. For instance, after optimistically describing participatory democracy as a process in which “anyone can enter the debates that most interest them, through advocacy, protest, and in other ways”⁹², it recognises the practical obstacle of including whatever instance in a debate that would become endless and inconclusive. But there is hope, as civil society is raising its voice, organizing outside the institutional structure for addressing problems from the bottom up.

1.4 Postmodern social movements and the rediscovery of human identities

Postmodernity has as a starting point the “deconstruction” of the values of modernism and of the exploitation on which the Western civilization and culture have been built and sold

⁸⁹ Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, pp.276-

⁹⁰ Saif Al-Islam Alqadhafi, “Reforming the WTO: Toward More Democratic Governance and Decision-Making”, Gaddafi Foundation for Development, Tripoli, 2007, (Paper submitted to the WTO)

⁹¹ Mario Pianta (2001) *Globalizzazione dal basso. Economia mondiale e movimenti sociali*, Roma, 2001, p.114

⁹² Martin Albrow and Marlies Glasius, “Introduction: Democracy and the Possibility of a Global Public Sphere” in *Global Civil Society Yearbook 2007/8*, para. 13, 23

<http://www.gcsknowledgebase.org/blog/category/limitations-of-global-civil-society/>

as a world pattern to follow. According to Burbach, Núñez and Kagarlitsky (1997)⁹³, the current social, political and ideological upheavals, belong to a new epoch that began in the late 60s and it is called “the climax of Western civilization”. The struggles that burst into the open in the 1968 are deepening and the factors that once provoked them are still present, even if they have evolved. The first reason is the disillusion for the promise of “prosperity for everyone forever”, one of the slogan of globalization. The second is the opposition to U.S. imperialism, that today is more cultural, economic and political, than physical. Finally, in the 60s people were inspired by the Third World national liberation movements, even though they ended up in nothing in most cases; nowadays the Arab Spring has inspired the mass demonstration that during 2011 spread around most of the world. Politically, some of the NLMs focused on a violent struggle against imperialism as pulling force to mobilize the population, and many continued to view the class alliance between peasant and workers as central feature, ignoring that the society had turned a far more complex constellation of groups and positions that could not be controlled by a top down structure. Analysing the new social movements it is clear that there is no more the myth of the working class against the rest of the society, as Marx has imagined, also because capitalism has permeated almost every aspect of the human existence and has negatively affected many different groups that began to raise demands, mostly about gender and ethnic issues, or transnational problems such as the environmental protection. The reflection on the aims and types of new social movements leads to criticise even communism, that like capitalism had a vertical power structure since the policy-making was in the hands of the unique communist party. To some extent, communist societies build on the myth of the class revolution were more centralized than the capitalist. For instance, the workers union that was supposed to enable the revolution was under the direct control of the authority. Both capitalism and communism have generated a top down culture of power that imposes to the ruled to look upward for asking any change, in both economic and political terms. Obviously, the elite would have never allowed the overturning of its power, and in the economic system in particular there was rising inequality. According to scholars, the failure of socialist revolutions was due to their inability to mobilize the majority of the society and the fact that they did not occur in developed industrialized countries, hence their priority was a fast economic growth that allowed them to survive.⁹⁴ From the critics moved to capitalism and communism emerged the shape that postmodern movements should have in order to succeed in this disordered world oppressed by the

⁹³ Burbach, Núñez and Kagarlitsky (1997) *Globalization and Its Discontents*, Pluto Press, London, pp.39-41

⁹⁴ Ibid., p.45

economic imperative, where the individual is only valuable as participant in the economic relations. It is therefore necessary to establish a new individuality not rooted in economic terms and acting outside the old top-down power relations.⁹⁵ Capitalism has progressively incorporated more and more people in its net, while excluding others, generating at the same time inclusiveness and marginalization. The social patterns and civil society institutions such as the family became appendixes of the market, losing their role of values setters. The best example of such deterioration in developed countries is embodied by the meaning acquired by the institution of marriage, which has come to be more an economic agreement than a social bond.⁹⁶ Research data have shown that community bonds in Britain and America are deteriorating, and these data are likely to fit to whatever country; there are higher levels of “rootlessness” and “anomie”, as well as loneliness and lack of cohesion.⁹⁷ In the developing world, like Latin America, families that leave the village to look for fortune in the city began to split up and the loss of mutual support and community bonds produced the contemporary massive phenomenon of street children in the great metropolis.⁹⁸ Since capitalism has incorporated every other form of oppression to its logic, and it is permeating every aspect of human relations, each type of struggle, ranging from feminism, to environmentalism and ethnic policy, must also be a struggle against capitalism. John Holloway (cit. in Hands)⁹⁹ argues that a fight against capitalism is a fight against power-determined social relations, that, if won, will lead to “a world based on the mutual recognition of human dignity”. The highest dominant force is nowadays neoliberal capitalism entailed in globalization processes that shapes all other relations. For this reason, addressing a problem can quite always coincide with addressing capitalism, while reaffirming the human subject. The rising of ethnic, gender and minority’s issues is emblematic of the ongoing process of rediscovery of human identities that cannot be reduced to a single ideology anymore, but expresses itself in a vast constellation of features, demands and positions. Since diversity and pluralism are inherent in this new form of individuality, it will inevitably promote the decentralisation of power and it would rescue the lost meaning of human life, that has been reduced to a tool of production and consumption. For this reason, the alternative to the existing top-down structure must be built on multiculturalism, opposed to the predominance of the white Western democratic

⁹⁵ Ibid., p.51

⁹⁶ Ibid., p.15

⁹⁷ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p.16

⁹⁸ Burbach, Núñez and Kagarlitsky (1997) *Globalization and Its Discontents*, Pluto Press, London, p.16

⁹⁹ Joss Hands (2011) *@ is for Activism. Dissent, Resistance and Rebellion in a Digital Culture*, Pluto Press, London, p.17

model, and on the mutual recognition among different social movements that will allow them to reinforce each other, just as happened with the rising of the international women's movement that paved the way for the LGBT and ethnic movements.¹⁰⁰

The previously mentioned Chiapas Indian upheaval of January 1994, led by the EZLN (Zapatista National Liberation Movement), is an emblematic example of the features of these new postmodern political movements.¹⁰¹ Its aim was to rescue the Indians from the Western imperialism and modernization that had concretized itself in southern Mexico with the oil boom. Mexican government was not free from guilt, obviously. In the previous decade of economic reform the share of population living in extreme poverty had increased by a third in rural areas. Moreover, as prescribed by the IMF agricultural output was shifted to export and animal feeds, while agricultural employment and malnutrition increased. Cheap labor and loose environmental restrictions attracted foreign investors, and NAFTA was expected to increase rural misery.¹⁰² NAFTA was an asymmetric accord through which developed countries gained access to Mexico's market, in which they competed with subsidized goods, while imposing restrictions on the import of Mexican goods. According to Stiglitz (2009)¹⁰³, the accord is representative of the failure of trade liberalization. Even though there were tiny successes for the factories just south of the borders, Mexico could not compete with the fast-growing China. The movement was different from the previous NLMs because its aim was not to take power in Mexico City, but to get the population involved from the bottom up and transform the country. They demanded authentic democracy to the government that had sold Mexico to the ideology of free market, promoting the privatization of common lands, while reinforcing the ruling power. According to Chomsky and Dieterich (1997)¹⁰⁴, even though the upheavals did not manage to force the Mexican government to change its policies, it changed the national debate introducing as new topic neoliberalism; and debating is an essential part of democratic participation. The movement managed to get involved even Indian villages in the rainforest, that were asking for better education, medical services and for electing their own representatives. In addition, the Zapatistas were the first to make a strategic usage of telecommunication and as a result they managed to mobilize national and international solidarity, that would have a remarkable impact on activism worldwide. Manuel Castells

¹⁰⁰ Burbach, Núñez and Kagarlitsky (1997) *Globalization and Its Discontents*, Pluto Press, London, pp.145-146

¹⁰¹ Ibid., pp.95-96

¹⁰² Noam Chomsky (1999) *Profit over People: Neoliberalism and Global Order*, Seven Stories Press, NY, pp.121-128

¹⁰³ Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, pp.62-64

¹⁰⁴ Noam Chomsky and Heinz Dieterich (1997) *La Società Globale. Educazione Mercato Democrazia*, La Piccola Editrice, Viterbo, Sep. 1997, p.7

(cit. in Hands)¹⁰⁵ called it “the first informational guerrilla movement” and it managed through the Internet to become a symbol for other struggles. According to Burbach, Núñez and Kagarlitsky (1997), the only way out from neoliberalism and consumerist culture that have contributed to make people feel powerless and stuck in a dead-end existence at the service of the economy, has to “propose concrete alternatives to the present forms of globalization while at the same time *championing social justice*”. This would be the only winning strategy, since neoliberalism has undermined political participation, as the same States are shaken by financial capital flows and decisions made by international financial organizations. Which means that if people could not trust their own representatives for being granted a better life, it is from the people themselves that the change must happen. It is precisely what is happening with the rise of postmodern economies, that are growing thanks of the universalization of the rich-poor gap. Postmodern economies are based on individual or group initiatives that escape from state’s control and, by joining one another in cooperatives, manage to balance costs and profits. They are for example, flea markets, garbage scavengers, street venders, small independent and local companies, as well as cooperatives. These realities would never compete in the global market, however they are expected to grow, fostered by the fact that transnational capitalism is rather exclusive than inclusive.¹⁰⁶

The aim of postmodern movements and their initiatives is not challenging the dominant power and substitute its authoritarian position, nor denying the power relations in which every institution is immersed, being it the education or the legal system, but imposing new values and rising awareness to question the nature of the society. The means that they suggest to use in the struggle are as important as the aim itself. For instance, in a world dipped in the culture of violence that has been spread alongside with the process of globalization under capitalism, nonviolence is a revolutionary choice that challenges the corruption of the system, while reaffirming the necessary recognition of the dignity of humans and of other species. Similarly, the switch from passivity to active participation is revolutionary in the Global Era of the dominion of the market, that has undermined not only States’ power, but also the effectiveness of representative democracy. Moreover, within the mechanisms and tools that fostered globalization lie unexpected opportunities.

¹⁰⁵ Joss Hands (2011) @ is for Activism., Pluto Press, London, p.145

¹⁰⁶ Burbach, Núñez and Kagarlitsky (1997) Globalization and Its Discontents, Pluto Press, London, pp.5-7, 157

1.5 Towards ‘global citizenship’: from environmentalism to global justice

While the elites were internationalising economies, capital and cultures, the same tools that allowed such expansion, mainly Internet, enabled the global population to gain a growing awareness of their common needs, rights and interests, which were constantly ignored. The growing multitude of transnational civil society movements claiming larger participation is giving voice to singularities while, at the same time, linking different corners of the planet in a unified struggle against injustice that will bring human beings to recognize themselves as “global citizens”, meaning they will mutually attribute rights and duties. In the late twentieth century, Richard Falk (cit. in Burbach et al.)¹⁰⁷ suggested that a new Global Civil Society was beginning to step in and replace the traditional Western civil society, and that it would be formed by movements and groups with scopes and dimension beyond national borders. He even suggested that all these initiatives would shape a shared human identity. The institution of ICC, although deficient in several ways, is the first revolutionary answer to such global demand, as it is the first international organization to address individuals and not sovereign States, with the last aim of protecting human rights. But how has developed and is still developing this global self-consciousness? Scholars agree that the environmentalist movement plays a central role in the rising of a collective awareness and the call on collective action against injustice, because it is the ravaging of the environment that has generated “the most cross-class, cross-cultural and transnational movement in the history of humanity”¹⁰⁸. It was indeed thanks to environmentalist debate that people began to “act local, but think global”, while beginning to question the sustainability of unlimited growth and, above all, recognising the duty we share in protecting our “home”.

The origin of the environmentalist debate dates back to the 60s. At that time environmental protection and economic growth seemed incompatible and there was no thing as the international environmental governance. The economic expansion following World War II raised consciousness about the environmental costs related to the economic progress and it led people to insist upon a better quality of life that sparked the international debate on the issue. In 1962 Rachel Carson published “Silent Spring” in order to denounce the massive usage of pesticides in agriculture, which, as she proved, have negative effects on the reproduction of birds in the opposite part of the world. This was the first important step towards the acknowledgement of the global impact of industrial development and introduced a public dialogue about the impacts of toxic chemicals. The environmentalist concern was fostered even more by the publication of the report “The

¹⁰⁷ Burbach, Núñez and Kagarlitsky (1997) *Globalization and Its Discontents*, Pluto Press, London, p.49

¹⁰⁸ Ibid., p.16

“Limits to Growth” in 1972, which foretold enormous damages to the Earth ecosystem and questioned the same survival of humanity because of the unstoppable growth of the population and the exploitation of natural resources. At the same time, images proceeding from the Apollo space missions contributed to the collective acknowledgement of the singularity of the Earth as a fragile dot isolated in the limitless universe. However, only in the late 70s people began to experience the problems inherent in the idealistic Western development path. At that time the dangers of chemical wastes were almost unknown, but in the early 70s the residents of a city called Love Canal, near the Niagara Falls, started to smell strange odours in their basements and children happened to get ill.¹⁰⁹ Love Canal had been used as dumping site for toxic waste from 1947 to 1952 by the Hooker Chemicals & Plastics Corporation and some decades later the area had been purchased by the City of Niagara Falls, which built a neighbourhood on top of it. In the area were recorded high rate of miscarriages and babies born with defects and after the discovery of carcinogenic materials in the soil and water, some families were moved out, while others were told they were not in danger. Protests continued till the spring of 1980 when, after assessment on bad health conditions of residents, everybody was evacuated. The tragedy of Love Canal opened the debate on the “toxic debt” of industrialisation and together with the previously cited contributions helped to put a new topic on the table of the greatest nations, which led to the definition of the concept of Sustainable Development. The term made its first appearance in 1987 in the Brundtland Report, which defined the sustainable development as the “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”¹¹⁰. The Brundtland Commission underlined the necessity of thinking the environment as a sphere which could not be separated from human actions, but as the stage on which humans perform. Hence, it established that society, economy and environment must all three be taken into account in the planning of the new path for development, which have led to the milestones of the Rio de Janeiro Conference in 1992 and the adoption of the Kyoto Protocol in 1997. Alongside with the institutional effort and even before, has emerged a multitude of grassroots movements and NGOs engaged in collective action for the protection of the environment, therefore nowadays the name “environmental movement” identifies a complex variety of phenomena, whose organisational forms, scope and nature range from the highly organised

¹⁰⁹ Retro Report for The New York Times. Love Canal: A Legacy of Doubt (Nov 25th 2013)

<http://www.nytimes.com/video/us/10000002566509/love-canal-a-legacy-of-doubt.html?action=click&contentCollection=us&module=lede®ion=caption&pgtype=article>

¹¹⁰ UN WCED (1987) Report of the World Commission on Environment and Development: Our Common Future

to the informal and from the local to the global.¹¹¹ These movements act locally but aspire to have a global impact, just as the problem they want to face. This is the feature that makes civil society be one step ahead of international organizations, which, as explained before, are trapped in a conflict among national interests led by economically powerful countries. Hence, since it is still utopian to expect highly altruistic bilateral and multilateral agreements among great powers, as well as a benign domino effect on the example of virtuous countries such as Norway and Denmark, the growth of a nonviolent grassroots activism against climate change is a priceless resource for the twentieth-first century.

As global problems have evolved, so has done the environmental discourse. For instance, environmentalism has passed from considering how humans destroy natural resources (60s), to how polluted ecosystems affect humans, mainly poor and marginalized (70s). However latterly the environmentalist movement has faced the rise of a new transnational social movement, labelled in several different ways from alter-globalization to anti-globalization, globalization from below or less controversially “global justice movement”. This GJM is seen by many as a natural extension of the environmentalist struggle, especially of the radical segment that aims at changing values (the moderate segment aims at changing mainly laws and policies),¹¹² thus, it is clearly a form of opposition to neoliberal globalization. As a matter of fact, the Global Justice Movement embraces several instances also from the environmentalist groups, including different mobilizations unified under a unique scope: to reverse the top-down neoliberal globalization by democratizing its structures, challenging its values and calling individuals to actively participate. It obviously includes grassroots movements that ask for personal empowerment, democracy in decision-making processes and equal distribution in environmental ills and benefits, that came to be known as slogans of the environmental justice movement (EJM). Environmental justice recognized that the poor and weak are the first to suffer from environmental degradation, which clearly reflects the injustice that characterized top-down globalization processes, above all those related to development policies led by market values. The term “environmental justice” was introduced with the third wave of environmentalism and it was firstly used in the U.S. in the 80s in relation to the persistent injustices towards Afro-Americans, that were living in areas affected by disproportionate toxic dumping of waste.¹¹³ By the late 90s it embraced also the instances of the poor (rural

¹¹¹ Christopher Rootes (1999) Environmental movements: From the local to the global, *Environmental Politics*, 8:1,1-12

¹¹² Mol and Spaargaren (2000) Ecological Modernisation Theory in Debate: A Review, *Environmental Politics*, 2000, 9(1): 17-49, p.32-33

¹¹³ Joan Martinez-Alier, Leah Temper, Daniela Del Bene and Arnim Scheidel (2016) Is there a global

and indigenous populations in India and Latin America), who will be later known as “dispossessed”, a definition that wanted to address the divergence between capitalist accumulation and environmental dispossession, and sometimes involved broader critics about sovereignty dispossession in decision-making processes. The EJM is interested in all the so called “ecological conflicts”, a term proceeding from ecological economics which originally was referred to the incapability of markets to value negative externalities generated by the extraction and management of natural resources, and thus incapability of providing adequate compensations. Such conflicts are defined as “mobilizations by local communities, social movements, [...] against particular economic activities, infrastructure construction or waste disposal whereby environmental impacts are a key element of their grievances” and they usually originate from “structural inequalities of income and power”.¹¹⁴ In the Atlas of Environmental Justice (EJatlas)¹¹⁵, an inventory developed with the contribution of Institute for Environmental Science and Technology of the Universitat Autònoma de Barcelona, are collected, so far (Jan. 2017), 1955 cases and the database is growing, as in 2015 it only had 1600 reported cases.¹¹⁶ The peculiarity of the Atlas is that it relies on co-production of knowledge between academics and activists, which allows to give visibility to many injustices and actions of resistance that would remain hidden otherwise. Data from EJatlas show that a third of reported cases involved traditional communities, ethnically discriminated groups and Indigenous who usually claim for territorial or special protection rights,¹¹⁷ and the indigenous struggle against Belo Monte, the case that will be presented in the following chapter, is one of such conflicts. The EJM recently focused on the concept of Climate Justice, recognising the global impact of climate change on low-income and minority communities, such as indigenous peoples. It also recognised the integral connection between human rights and ecological sustainability and the role that the most threatened can play in facing global climate change thanks to their frontline position.

Returning to the main issue of this paragraph, it is clear the environmentalist contribution to the GJM. Since economic-led relations have permeated all aspects of life, solving most of global problems that have emerged from neoliberal globalization and committing to

environmental justice movement?, *The Journal of Peasant Studies*, 2016, Vol. 30 (3): 731–755, p.732

¹¹⁴ Leah Temper, Daniela del Bene and Joan Martinez-Alier. 2015. Mapping the frontiers and front lines of global environmental justice: the EJAtlas. *Journal of Political Ecology* 22: 255-278

¹¹⁵ Environmental Justice Atlas, <http://www.ejatlas.org>

¹¹⁶ Martinez-Alier, Temper, Del Bene and Scheidel (2016) Is there a global environmental justice movement?, *The Journal of Peasant Studies*, 2016, Vol. 30 (3): 731–755, p.733

¹¹⁷ Martinez-Alier, Temper, Del Bene and Scheidel (2016) Is there a global environmental justice movement?, *The Journal of Peasant Studies*, 2016, Vol. 30 (3): 731–755, pp.736-737

universal values such as human rights and environmentalism inevitably means challenging the interests and projects of globalized capital. It means pursuing justice in all the dimensions of reality (social, economic, environmental, political) that have been pervaded by corrupted values and unbalanced power relations. The Global Justice Movement is rather called “alter-” than “anti-” globalization, since its manifestations are clearly some of the more globalized events of this age. Also Amartya Sen (2002)¹¹⁸ agrees with such terminology and adds that globalization *per se* is a neutral term as it historically has allowed great prosperity and development (just think about the diffusion of maths, paper and press proceeding from the Eastern world in previous centuries). For instance, alter-globalization movements not only produce the gathering of people from all around the world, but they also used global communications and information networks to gain and maintain support, which is one of their main features. Also in virtue of its role as “catalyst for growth in electronic NGO networks”¹¹⁹, mainly through websites and email lists, as well as its postmodern features, make the indigenous Zapatistas uprising in Mexico, that was previously described, a forerunner of ideas, practices and forms of alter-globalization. EZLN convened a number of international gatherings in the Chiapas region and it managed to spread the struggle against the loss of land and NAFTA to an ideological struggle for equality, democracy and human and lands rights, that stimulated similar protests worldwide. Moreover, the indigenous movement that has firstly gathered around the charismatic figure of Subcomandante Marcos, later evolved to more horizontal approaches enabled by the informational network, allowing different voices to speak up.¹²⁰ Such gathering of voices is likely to become a key-determinant in 21st century movements that rely on “the networks”, not only for the inherent nature of Internet, but also for an ideological strategy of opposition to vertical power structures. As a matter of fact, digital communication technologies played and are still playing a crucial role in the development of civil society movements. The Alter-globalization movement revealed itself in Seattle in 1999 with a massive protest against the WTO that was organized and enabled, again, by the Internet, through which different groups created the DAN (Direct Action Network) group that was the leading collective for training, communication, strategy and consultation.¹²¹ Another innovation for the Seattle protests was the creation of the first Independent Media Centre, Indymedia, that took the stage as a real alternative to mainstream media dominated

¹¹⁸ Amartya K. Sen (2002) “Globalizzazione: valori ed etica” in Globalizzazione e libertà, Milano, Mondadori, 2002

¹¹⁹ Joss Hands (2011) @ is for Activism., Pluto Press, London, p.143

¹²⁰ Ibid., pp.145-147

¹²¹ Ibid., p.148

by corporate power and now encompasses a wide range of perspectives that for their intentions or situations can fall, even only partially, under the big umbrella of alter-globalization movement.¹²² The 2011 uprisings and the experience of OWS owe much to the Seattle struggle that was followed by protests worldwide and Counter Summits held in opposition mainly to UN conferences (New York), G7-G8 meetings (even in the African continent) and in smaller numbers against the WTO, the IMF, the WB (Washington, Prague) and regional institutions (Nice),¹²³ fostering the recognition of an emerging Global Civil Society claiming to be listened by economic powers ruling the world. Two years after the Seattle uprising, in 2001, with the birth of the World Social Forum, involving groups and initiatives with a broad range of different positions, but all opposed to the dominion of capital, the movement acquired its first permanent structures, including written principles and formal procedures. The Forum, whose first meeting was held in Porto Alegre, Brazil, under the slogan “Another world is possible”, represents an opening challenge to the World Economic Forum that is annually held in Davos and is attended by enthusiastic supporters of neoliberal globalization.¹²⁴ However, it is to grassroots and mostly informal experience that this work is interested. In the following chapters will be presented two case studies that embody this global effort towards a more just world. It is indeed necessary to remember that such effort, as the GJM itself, is a collective action against a problem which is inevitably multidimensional. As formerly said, each attempt to challenge the corrupted values in the name of real human values, such as solidarity, equality, dignity, environmental protection, human rights, is a challenge addressed to the core of neoliberal globalization. For this reason, rather than being indicative of a coherent 'movement', such forms of political agency contain different features and demands, thus are best conceived of as “global justice networks”, in which interactions, solidarity and resources are constantly shared. Moreover, as the two cases will show, horizontal approaches and democratic participation are inherent in these consolidating forms of nonviolent activism against global challenges and towards global opportunities.

¹²² Ibid., p.150

¹²³ Chomsky and Dieterich (1997) *La Società Globale, La Piccola Editrice*, Viterbo, Sep. 1997, pp.96-100

¹²⁴ Joseph E. Stiglitz (2006) *Making Globalization Work*, W. W. Norton & Company, New York, pp.3-6

CHAPTER II

CASE STUDY ON ENVIRONMENTAL JUSTICE: THE BELO MONTE DAM

2.1 Latin American social movements: a general framework

Since the 80s, Latin America has been shaken by intense and extended social upheavals involving one countries as well as the entire region, delegitimizing the neoliberal model and placing “those at the bottom”, organized in movements, as central actors of change. With Zapatismo as an unavoidable reference point, several movements emerged from the grassroots calling for greater participation, rights and justice. It would be almost impossible to list everything that these movements have achieved or fought for in almost three decades, but it is worthy to remind a handful of significant events and movements before moving to the case study, to better understand the framework in which it is inserted. Within the several social movements that emerged in the last decades of the twentieth century there is a vast constellation of grassroots and indigenous movements that entails a variety of issues that highlight different aspects of the ‘anti-systemic’ struggle against neoliberal capitalism with the aim of giving back power to the powerless, enhancing self-determination and autonomy, recognition of diversity, political reforms, territorial rights and access to natural resources, as well as promoting democratic participation. For example, in Argentina, since mid-1990s, the movement of the *piqueteros* (from “picket”), formed by unemployed workers and neighbourhood dwellers, engaged in direct actions in the wake of the Argentinian financial crisis, after the massive increase of unemployment due to the implementation of neoliberal reforms that privatized factories and cut jobs.¹ In Bolivia in 2000, indigenous helped to pressure the government to withdraw the allowance given to Bechtel Corporation for selling water to the legitimate owners, i.e. Bolivian citizens, and in this country, as well as in Ecuador, indigenous movement managed to create ethno-political parties and took part in the electoral process.² Despite claiming for autonomy and recognition, indigenous movements were (and are) the expression of a new patriotism in Latin America, that is founded on the affirmation of the priority of a

¹ Marina Sitrin (2003) “The Power of the Piqueteros”, We Are Everywhere: the irresistible rise of global anticapitalism (R. Litzenberger, I. Brunetti, & P. Talesnik, Trans., pp. 472-481). London, NY, Notes From Nowhere

² Jackson, J. E., & Warren, K. B. (2005). Indigenous Movements in Latin America, 1992-2004: Controversies, Ironies, New Directions. *Annual Review of Anthropology*, 34, 549-573

multilingual and multi-ethnical country, and on the opposition to whatever land or subsoil resource grab. Thus the territory is not only a mean to define a belonging, such as could be for the recognition of Indigenous Territories, or a basic source of sustenance, but a central issue to protect the country's patrimony from foreign interests. In this way, the local struggle of an indigenous tribe against the realization of a mega project can be read as both an act of patriotism and social opposition to the top-down decision of a government held hostage of international markets. The communities' resistance to privatizations of resources is thus at the heart of the Latin American social movements, that are characterized by a high participation of youth and women, as ecological conflicts usually force entire families to resettle. For this reason, they are no more only rural conflicts against the landowning oligarchy, but can be read as part of the global movement in favour of citizens' rights and participation of the marginalized. The most remarkable example of grassroots mobilization aiming at a real change was probably that of Brazil, where since mid-80s the masses have consistently mobilized through the *Movimento dos Trabalhadores Rurais Sem Terra* (Landless Rural Workers' Movement or MST) and occupied lands while advocating passionately for a Land Reform that would have solved the problem of land ownership and distribution. Lula's *Partido dos Trabalhadores* (PT) that initially promised to enhance the reform, later aligned itself with the opinions of Brazil's elites and rich landlords, a move that eventually fostered the reasons of the MST as a force in contrast to the privileged sector of society. The issue of the land entails also the management of subsoil resources, which in Latin America is at the roots of several conflicts that have seen indigenous tribes in the front line. These are the resistance movements against mining industries, that are high-impact activities that threaten several communities and ecosystems, as they usually overlaps with both environmental and socially sensitive areas, such as biodiversity hotspots and indigenous territories.³ According to the EJAtlas⁴, the number of murdered activists has always been high in Central America, and it has increased also in South America in the last decades, especially in Brazil. Such conflicts are widespread all over Latin America (see Annex 1), and probably they are the best known, as the impacts on the environment and people are more notorious (and visible) than those related to dams construction, which, as will be explained, are still "sold" as green energy, which they are definitely not; nor are the water management conflicts less dangerous than conflict against mining. For instance, the Honduran indigenous leader Berta Cáceres, who fought against the construction of Agua Zarca

³ Leah Temper, Daniela del Bene and Joan Martinez-Alier. 2015. Mapping the frontiers and front lines of global environmental justice: the EJAtlas. *Journal of Political Ecology* 22: 255-278

⁴ Environmental Justice Atlas, <https://ejatlas.org/featured/mining-latam>

hydropower and was killed last March, is the last name of a long list of activists who paid with their life while trying to prevent Indigenous territories and the environment from being wiped out by mega projects. In order to stress the gravity of the impacts of such projects, as well as to identify the rationale of the indigenous resistance, the explanation of the case study will begin right from the horrible consequences that the Belo Monte Dam has already produced or is expected to generate.

2.2 Social and Environmental Impact

The Xingu Basin is well known in Brazil, since it is the place where in 1861 was created the first protected indigenous area of Amazonia (see Annex 2), whose recognition helped the preservation of the forest on the north side of Mato Grosso.⁵ Within the Xingu National Park live 5'000 indigenous and downstream along the river's basin there are twenty more indigenous land, where other 17'000 people live (see Annex 6). Among the Indigenous tribes who live on the shore of the Xingu, the most famous is the Kayapó, who in the 1980s was in the frontline opposing the construction of a majestic hydroelectric project on the river, which was later abandoned due to high environmental and social damages.⁶ The original project would have flooded up to 18'000 square kilometres of forest and uproot 7'000 Indians. After the year 1992, Kararaô dam, which was part of the original project, was revived and given the new name of Belo Monte⁷: one sole dam which will flood less than 500 km² and, according to the government and Eletronorte directors, would avoid the main controversial issue of the original project, that of the flooding areas, including the Bacajá Indigenous Area (see Annexes 4, 5).⁸ The new design for the Belo Monte Dam, created by Eletrobrás, the Brazilian government and the Brazilian oil and gas conglomerate Odebrecht, would really consist of three dams: Belo Monte, Pimental and Bela Vista (eventually removed in 2011)⁹, with two power stations at Belo Monte and Pimental sites¹⁰ (see Annex 3). Belo Monte is justified within the national Accelerated Growth Programme of 2007 and 2010 (PAC and PACII) as essential for filling an estimated energy gap of 5-8%

⁵ Folha de S.Paulo, 2013, Tudo Sobre Belo Monte: historia, Dec. 16th 2013.

<http://arte.folha.uol.com.br/especiais/2013/12/16/belo-monte/capitulo-5-historia.html>

⁶ Philip M. Fearnside (2006) Dams in the Amazon: Belo Monte and Brazil's Hydroelectric Development of the Xingu River Basin. *Environmental Management*. 38(1): 16-27

⁷ Philip M. Fearnside (2002) Avança Brasil: Environmental and Social Consequences of Brazil's Planned Infrastructure in Amazonia. *Environmental Management*. 30(6): 735–747

⁸ Philip M. Fearnside (2006) Dams in the Amazon: Belo Monte and Brazil's Hydroelectric Development of the Xingu River Basin. *Environmental Management*. 38(1): 21

⁹ Mark Sabaj Pérez. “Timeline of the Controversial Belo Monte Megadam in Brazil”, *American Scientist*, Oct. 14th 2015 <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

¹⁰ Hall, Anthony and Branford, Sue (2012) Development, dams and Dilma: the saga of Belo Monte. *Critical Sociology*. 38 (6): 851-862

a year, for both industrial and domestic purposes.¹¹ Notably to satisfy the regional aluminium, iron and steel industries. Another justification given is the avoidance of major blackouts caused by insufficient production of energy and increasing demand. Back in 2001 the then-president Cardoso issued a provisional measure establishing a maximum of six months for realising the EIA/RIMA for energy projects, since that year the non-Amazonian regions had suffered electricity rationing and blackouts due to lack of water in southern reservoirs.¹² According to The Economist¹³, Brazil relies on hydropower for generating the 80% of its energy (data of 2014), but the lack of rain in the dry season makes this system unreliable. For instance, it was demonstrated that the dam will be highly inefficient as it will produce less than a tenth of its capacity during the low water season. According to data, it will produce the alleged 11'000MW during a maximum of four months and then it will be completely shut down for three to five months. For this reasons, more dams will have to be built upstream to secure the water flow in the dry season and neither Eletronorte nor the government have ever promised not to build those dams.¹⁴ As a matter of fact, only adding to this count the upstream counterpart of Belo Monte, the Altamira Dam (formerly known as Babaquara), the flooded area would reach 6'580 square kilometers,¹⁵ which together with the other additional four dams will reach 18'000 km². Moreover, the Panel of experts that made a critical analysis of the EIA in 2009, said that the displaced population would double from 20'000 to 40'000 people, because the EIA did not take into consideration the impact of the flow reduction on those living along the Big Bend.¹⁶ This would affect also uncontacted tribes, according to the Panel,¹⁷ which accused the EIA of ignoring that the projects was “subtracting the right to life of those people who face a lack of water, fish and all other resources because of the diversion of the river in the

¹¹ Flores, A. de J. & Castagna Machado, G. (2015) “A Batalha Jurídica de Belo Monte: Os Argumentos Elaborados no Campo Jurídico do Direito Constitucional pelas Posições Favoráveis e Contrárias à Construção da Usina Hidrelétrica de Belo Monte”, *I Encontro de Internacionalização do Conpedi*. Barcelona, Laborum, 2015. Vol. 14: 31-68

¹² Philip M. Fearnside (2006) Dams in the Amazon: Belo Monte and Brazil’s Hydroelectric Development of the Xingu River Basin. *Environmental Management* 38(1): 22

¹³ J.P., “Blackouts in Brazil. Power to the people”, *The Economist*, Feb. 5th 2014
<http://www.economist.com/blogs/americasview/2014/02/blackouts-brazil>

¹⁴ Philip M. Fearnside (2006) Dams in the Amazon: Belo Monte and Brazil’s Hydroelectric Development of the Xingu River Basin. *Environmental Management* 38(1): 24

¹⁵ Philip M. Fearnside (2006) Dams in the Amazon: Belo Monte and Brazil’s Hydroelectric Development of the Xingu River Basin. *Environmental Management* 38(1): 16-27

¹⁶ Hurwitz, Z. et al. (2011) Mega-Projeto, Mega-Riscos. Análise de Riscos para Investidores no Complexo Hidrelétrico Belo Monte, Amigos da Terra - Amazônia Brasileira; International Rivers, 2011, p. 54

¹⁷ Acselrad, H., et alt. (2009) Painel de Especialistas. Análise Crítica do Estudo de Impacto Ambiental do Aproveitamento Hidrelétrico de Belo Monte. Sônia Maria Simões Barbosa Magalhães, Santos e Francisco del Moral Hernandez. Belém, Oct. 29th 2009, p.62

region called ‘Volta Grande’ by its inhabitants.”¹⁸ As a matter of fact, the people living on the river shores will be forced off their lands. In addition to the riverine populations, also those living in peripheral areas of the near city of Altamira, which will be partially flooded, will be displaced. But this is one of the cases in which money could actually influence politics. In March 2008, the CNPE tried to prevent the enlargement of the Belo Monte disaster by issuing a resolution, which was unfortunately non-binding, limiting the hydroelectric development upstream from the Belo Monte through the construction of new dams. However, in September 2009 CNPE published an ordinance that overturned its prior one, describing Belo Monte as a priority development project for the country.¹⁹ Those supporting the project said it would bring work and better life conditions. However, many of the affected people are illiterate and live off agriculture and fishing, so it would be difficult for them to adapt in the urban environment. In addition, the social benefits will be far less than predicted, as much energy will subsidize the profits of aluminium companies that employ a small Brazilian workforce.²⁰ Moreover, supporters did not take into account the tragic impact that the dam would have had on the city of Altamira, whose population would double, even though it lacked the structures and the services to welcome such an influx of people. In 2012 it had 95'000 inhabitants and 100'000 were expected to come within one year. According to data,²¹ the project would only produce 19'000 jobs, hence the great majority of those who would come, would be jobless and would not even have the money to return to where they came from. This fact is now causing overpopulation, which together with the lack of essential services and employment, has enhanced tension in the area, which was already known for a high rate of land conflicts, rapes and killings. For instance, the municipality of Altamira has registered an increase in the violation of rights of children and adolescents between 2010 and 2012, including problems such as drug addiction and ill-treatment.²² Moreover, the influx of migrants has caused the general increase in the price of rents and food products, which have led several institutional professionals to move to other cities, and has directly undermined the State’s capability to manage conflicts in the municipality.

¹⁸ Ibid., p.49

¹⁹ Mark Sabaj Pérez. “Timeline of the Controversial Belo Monte Megadam in Brazil”, *American Scientist*, Oct. 14th 2015 <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

²⁰ Philip M. Fearnside (2006) Dams in the Amazon: Belo Monte and Brazil’s Hydroelectric Development of the Xingu River Basin. *Environmental Management* 38(1): 23

²¹ Cinedelia (2012) Belo Monte: Announcement of a War <https://vimeo.com/44877149>

²² Costa Oliveira, Assis (2013) Consequências do Neodesenvolvimentismo Brasileiro para as Políticas Públicas de Crianças e Adolescentes: reflexões sobre a implantação da Usina Hidrelétrica de Belo Monte, *Revista de Políticas Públicas*, São Luís, 17 (2): 289-302, jul./dez. 2013

In its 2011 informative booklet, Norte Energia reported the following sentence (here translated into English): “The indigenous communities should *never* ask for, accept or even discuss about money during a licensing process. It is very important to remember that the money runs out, but the negative impacts of an action can last forever”.²³ This sentence sounds today like a bad omen. As a matter of fact, another dramatic consequences on the indigenous livelihood was directly caused by the impact of money, as well as industrial food brought there through the implementation of the Emergency Plan. In 2012, in order to obtain the Installation License, Norte Energia presented the PBA-CI, approved by both IBAMA and FUNAI. Norte Energia was given a month to present an operating plan including the timetable for the implementation of the PBA, but the company presented a plan that suppressed activities and actions, and even reduced its obligations. For instance, it deleted unilaterally about forty actions related to indigenous health, as well as obligations to support education.²⁴ Nevertheless, the Emergency Plan was eventually approved with reservations by FUNAI. It was supposed to implement actions with ethno-development consideration, promoting food and economic sustainability of the affected indigenous peoples, according to their own cultural characteristics and their degree of contact with the surrounding society. Instead, Norte Energia engaged in business with the villages, distributing every month US\$30,000 for each village in goods, which led to a social and cultural breakdown. Eletronorte was eventually denounced for having tried to buy indigenous leaders by offering them gifts such as food baskets, boat rentals, engines and even rented houses at a low price.²⁵ As a result of those actions, Indians who had never been in the city were forced to move frequently to Altamira; many have stopped planting and fishing because they had no time to fish or produce flour, but they had money so they started to buy everything in the market. Thus, they began to have health problems due to high cholesterol. Furthermore, the villages became clogged with garbage, which caused the proliferation of various pests, and diseases such as hypertension, obesity and diabetes began to emerge due to the substitution of traditional food with industrial products. Infant mortality rate has grown and child malnutrition in indigenous villages increased by 127% between 2010 and 2012.²⁶ Moreover, there has been notable increase of cases of

²³ Norte Energia (2011) Licenciamento Ambiental e Comunidades Indígenas, Programa de Comunicação Indígena-UHE Belo Monte, p.15

²⁴ MXVPS, “MPF denuncia ação etnocida e pede intervenção judicial em Belo Monte”, Dec. 10th 2015
<http://www.xinguvivo.org.br/2015/12/10/mpf-denuncia-acao-etnocida-e-pede-intervencao-judicial-em-belo-monte>

²⁵ Folha de S.Paulo, 2013, Tudo Sobre Belo Monte: historia, Dec. 16th 2013

<http://arte.folha.uol.com.br/especiais/2013/12/16/belo-monte/capitulo-5-historia.html>

²⁶ Eliane Brum, “O que Belo Monte delata sobre todos os lados”, *El País*, April 11st 2016
http://brasil.elpais.com/brasil/2016/04/11/opinion/1460390361_909016.html?id_externo_rsoc=TW_TX

alcoholism, drug use and prostitution, which had never been recorded in indigenous areas before. In addition, Altamira in the flood season becomes a peninsula, and the flooded area (a fourth of the city)²⁷ is likely to become the perfect habitat for mosquitos, increasing the likelihood of malaria outbreaks. Not only there are increasing illness and health-related problems, but the infrastructures have not been made suitable for welcoming immigrants and granting sanitation services. For instance, health authorities denounced that the works foreseen in 2010 as necessary conditions for the implementation of Belo Monte project, began to be implemented only in 2015. Hence, the works had a four-years delay and included the building of the water supply systems and the organization of the Special Indigenous Sanitary District (DSEI) of Altamira. Moreover, the division of the populations from eighteen villages to forty-two, contributed to worsen the logistical problem of granting the health care.²⁸ In addition, there is a legal disputes between Norte Energia, the Town Hall of Altamira and the regional government. According to the company, the other two should bear the costs of the links of the sewage network to city residences. As a result of the dispute, although the sanitation system is partially ready no connection had been made by September 2016. According to estimates, the company would take one year to complete the sewage connections,²⁹ which means that the danger to public health is serious: when the rains of the Amazonian winter will start, the lake of Belo Monte, in front of the city, could be contaminated by poor drains and open sewers.

The expected environmental impact was enormous, but the real impact is even worst. The project initially planned to divert 80% of the flow of the Xingu River causing the flooding of an area of almost 640 km² through the Amazon Basin, most of which is composed by rainforest.³⁰ It has been estimated that at least ten species that find their home in the Xingu, and nowhere else on the planet, will face extinction, and many migratory species will be seriously damaged by the obstacle of the dam alongside their path to their breeding ground. In addition, the Belo Monte dam is far from being a clean energetic project, since the decomposing forests below the surface would release methane, which is twenty five times

²⁷ Philip M. Fearnside (2012) Belo Monte Dam: A spearhead for Brazil's dam building attack on Amazonia?, GWF Discussion Paper 1210, Global Water Forum, Canberra, Australia.

²⁸ MXVPS, “Falta de água potável, insegurança alimentar, alcoolismo, depressão: sem cumprir condicionantes, Belo Monte provoca o caos na saúde indígena no Xingu”, Aug. 19th 2015, <http://www.xinguvivo.org.br/2015/08/19/falta-de-agua-potavel-inseguranca-alimentar-alcoolismo-depressao-sem-cumprir-condicionantes-belo-monte-provoca-o-caos-na-saude-indigena-no-xingu/>

²⁹ MXVPS, “Belo Monte pagará multas diárias a partir de 30/9, por não concluir saneamento de Altamira”, Sep. 20th 2016 <http://www.xinguvivo.org.br/2016/09/20/belo-monte-pagara-multas-dias-a-partir-de-309-por-nao-concluir-saneamento-de-altamira/>

³⁰ International Rivers (2010) Belo Monte: Massive Dam Project strikes at the heart of the Amazon, March 2010

more powerful than CO₂ in contributing to global warming.³¹ Moreover, the dam causes the lower of the water level in the Xingu's Big Bend, a 100 km stretch between the dam and the main powerhouse, where there are two indigenous reserves, as well as traditional Amazonian riverside dwellers and fishermen, who relied on the river for fishing and for travelling by boat to sell their products in Altamira. It would be a death sentence for indigenous tribes, such as Kayapó, Juruna, Xikrín, Arara, Xipaia and Kuruaya, and other riverine and farming communities, and for their way of life. At the same time, upstream communities will no longer be able to feed themselves with migratory fish species, which will find their path closed. The Xingu River was reported to be the Amazon tributary with the highest diversity of aquatic environments³² and even in the first stages of the project, the dam began to show how harmful it was for the aquatic life. The independent panel of experts that analysed the EIA back in 2011 found that, the reduction of the flow (see Annex 5) would cause the extinction of hundreds of fishes.³³ For instance, the dam's construction caused the Piraíba, an important commercial fish, to disappear³⁴ and fishermen reported additional problems, such as explosions, water turbidity, and dredging of the river bed and beaches, being cause of the destruction of feeding sites and wildlife reproduction. Moreover, they added to this list the problem related to permanent site lightning, which scares fish and prevents traditional fishing techniques such as night net fishing.³⁵ In recent months, the filling of the instream reservoir caused additional evident impacts on Xingu fauna. It is not just fish that have been impacted, but also turtles, as some biologists consider the dam harmful for the Tabuleiro do Embaubal, which is one of the most important turtle breeding sites in the Amazon basin.³⁶ Over 16 tons of fish died between November 2015 and February 2016, which led IBAMA to charged Norte Energia with a R\$35.3 million fine (€10 million). Later, the company assured they have identified and minimized the causes, however, by April 20th, after the power station started operation, a new fish massacre occurred. According to Amazon Watch,³⁷ there are proofs that Norte

³¹ Philip M. Fearnside (2004) Greenhouse gas emissions from hydroelectric dams: Controversies provide a springboard for rethinking a supposedly “clean” energy source. *Climatic Change* 66: 1-8

³² ISA (2015) Atlas dos impactos da UHE Belo Monte sobre a pesca, Instituto Socioambiental, São Paulo, p.20

³³ Hurwitz, Z. et al. (2011) Mega-Projeto, Mega-Riscos. Análise de Riscos para Investidores no Complexo Hidrelétrico Belo Monte, Amigos da Terra - Amazônia Brasileira; International Rivers, 2011, p 55

³⁴ Sue Branford, “Fish kills at Amazon’s Belo Monte dam point up builder’s failures”, Mongabay, July 13th 2016 <https://news.mongabay.com/2016/07/fish-kills-at-amazons-belo-monte-dam-point-up-builders-failures/>

³⁵ ISA (2015) Atlas dos impactos da UHE Belo Monte sobre a pesca, pp.34-35

³⁶ Sue Branford, “Fish kills at Amazon’s Belo Monte dam point up builder’s failures”, Mongabay, July 13th 2016 <https://news.mongabay.com/2016/07/fish-kills-at-amazons-belo-monte-dam-point-up-builders-failures/>

³⁷ Maira Irigaray, “Belo Monte and the Face of Development We Refuse To See”, Amazon Watch, March 4th 2016 <http://amazonwatch.org/news/2016/0404-belo-monte-and-the-face-of-development-we-refuse-to-see>

Energia has hired a cleaning team for removing the dead fish from the river and that the group includes Biota, the contractor which was supposed to manage the fish population. One of the symbols of the environmental disaster caused by Belo Monte is the Arapujá Island that was located on the opposite bank of Altamira's waterfront. The island has been flooded and it is now part of the dam reservoir, after being deforested without any forest management and wildlife rescue, and without having studied its still-unknown biodiversity.³⁸ That is an additional reason why MXVPS and the FDA accused the government and the consortium of crimes against nature and human rights violations in the framework of national and international organizations. It is equally symbolic the dramatic story of the Juruna village Muratu, located in the Big Bend's Indigenous Paquiçamba Territory,³⁹ which is an explanatory example of the price of modernity that dam-affected indigenous are experiencing, not only for diet-related diseases, but also for bad hygienic conditions and money-related problems.⁴⁰ Because of the lack of a sanitation system, the tanks leak the waste directly to the Xingu, which borders the village and pollute the soil. Moreover, in the new wooden houses built by the consortium, electricity has become a problem. Previously, Juruna were supplied by generators paid by Norte Energia, so there was no spending; but now, in addition to constant blackout because the wiring goes to the edge of the forest, people have accumulated debt as they cannot pay the bills. However, maybe the most dramatic change was the cancellation of their ancestral identity. As a matter of facts, fishers were obliged to become farmers. Since they cannot live off fishing, the Company gave corn seeds to them and they are now planting things they are not used to. Moreover, indigenous claimed that chickens donated by Norte Energia are "cannibals" and eat their own eggs. In addition, there is another novelty linked to the drying of the Big Bend, that is even more painful and frightening: the death of vegetation, aggravated by the decrease pollination carried out by the bees, which are negatively affected by the constant light of the Belo Monte sites.

Those who tried to denounce the already clear contradictions of Belo Monte during the last decades, was accused of not understanding the country's development needs. But the only way to call Belo Monte "green energy" is to omit its effects. The Government firstly presented an EIA study that did not take into considerations many of the elements that

³⁸ MXVPS, "O assassinato da mais bela ilha do Xingu (aos olhos de Altamira)", Aug 31st 2015
<http://www.xinguvivo.org.br/2015/08/31/o-assassinato-da-mais-bela-ilha-do-xingu-aos-olhos-de-altamira/>

³⁹ See Annex 4, 5

⁴⁰ Verena Glass, "O alto preço da modernidade de Belo Monte na vida da aldeia indígena de Muratu", MXVPS, Jan. 25th 2016 <http://www.xinguvivo.org.br/2016/01/25/o-alto-preco-da-modernidade-de-belo-monte-na-vida-da-aldeia-indigena-de-muratu/>

have been cited in the previous paragraph, while repeatedly affirmed that the indigenous people would not have been impacted. Instead, besides damaging health, activities and the environment, Norte Energia caused even the disappearance of a cultural pattern of occupation, whose essential characteristic was having a double house: a house on the islands for fishing and agriculture, and another in the city, for the sale of products and access to health and education.⁴¹ The company carried out the eviction of this pattern by building dozens of houses without any supervision by FUNAI or IBAMA, outside the licensing standards, reshaping the villages and undertaking compulsory removals and demolitions. Hence, those who claim that “at least” the mega-dam has not destroyed the indigenous identities are totally wrong. Belo Monte has had and is still having an all-round impact. Moreover, back in 2005, the tragic effects of the dam on the indigenous peoples were already known, as proved by the publication of a report by a panel of experts, expressing deep concern about the hydroelectric project,⁴² but the reasons of money prevailed once again over concerns about human life.

2.3 Legal Disputes over Licensing Process

The licensing process has three stages, each one requiring specific studies to be submitted to IBAMA. The three phases are Preliminary License (PL), Installation License (IL) and Operating License (OL).⁴³ The Preliminary License should be requested to IBAMA and approves the environmental feasibility of the project, authorizing its location and design technology and establishing some conditions to be considered in the executive phase. For obtaining the PL, contractors should carry out an EIA/RIMA and submit it to IBAMA, as well as hold public hearings with affected communities. The Installation License authorizes the beginning of the works of settlement of the enterprise and has a validity of maximum six years. A requirement for obtaining the IL is the submission of a Basic Environmental Plan (PBA) with the aim of presenting the program for minimizing negative impacts previously detected. Finally, the Operating License authorizes the start of the construction and it is released only if all requirements and technical details described in the approved project, the PL and IL, have been developed and served. The validity period ranges from four to ten years. To support the OL stage, the entrepreneur draws up a set of reports

⁴¹ MPF (2015) Relatório de Inspeção Interinstitucional: áreas ribeirinhas atingidas pelo processo de remoção compulsória da UHE Belo Monte, Altamira (PA), 2015, pp. 67-70

⁴² Oswaldo Sevá, “Tenotá–mô: Alerts regarding the consequences of hydroelectric projects planned for the Xingu River, Brazilian Amazon”, International Rivers, April 30th 2005

<https://www.internationalrivers.org/resources/tenot%C3%A3o%20%80%93m%C3%B5-4065>

⁴³ Ibama, Processo de Licenciamento <http://www.ibama.gov.br/licenciamento/>

describing the implementation of environmental programs and mitigation measures provided for in the PL and IL.

Before proceeding in the description of the legal disputes concerning Belo Monte, it is here reported a table with the main stages of the Licensing Process, which will be helpful to have an overview of this long process.

Figure 2 - Environmental Licensing Process

Stages	Dates
Partial Preliminary License	February 2010
Partial Installation License	February 2011
Installation License	June 2011
Operating License	November 2015

2.3.1. Preliminary License

The first legal dispute dates back to 2005 and regards the judicial decree 788/2005, which was approved by the Congress in July 2005 and gave green light for the construction of the dam, once provided proper viability and environmental impact studies. Several NGOs protested for the unconstitutionality of the legislative decree, since they hadn't consult with dam-affected populations as required by the law, an argument that will be present all along the story of Belo Monte, not only from national agencies but also from international organs. The first attempt to call for an injunction was dismissed by the STF in December 2005, allowing IBAMA, under request of Eletrobrás, to reopen the licensing process and start the EIA investigations.⁴⁴ Next year the Public Prosecutor Office (MPF) filed a lawsuit in Altamira, where the tribunal decided for the suspension of the licensing process, until the public hearings were held. However in March 2006 the Supreme Court overturned the injunction without questioning the legitimacy of Decree 788. As a consequence, the studies for the EIA continued; in August 2007 took place public hearings in Altamira and Vitoria do Xingu and, by December, Electrobrás submitted its EIA to IBAMA. An “indigenous component” was added to the study, however the Big Bend’s tribes did not give their consent, not considering that the hearings had been “held in good faith”.⁴⁵

⁴⁴ Alfredo de J. Flores e Gustavo Castagna Machado (2015) p.54-56

⁴⁵ International Rivers, “A Lifetime of Injustice. The History of the Belo Monte Dam: New EIA for updated design”, March 2007 <http://www.tiki-toki.com/timeline/entry/197403/A-Lifetime-of-Injustice-the->

In July 2009, President Lula met with social movements and electric energy officials, promising that the project would not be implemented if it was found inviable.⁴⁶ Meanwhile, a new EIA had been presented by Electrobrás and accepted by IBAMA, before being stopped by another MPF lawsuit that denounced improper procedure and incomplete information.⁴⁷ In October an independent panel composed by forty specialists, including biologists, economists and energy planners described in a 230-page analysis to IBAMA the severe omission of the 2009 EIA that downplayed the environmental and social consequences.⁴⁸ For instance, the EIA avoided to mention that the severe reduction in river flows will decimate fish stocks and impede migration.⁴⁹ In November, the licensing process was suspended and resumed in less than 24 hours, while IBAMA, that had initially rejected the EIA due to lack of evidence for the Preliminary License, ended up, on February 1st, 2010, granting a partial PL to the consortium Electro Energia due to pressure from the government,⁵⁰ even though “partial” licenses do not exist in Brazilian legislation.⁵¹ As they did not get the environmental approval of the project as a whole, IBAMA established that the developers had to comply with forty included conditionalities during the phase of implementation, plus thirty eight indigenous conditions.⁵² Later, even if a Federal judge managed to get the license suspended, his decision was overturned,⁵³ allowing the auction scheduled by ANEEL to take place in April 2010. The auction was won by the electrical consortium Norte Energia, owned up to 75% by government institutions and headed by parastatal energy company Eletrobrás, which began to receive loans from the BNDES on December that same year.⁵⁴ However, the funds could not be used until IBAMA released the IL, which brought new disputes and raised additional concerns.

History-of-the-Belo-Monte-Dam

⁴⁶ International Rivers, “Lula Promises not to Shove Belo Monte Down Our Throats”, July 27th 2009

<https://www.internationalrivers.org/blogs/232/lula-promises-not-to-shove-belo-monte-down-our-throats>

⁴⁷ Flores and Castagna Machado (2015) p. 57

⁴⁸ Acselrad, H., et alt. (2009) Painel de Especialistas.

⁴⁹ Greenpeace (2016), Damning the Amazon. The risky business of hydropower in the Amazon, April 13rd 2016

⁵⁰ Mark Sabaj Pérez. “Timeline of the Controversial Belo Monte Megadam in Brazil”, *American Scientist*, Oct. 14th 2015, <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

⁵¹ Philip M. Fearnside (2012) Belo Monte Dam: A spearhead for Brazil’s dam building attack on Amazonia?, GWF Discussion Paper 1210, Global Water Forum, Canberra, Australia.

⁵² Eve Bratman (2014) Passive revolution in the green economy: activism and the Belo Monte dam, Nov. 11st 2014, *Int Environ Agreements* (2015)15, 68

⁵³ International Rivers, “A Lifetime of Injustice. The History of the Belo Monte Dam: The preliminary license survives”, April 2010, <http://www.tiki-toki.com/timeline/entry/197403/A-Lifetime-of-Injustice-the-History-of-the-Belo-Monte-Dam>

⁵⁴ Ibid.

2.3.2 Installation License

The honesty of the head of IBAMA costed him his job, as he was forced to resign due to his refusal to illegally approve the project before Norte Energia complied with the necessary mitigation actions.⁵⁵ One week after his resignation, the new president of IBAMA granted a partial Installation License to Norte Energia, which led the Federal Public Prosecutor to file a lawsuit on the issue, since “partial” licenses, as previously said, are illegal. In addition, the MPF ordered the suspension of the license, because Norte Energia had not complied with the established conditions: only five of the forty had been met.⁵⁶ In early March 2011, the decision was overturned by a regional judge using a legal artifice based on supposed threats to national security⁵⁷ and Norte Energia started to work on the construction site of Belo Monte, violating the requested preconditions for the license and the loan conditions issued by the BNDES, which established that the possession of a complete license is a binding precondition for starting the construction.⁵⁸ In May, the world's second-largest mining corporation, Vale, joined the project and some design alteration were submitted to IBAMA. The company eventually won the Public Eye Awards known as the “Noble Prize of Shame”, not only for its labor and human rights violations across almost forty countries, but also for being the leading private shareholder in the Belo Monte Dam.⁵⁹ The new design removed the Bela Vista Dam and reduced the diversion channels from two to one.⁶⁰ Between June and July the missing permission and funds were issued: IBAMA gave full Installation License to the consortium and the BNDES completed the bridge loan. By this time, there were already twelve pending court cases above irregularities in the licensing process.⁶¹

As previously pointed out, the lack of consultations with dam-affected communities has been one of the main argument denouncing the irregularities behind the approval of the dam. For instance, in 2011, for not holding previous consultations, the ILO accused Brazil

⁵⁵ Philip M. Fearnside (2012) Belo Monte Dam: A spearhead for Brazil's dam building attack on Amazonia?, GWF Discussion Paper 1210, Global Water Forum, Canberra, Australia.

⁵⁶ Ibid.

⁵⁷ International Rivers & Amazon Watch, “Regional Judge Overturns Ban on Construction of Controversial Belo Monte Dam”, March 5th 2011, <https://www.internationalrivers.org/resources/regional-judge-overturns-ban-on-construction-of-controversial-belo-monte-dam-3731>

⁵⁸ Zachary Hurwitz, “On Carnaval, Belo Monte Installation Begins”, International Rivers, March 7th 2011 <https://www.internationalrivers.org/blogs/258/on-carnaval-belo-monte-installation-begins>

⁵⁹ International Rivers & Amazon Watch, “Brazilian Mining Giant Vale Voted Worst Corporation in the World”, Jan. 30th 2012 <https://www.internationalrivers.org/resources/brazilian-mining-giant-vale-voted-worst-corporation-in-the-world-3690>

⁶⁰ Mark Sabaj Pérez. “Timeline of the Controversial Belo Monte Megadam in Brazil”, *American Scientist*, Oct. 14th 2015 <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

⁶¹ Philip M. Fearnside (2012) Belo Monte Dam: A spearhead for Brazil's dam building attack on Amazonia?, GWF Discussion Paper 1210, Global Water Forum, Canberra, Australia.

of violating its Convention 169⁶² and the Inter-American Commission on Human Rights, part of the Organization of American States, called for the suspension of the project. The answer of the newly elected president (January 2011), Dilma Rousseff, was the withdrawal of the Brazilian ambassador from the OAS.⁶³ In October, Federal Judge Selene Maria de Almeida declared the Belo Monte licenses illegal, since the Brazilian government had not held any consultation with potentially affected tribes before the Congress approval to Decree 788, in violation of the art. 231 of the Constitution. She argued that even if the flooded area would not affect indigenous territories, the diversion of the 80% of the Xingu would impact on their abilities to reproduce physically, culturally, and economically.⁶⁴ Unluckily, the validity of the legislative decree was upheld a month later by Federal Judge Maria do Carmo Cardoso who described as “unnecessary” the prior consultations with riverine communities, because the dam infrastructure was not within the borders of indigenous land. Congress Decree 788/2005 was eventually suspended on August 13rd 2012, six years after the Federal Public Prosecutor first filed a lawsuit arguing that the congressional decree, and not the licenses, was illegal.⁶⁵

In July 2012 a MPF lawsuit called for the immediate suspension of the full IL for Belo Monte, which was granted in June 2011 by IBAMA, given the serious noncompliance of the consortium with compensation and mitigation measures previously promised. The Brazilian Institute turned an eye blind to that until February 2013, when it admitted Norte Energia's noncompliance with environmental mitigation actions for Belo Monte, but still refused to establish a fine,⁶⁶ which would be done the same month by the Federal Justice system.⁶⁷ In August, 2012, Federal Judge Souza Prudente of the TRF-1 ruled, like her colleague Federal Judge Selene Maria de Almeida, that the work at the dam had to stop, since the Congress approved the project three years before publication of the EIA and any congressional consultation with indigenous peoples was ever carried out.⁶⁸ For this reason,

⁶² Mark Sabaj Pérez. “Timeline of the Controversial Belo Monte Megadam in Brazil”, *American Scientist*, Oct. 14th 2015, <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

⁶³ Ibid.

⁶⁴ Brent Millikan and Zachary Hurwitz ,“Landmark Vote Upholds Indigenous Rights on Belo Monte”, International Rivers, Oct. 18th 2011, <https://www.internationalrivers.org/blogs/258/landmark-vote-upholds-indigenous-rights-on-belo-monte>

⁶⁵ International Rivers, “Belo Monte Justice Now! Legal Campaign”, Nov 6th 2012 <https://www.internationalrivers.org/resources/belo-monte-justice-now-legal-campaign-7716>

⁶⁶ MXVPS, “Norte Energia descumpre condicionantes socioambientais e Ibama não pune”, Feb.8th 2013 <http://www.xinguvivo.org.br/2013/02/08/construtora-de-belo-monte-descumpre-condicionantes-socioambientais-e-ibama-nao-pune/>

⁶⁷ MXVPS, “Justiça multa Norte Energia em meio milhão por dia se descumprir acordo com índios”, Feb. 14th 2013 <http://www.xinguvivo.org.br/2013/02/14/justica-multa-norte-energia-em-meio-milhao-por-dia-se-descumprir-acordo-com-indios/>

⁶⁸ Zachary Hurwitz, “ Belo Monte Dam Suspended by High Brazilian Court”, Feb. 18th 2012 <https://www.internationalrivers.org/blogs/258/belo-monte-dam-suspended-by-high-brazilian-court>

she argued, Article 231 of the Constitution had been violated and as a result the PL (2010) and the IL (2011) were *de facto* illegal. Ten days later, Norte Energia released statement announcing the stop of all work activities,⁶⁹ but the dam's construction was resumed less than a week later, thanks to the Supreme Court which overturned the TRF-1 ruling. As a matter of fact, the Supreme Court denounced that the regional court ruling conflicted with a prior Supreme Court decision (2007), irrespective of the fact that in 2007 they actually stated that, lacking a prior consultation, the Congress's authorization was invalid.⁷⁰ This fact is only one example of the alarming pressure than politics could have on justice in Brazil. In September the MPF tried to appeal to the Brazilian Supreme Court⁷¹ and again, in April 2013, MPF asked to the Federal justice to issue mandatory measures to make Norte Energia adopt sanitation measures in the urban affected areas. Moreover, the Prosecutor asked for the suspension of the IL and the payment of a fine by Norte Energia.⁷²

Many lawsuit were filed against Norte Energia, but one of the main problems in the licensing procedures has been Norte Energia disrespect for the other governmental agencies, such as ISA and IBAMA, and BNDES leniency with the company. In September 2013, a lawsuit was filed by the Public Prosecutor for lack of compensation to the Xikrin people affected by Belo Monte Dam; in October, a Federal Appeal Court based in Rio de Janeiro ruled on transparency of BNDES documents, after the company refused to publicly disclose its reports, used for justifying approval of major loans, under request of the newspaper Folha de San Paulo, which filed a lawsuit.⁷³ Later that month, TRF-1 regional court decided in favour of the Federal Public Prosecutor (MPF) and ruled the immediate suspension of all works on, and of all loans for, the Belo Monte Dam, until Norte Energia fully complied with all conditions established by 2010 License.⁷⁴ In December, TRF-1 Judge Antônio de Souza Prudente ruled that construction of the Belo Monte Dam must be halted and recognised the environmental abuses perpetrated by Norte

⁶⁹ International Rivers, "Belo Monte Dam Construction Halted", Aug. 24th 2012
<https://www.internationalrivers.org/resources/belo-monte-dam-construction-halted-7650>

⁷⁰ International Rivers, "Supreme Court Judge Overturns Suspension of Belo Monte Dam", Aug. 28th 2012
<https://www.internationalrivers.org/resources/supreme-court-judge-overturns-suspension-of-belo-monte-dam-7656>

⁷¹ MPF, "Federal Public Prosecutors Appeal to Supreme Court to Maintain Suspension of Belo Monte", International Rivers, Sep. 3rd 2012 <https://www.internationalrivers.org/resources/federal-public-prosecutors-appeal-to-supreme-court-to-maintain-suspension-of-belo-monte>

⁷² International Rivers, "Ação judicial pede suspensão da licença de Belo Monte até que cronograma das obras seja atendido", April 4th 2012 <http://www.xinguvivo.org.br/2013/04/04/acao-judicial-pede-suspensao-da-licencia-para-a-hidreletrica-ate-que-cronograma-das-oberas-seja-atendido/>

⁷³ International Rivers, Amazon Watch, AIDA, "Brazilian Federal Court Rules for Public Scrutiny over BNDES Loans", Oct. 24th 2013 <http://amazonwatch.org/news/2013/1024-brazilian-federal-court-rules-for-public-scrutiny-over-bndes-loans>

⁷⁴ MXVPS, "TRF1 suspende licença de Belo Monte e pagamentos do BNDES e manda parar a obra", Oct. 26th 2013 <http://www.xinguvivo.org.br/2013/10/26/justica-paraliza-obras-de-belo-monte/>

Energia and stipulated a daily fine of R\$500,000 (€144.000). The Court also prevented any further investments from BNDES for the project.⁷⁵ The decision was later overturned, first by TRF-1 presiding judge and later by TRF-1 Special Court.⁷⁶

Starting from March 2014, Belo Monte faced a new legal dispute, as the Brazilian High Court asked for a new EIA. The Court ruled on the appeal regarding the rejected 2010 lawsuit against the EIA, which allowed Belo Monte to get its Preliminary License. The PL included forty conditions that Norte Energia did not fulfil within the statutory legal deadline, hence most were transferred (illegally) to the dam's IL. According to Amazon Watch, the choice of only partially upholding the MPF appeal, by ruling a 10 days suspension and the request of a new EIA, instead of a total halt, depends on the fact that by asking a new EIA the government wouldn't have the possibility of using the "security suspension" legal mechanism to overturn the ruling.⁷⁷ Few months later, the TRF-1 denied the appeal of Norte Energia and thereby confirmed the decision of March 2014 that obliged the company to make corrections in the EIA of the Belo Monte plant within ninety days, under penalty of halt of the works and a daily fine. On request, the MPF argued that the license granted by IBAMA No 342/2010 is void, since it was issued based on inaccurate environmental impact studies. Moreover, despite the holding of public hearings, contributions collected in them were completely ignored and scorned. In addition, the TRF-1 ruled that a new Declaration of Water Availability Reserve, based on the EIA data, was required, since it should have been updated when the project was modified.⁷⁸

As previously said, also BNDES played a role in contributing to the corrupted project. For instance, BNDES provided funds for 80% of the Belo Monte cost. A sixth of this amount was allocated to compliance with environmental obligations and the implementation of a sustainable development plan for the Altamira region. In 2014, ISA was denied access to BNDES environmental reports produced by an independent audit about the Belo Monte dam, analysing the physical and financial implementation of environmental obligations of the borrower, the Norte Energia company.⁷⁹ BNDES denied access, claiming that the

⁷⁵ Correio Braziliense, "TRF determina a paralisação das obras da usina hidrelétrica de Belo Monte", Dec. 17th 2013 http://www.correobraziliense.com.br/app/noticia/economia/2013/12/17/internas_economia,403806/trf-determina-a-paralisacao-das-obras-da-usina-hidreletrica-de-belo-monte.shtml

⁷⁶ Mark Sabaj Pérez. "Timeline of the Controversial Belo Monte Megadam in Brazil", *American Scientist*, Oct. 14th 2015 <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

⁷⁷ MXVPS, "Belo Monte Under Renewed Legal Attack", Amazon Watch, April 1st 2014 <http://amazonwatch.org/news/2014/0401-belo-monte-under-renewed-legal-attack>

⁷⁸ MXVPS, "Tribunal nega recurso da Norte Energia e confirma prazo de 90 dias para novos estudos de Belo Monte", Aug. 22nd 2014 <http://www.xinguivo.org.br/2014/08/22/tribunal-nega-recurso-da-norte-energia-e-confirma-prazo-de-90-dias-para-novos-estudos-de-belo-monte/>

⁷⁹ MXVPS, "BNDES descumpe decisão da Controladoria da União e nega acesso a dados sobre Belo Monte", Nov. 26th 2014 <http://www.xinguivo.org.br/2014/11/26/bndes-descumpe-decisao-da-controladoria-da>

reports were covered by bank secrecy, but ISA complained to the CGU that upheld the appeal, arguing that it was impossible to extend banking secrecy because of the nature of information and public interest, such as dealing with the fulfilment of the conditions. Nevertheless, the bank ignored the decision of the CGU and sent irrelevant information, omitting altogether the content of final results. Moreover, BNDES provided the agreements made with Norte Energia for transferring resources to municipalities and local government of Pará, regarding the provision of health, education and security after the plant had caused population growth in region, but said that it did not carry out any monitoring of the application of these financial resources. That was not the first time that ISA questioned the effectiveness and reliability of official monitoring. The previous year, it warned BNDES that IBAMA had found false information in the Norte Energia reports⁸⁰, as some employees found by chance an operational transmission line linking Altamira to the construction sites that the company had built without previous authorization. In that occasion, Norte Energia was assessed by omission of relevant information on licensing, which also characterize environmental crime, and was charged with a fine. However, the dispute over transparency was solved only in September 2016, when ISA, thanks to the intervention of the MPF, reached a pact with BNDES and Norte Energia, which establishes that Norte Energia has to publish periodic audit reports on compliance with the environmental obligations included in the licensing.⁸¹ Thus, after all the intransparency and leniency, maybe Belo Monte is entering in a new phase. In the meantime, Federal Judge Federico de Barros Viana, worried by the irreversible damages caused by the hydropower project, demanded Norte Energia to fulfil the Mitigation Action Plan and set a daily fine for Norte Energia of R\$50,000 until it complied with the order.⁸² But the company delay was so serious that maybe the fines it had payed had largely overpassed the future gaining. In August 2014, the Federal Public Prosecutor sent a document to ANEEL containing information on the delays in the schedule of works of Belo Monte. In the document the MPF opposed several of the company's claims, pointing out inconsistencies, above all about what written by the company on a technical note sent to ANEEL in April, in which Norte Energia argued that most of the delay was due to the time for analysis and shipping

uniao-e-nega-acesso-a-dados-sobre-belo-monte/

⁸⁰ MXVPS, “Ação do ISA e MPF obriga banco a abrir caixa preta de Belo Monte”, Sep. 20th 2016 <http://www.xinguvivo.org.br/2016/09/20/acao-do-isa-e-mpf-obriga-banco-a-abrir-caixa-preta-de-belo-monte/>

⁸¹ Ibid.

⁸² MXVPS, “Justiça ordena que Norte Energia cumpra condicionante de Belo Monte para proteger Terras Indígenas”, April 15th 2014 <http://www.xinguvivo.org.br/2014/04/15/justica-ordena-que-norte-energia-cumpre-condicionante-de-belo-monte-para-proteger-terras-indigenas/>

permits, resulting in the loss of hydrological windows⁸³ of years 2011/2012 and 2012/2013. According to Norte Energia, the responsible for the change in the schedule were IBAMA and ANEEL, for having, respectively, delayed 61 days the issuance of the Installation License and 217 days the decree of Public Utility (which allows the expropriation of the affected areas), even though for the MPF, Norte Energia was the only responsible. The MPF found that, in the case of the IL, IBAMA refused to issue it because the environmental obligations had not been met by the company; moreover, IBAMA and ANA were not responsible for the delay in the approval of the Vessel Transposition System, but it was NESA, since it should have presented the mechanism in June 2011, but only did in August 2012. In addition, the removal of the population of São Pedro under IBAMA's request, which caused an extra week of delay, was expected from the stage of the EIA, the PL and IL. The Federal Court itself entered in the list of the accused by Norte Energia, for having granted an injunction that has lasted for 77 days to the Association of Ornamental Fish Breeders, impeding the work of the company in the riverbed between September and December 2011. Another injunction by the TRF1 had paralyzed the works for four days in August 2012. The company also added a total of 42 days of interruption of work due to indigenous and riverine communities' protests, and strikes of the workers. For every case listed, the Court directly blamed NESA for the stoppage and reminded ANEEL that most of the protests were caused by delays or total failure of the company itself to comply with social and environmental obligations. For every occupation, the company signed new agreements with indigenous and riverine communities, which soon after were again breached, generating new protests. According to the company, also the government would be responsible for 165 of the 441 days lost in the schedule of work on the site Pimental, as well as court decisions that ordered the stoppage of work on the site for 84 days and indigenous and riverine' protests that blocked the entrance to the construction sites for at least 26 days. Besides the company's attempt to justify its delay, there was evidence that the real cause of the delay was imputable to geological characteristics of the region, which had not been studied satisfactorily in the preliminary phase. As a matter of fact, in August 2014 academics from various universities and research institutes warned the MPF to open an investigation for probable presence of technical difficulties relating to the geological characteristics and foundations of dykes,⁸⁴ which is an additional element to the analysis of the unviability of the project, together with another study developed by the

⁸³ The "Hydrological window" is the period of lowest flow in the Xingu that allows the works in the course of the river.

⁸⁴ MXVPS, "Atrasos de Belo Monte podem vir de inviabilidade técnica da obra", Aug. 7th 2014
<http://www.xinguvivo.org.br/2014/08/07/atracos-de-belo-monte-podem-vir-de-inviabilidade-tecnica-da-obra/>

hydrology group of the University of Illinois. The researchers asked the MPF intermediation for the establishment of an independent team of experts with access to technical studies for analysing progresses and risks, as well as social and environmental-related complaints and delays of regulatory agencies. However, even though new studies on the geological situation of the Belo Monte channel were carried out in April 2014 and presented at a closed conference at the University of Texas, they have not been made public.⁸⁵

Since the number of complaints presented to the MPF in Altamira has been increasing during the years, the MPF decided to convene various institutions to make an inspection in areas affected by the plant and personally see the social tragedy caused in the region.⁸⁶ The team, coordinated by the Ministry, included representatives from IBAMA , FUNAI , NHRC (National Human Rights Council) , ICMBio (Chico Mendes Institute for Biodiversity Conservation), DPU (Public Defender Union) and DPE (Public Defender of the State), in addition to several university researchers. The inspection took place on 1st and 2nd June 2015 and found the dissolution of families, the destruction of traditional communities and the inability of the affected to rebuild their livelihoods after removal. Until a solution was provided, the MPF recommended the suspension of riparian removals and presented to representatives of the Federal Government and governmental agencies, the partial report of the inspection, listing 55 findings of noncompliance with the obligations of the plant and violations of the rights of those affected.⁸⁷ The full report was published only in July 2015 and argued that the removal process was violating one of the principles of the PBA, which imposed the need to maintain the way of life of the affected communities in conditions at least similar to that held before impact.⁸⁸ Upon completion of the inspection, Norte Energia was notified on suspension of compulsory removal and demolition of houses and was advised to take action for restoration of the way of life of affected families. The MPF said that without ensuring the peculiar territoriality of riverine communities, including the preservation of mobility with their fishing spot, the continuation of fishing activities and a collective urban resettlement with direct access to the Xingu River, there would be no fulfilment of the PBA conditions.

⁸⁵ MXVPS, “MPF envia informações à Aneel sobre o cronograma de Belo Monte”, Aug. 20th 2014 <http://www.xinguvivo.org.br/2014/08/20/mpf-envia-informacoes-a-aneel-sobre-o-cronograma-de-belo-monte/>

⁸⁶ MXVPS, “Remoção forçada de ribeirinhos por Belo Monte provoca tragédia social em Altamira”, June 3rd 2015 <http://www.xinguvivo.org.br/2015/06/03/remocao-forcada-de-ribeirinhos-por-belo-monte-provoca-tragedia-social-em-altamira/>

⁸⁷ MXVPS, “MPF aponta 55 violações de obrigações de Belo Monte em informe ao governo”, June 22nd 2015 <http://www.xinguvivo.org.br/2015/06/22/mpf-aponta-55-violacoes-de-obrigacoes-de-belo-monte-em-informe-ao-governo/>

⁸⁸ MPF, 2015. Relatório de Inspeção Interinstitucional: áreas ribeirinhas atingidas pelo processo de remoção compulsória da UHE Belo Monte, Altamira (PA), 2015, pp.4, 13-14

Meanwhile, also the DPU of Pará started to get interested in the issue, and it committed to meet with affected families and riverine dwellers of the Xingu, for collecting testimonies regarding collective resettlements and remedies that were considered unjust.⁸⁹ Few days later, after receiving official denial by Norte Energia to release information on the current stage of implementation of population resettlement, the Altamira Federal Court granted an injunction ordering the release of the full resettlement project within five days under penalty of a fine arbitrated by the court.⁹⁰ The purpose of the DPU was to study the documents and adopt measures for the protection of collective interests of the population affected by the Belo Monte Hydroelectric plant. A concerning fact is that, despite NESAs involvement in the irregularities of the licensing process since the very beginning, the company has not been the only one to have committed mistakes. For instance, in September 2015, the DPU in Pará filed in the Federal Court of Altamira a civil action against NESAs, and also against the Union itself, FUNAI, IBAMA, ANA, BNDES, demanding the payment of R\$3.5 billion to various categories of affected people.⁹¹ The innovative part, besides the list of rights violations and damages to the health caused by NESAs, regarded various irregularities committed by the other defendants. For instance, the DPU addressed the deliberate subtraction of the right to defence of those affected by the Union, as it refused to install in Altamira a unit of the Public Defender; the IBAMA leniency with the meeting of environmental licensing conditions; the leniency of FUNAI as regards the violation of indigenous rights; the BNDES blindness in front of missing social and environmental criteria necessary for the loan; and ANA failure to respect the Constitution and the Water Code for the management of the Xingu. For instance, ANA had changed its resolution that established the filling prohibition of reservoir in the period from June to December, even though in accordance with the Water Code such intervention in the river remains vetoed this period. Thus, the DPU included a request for injunction against the filling of the plant reservoir in the second half of the year, which could be inherent in a possible grant of Operating License, requested by Norte Energia in February to IBAMA.

⁸⁹ MXVPS, “Defensoria Pública: Aviso aos atingidos pela UHE Belo Monte”, June 6th 2015
<http://www.xinguvivo.org.br/2015/06/06/defensoria-publica-aviso-aos-atingidos-pela-uhe-belo-monte/>

⁹⁰ MXVPS, “DPU obriga Norte Energia a exibir documentos sobre reassentamento em Belo Monte”, June 12nd 2015 <http://www.xinguvivo.org.br/2015/06/12/dpu-obriga-norte-energia-a-exibir-documentos-sobre-reassentamento-em-belo-monte/>

⁹¹ MXVPS, “Após ação, DPU reafirma que Belo Monte não pode encher reservatório com vazão reduzida do Xingu”, Sep.22nd 2015 <http://www.xinguvivo.org.br/2015/09/22/apos-acao-dpu-reafirma-que-belo-monte-nao-pode-encher-reservatorio-com-vazao-reduzida-do-xingu/>

2.3.3 Operating License

Luckily, maybe because of the call to order by the DPU, IBAMA denied the OL in September 2015,⁹² listing 12 items that were not served by the company, including completing sanitation works, water supply and solving logistic problem of access to the region through the implementation of the eight bridges and two footbridges planned to adapt the road system of Altamira. Moreover, Norte Energia had to complete the relocation process and vegetation cleaning, and all the improvements were required to be proved with photographic records and other documents. Few days later, the MPF sent two recommendations to FUNAI, which was supposed to speak up for the unfulfilled conditions contained in the previous licences, highlighting the existence of obligations that must be met before the Operating License release.⁹³ The first recommendation was on territorial protection of Indigenous Land (TI) Cachoeira Seca, of Arara ethnicity, and the demarcation of the Indigenous Land Paquiçamba, which is situated in the directly affected area (see Annexes 4, 5). The fulfilment included a formal regularization of the land, the state's effective presence on site and removal of non-indigenous interference, with the progressive disabling of the Transiriri road. The MPF sent also a recommendation on the fulfilment of the conditions within the PBA-CI, expressing its concern about the development of the Emergency Plan that totally ignored any ethno-developmental instance. Such considerations led the MPF to initiated in December 2015 a legal proceeding in the Federal Court in Altamira for recognising the implementation of Belo Monte as an *ethnocidal* action of the Brazilian state and Norte Energia, evidenced by the destruction of social organization, customs, languages and traditions of affected indigenous groups. Therefore, the MPF action called for the enactment of immediate judicial intervention through a Transition Committee on the PBA-CI, aimed at promoting the transition from the current situation of illegality to a situation where public money that finances the work is effectively used for the benefit of people affected. The Transition Committee is composed by members appointed by FUNAI, ABA (Brazilian Anthropological Association), SBPC (Brazilian Society for the Advancement of science), CNDH (National Human rights Council), as well as by indigenous and civil society organizations. Moreover, MPF requested complementary studies on the impacts of licensing illegalities and the obligation to pay for remedial measures for social and cultural losses.

⁹² André Borges, “Ibama nega licença de operação a Belo Monte”, Estadão, Sep. 22nd 2015 <http://economia.estadao.com.br/noticias/geral,ibama-nega-licenca-de-operacao-para-belo-monte,1767184>

⁹³ MXVPS, “MPF recomenda à Funai que cobre garantia de direitos indígenas como condição para licença de Belo Monte”, Sep. 24th 2015 <http://www.xinguvivo.org.br/2015/09/24/mpf-recomenda-a-funai-que-cobre-garantia-de-direitos-indigenas-como-condicao-para-licenca-de-belo-monte/>

The Federal Public Prosecutor filed another civil action in March 2016, requesting emergency shutdown due to water pollution and the lack of sewage system in the city of Altamira.⁹⁴ Norte Energia S.A. and the federal government had promised that the city would have had 100% sanitation before the plant be ready, but Altamira was still without sewage and drinking water systems. The condition of sanitation was expected from the PL (2010). The company should have delivered supply of drinking water and sanitation systems in July 2014, notwithstanding IBAMA released the Operating License in November 2015, moving the deadline to September 2016. According to federal prosecutors, the refusal of Norte Energia to perform essential part of the works of sanitation (connections of households to water and sewage systems) is illegal, as violates the PBA. The MPF requested the suspension of the OL and the immediate stoppage of the Xingu river closure, as well as the full environmental recovery of the groundwater, streams and rivers contaminated by sewage and the publication of city sanitation plan for the city by 30th September 2016. The action also called for the implementation of the Environmental Education Campaign in the city. By the end of August, the Federal Court granted the injunction requested by the MPF and ordered IBAMA to suspend the effects of Belo Monte plant's OL for noncompliance with the environmental permit.⁹⁵ Norte Energia was given 20 days to submit the emergency plan of water supply and the technical operational plan with schedule of works of the sewer system for Altamira, under penalty of fine. The company and the city would also have to pay fines if they did not start in 40 days environmental education campaign with coverage throughout the city. However, the TRF-1 granted the suspension of the injunction, overturning the decision taken by the Altamira Federal Court, even though it kept the fine imposed by the courts for the delay in the delivery of sanitation. From the 30th September, the company would pay daily R\$20'000; from October 30th, the fine would double. According to estimates, the Norte Energia would take twelve months to complete the sewage connections, that means that it will pay more than R\$7 million (€2 million) in fines.⁹⁶ Nevertheless, it seems that Norte Energia is almost willing to pay extra fines rather than fulfil environmental and social requirements.

⁹⁴ MXVPS, “MPF pede paralisação de Belo Monte por risco de colapso sanitário”, March 9th 2016 <http://www.xinguvivo.org.br/2016/03/09/mpf-pede-paralisacao-de-belo-monte-por-risco-de-colapso-sanitario/>

⁹⁵ MXVPS, “Justiça suspende licença de operação de Belo Monte por descumprimento da licença ambiental”, Aug. 31st 2016 <http://www.xinguvivo.org.br/2016/08/31/justica-suspende-licenca-de-operacao-de-belo-monte-por-descumprimento-da-licenca-ambiental>

⁹⁶ MXVPS, “Belo Monte pagará multas diárias a partir de 30/9, por não concluir saneamento de Altamira”, Sep. 20th 2016 <http://www.xinguvivo.org.br/2016/09/20/belo-monte-pagara-multas-dias-a-partir-de-309-por-nao-concluir-saneamento-de-altamira>

2.3.4 Further considerations on corruption and intransparency

Belo Monte has become a symbol of default in complying with licensing conditions, so much that the licensing process has been viewed by many as a bureaucratic procedure to legalise a decision that had already been made. Between the Congress' approval in 2005 and the start of power generation by Belo Monte 10 years went by. A decade in which the world has been witnessing one of the largest collections of rights violations in the recent history of Brazil. In this process, the Brazilian Government acted as an invisible hand through different federal agencies, and more worrying, with the complicity of the judiciary. In order to understand the prerogative of the Government, it is explanatory to remind that the technicians that signed the statement proclaiming Belo Monte "non-viable", were all fired within few days and substitutes by others appointed by the Government, who gave instant green light to the Preliminary Licence in 2010.⁹⁷ Moreover, the Government used in different occasions, and irregularly, the "safety suspension" (*suspensão de segurança*) argument, for overturning judicial injunctions against the Belo Monte Dam and freeing the State from its duties, as pointed out in the "Report of the Special Rapporteur on the rights of indigenous peoples"⁹⁸. The safety argument is a request made to the president of the Supreme Court to quash a decision of other courts in sole or last instance, and it is applicable in case of a threat to public order, security, health or economy.⁹⁹ According to a MPF survey, this practice has become commonplace in lawsuits dealing with large dams in the Amazon, as only in the case of plants in the rivers Tapajós, Teles Pires and Xingu, the suspension appeal was handled twenty three times by the federal government. Belo Monte, in addition to the security argument granted by the STF, has had the support of the TRF-1, which has granted seven times the suspension of an issued injunction, overturning the decision taken by another court.¹⁰⁰ Back in 2010, TRF-1 Judge Campelo in Altamira was even removed from office and replaced by Judge Ruy Dias de Souza Filho, who had no previous experience in environmental law.¹⁰¹ The previous month, several NGOs had filed a complaint with the United Nations regarding threats and pressures faced by Judge Campelo and MPF attorneys over the Belo Monte auction, hence, the substitution of the judge resembled that of the technicians.

⁹⁷ Cinedelia (2012), Belo Monte: Announcement of a War, available at: <https://vimeo.com/44877149>

⁹⁸ Human Rights Council (2016), Report of the Special Rapporteur on the rights of indigenous peoples on her mission to Brazil, 8th August 2016, p.10

⁹⁹ STF, Glossário Jurídico: Suspensão de segurança, <http://www.stf.jus.br/portal/glossario/verVerbete.asp?letra=S&id=218>

¹⁰⁰ MXVPS, "Belo Monte pagará multas diárias a partir de 30/9, por não concluir saneamento de Altamira", Sep. 20th 2016 <http://www.xinguvivo.org.br/2016/09/20/belo-monte-pagara-multas-diaris-a-partir-de-309-por-nao-concluir-saneamento-de-altamira>

¹⁰¹ Mark Sabaj Pérez. "Timeline of the Controversial Belo Monte Megadam in Brazil", American Scientist, Oct. 14th 2015 <http://www.americanscientist.org/blog/content1/48>

To face this “crime machine” there has been the weaker MPF that, as showed in the previous paragraphs, was in the frontline for giving support to the affected and pursuing the respect of rules and agreements. However, even if it had moved twenty six lawsuits since 2001, pointing out irregularities in the Belo Monte Licensing Process, only two of these cases had already became *res judicata*, by September 2016.¹⁰² In December 2015, the MPF denounced an ethnocide against indigenous, arguing it was caused on one side by the government's lack of rigor in the plant licensing (under the guise of national interest, the bonds were postponed or modified according to convenience to NESA) and by the government itself, that failed to fulfil its obligations, such as strengthening FUNAI and IBAMA and removing invaders from indigenous lands.¹⁰³ Logic would dictate that, at the time when a catastrophic event was shocking indigenous villages, the government, at least, should strengthen the protection agency. Instead, FUNAI employees have been reduced of the 70% since 2011 and its staff in Altamira went from sixty to twenty three members, which allowed Norte Energia to step in as a mediator in negotiations in which it had directly antagonistic interests to the indigenous rights. What can be called a majestic conflict of interests.

2.4 Chronology of the Protests

2.4.1 *The birth of a multi-tribe, inter-ethnic and regional alliance*

The village of Piaraçu on the Xingu River hosted the first indigenous gathering back in 2006, in which took part more than two hundreds representatives of nineteen Kayapó communities with the aim of creating an unified front against the profit-driven State and its multi-dam project on the Xingu. Although the Kayapos are not the leaders of the coalition, they have the merit of having mended their relationship with other indigenous communities, overpassing historic rivalries and joining forces for protecting the Xingu. For instance, in 2003 Kayapos invited in Piaraçu all the indigenous leaders of the Xingu for proclaiming a new era of peaceful relations among indigenous peoples. Moreover, Kayapó Indians and other tribes of the area had already protested together against the dam ever since it was initially proposed in the 1980s, as part of a bigger five-dams project. Their action have been essential for the struggle of Amazonian peoples, as it publicized the

¹⁰² MXVPS, “Tribunal anula acordo ilegal de Eletrobrás com empreiteiras para estudos de Belo Monte”, Sep. 1st 2016 <http://www.xinguvivo.org.br/2016/09/01/tribunal-anula-acordo-ilegal-de-eletrobras-com-empreiteiras-para-estudos-de-belo-monte/>

¹⁰³ MXVPS, “MPF denuncia ação etnocida e pede intervenção judicial em Belo Monte”, Dec. 10th 2015 <http://www.xinguvivo.org.br/2015/12/10/mpf-denuncia-acao-etnocida-e-pede-intervencao-judicial-em-belo-monte/>

government's corruption and brought to light the interdependence of local environmental concerns with the government's development program. But the Kayapos were not content with an only-indigenous alliance, hence, in the following years they invited Brazilian settlers to join them and carried out an active search for allies, which led to the involvement of many national and international NGOs, which would have played a pivotal role during the future struggle against the mega-dam. With such an inclusive spirit took place between 19th and 23rd May 2008 in Altamira the second "Xingu Encounter" that was described by International Rivers as "the largest gathering of indigenous people in the Amazon in almost twenty years"¹⁰⁴. In that occasion, the *Movimento Xingu Vivo Para Sempre* (MXVPS) was born¹⁰⁵, as a democratic movement with the aim of protecting the Xingu and human rights, collecting issues from different affected groups in Altamira, as well as indigenous and riverine communities. In the first years, the movement promoted mostly debates and meetings with representatives of the companies involved in the Belo Monte project, and organized petitions and protests around the world mainly through international organization. However, starting from the summer 2011 something changed, as Indigenous and riverine groups took to action, joining forces in defence of their beloved river and for their survival.

2.4.2 Preventive Direct Actions and Actions for halting the construction

As the Installation License was provided on 1st June 2011, street protests erupted in several Brazilian cities, including São Paulo, Rio de Janeiro, Salvador and Belém.¹⁰⁶ But soon the protesters moved from the streets to the main working sites, in the attempt of halting the construction of the dam with the only mean available, their own body. Hence, on October 27th 2011, an estimated group of 600 indigenous people, representing 21 tribes, together with fishermen, farmers, students and riverine communities, occupied the construction site and an access road from the early morning, asking the total dismantling of the project. The occupation lasted less than one day, because Norte Energia asked and obtained a judicial injunction and imposed a daily fine of R\$500, for immediately clear out the area.¹⁰⁷ Therefore, occupiers were intimidated by threats of forceful removal by the military police

¹⁰⁴ International Rivers, "Xingu Encounter - Altamira, Brazil", May 19th 2008
<https://www.internationalrivers.org/resources/xingu-encounter-altamira-brazil-3618>

¹⁰⁵ Mark Sabaj Pérez. "Timeline of the Controversial Belo Monte Megadam in Brazil", *American Scientist*, Oct. 14th 2015 <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

¹⁰⁶ Amazon Watch, "As Tensions Rise, Controversial Belo Monte Dam Faces New Legal Challenge", June 7th 2011 <http://amazonwatch.org/news/2011/0607-as-tensions-rise-controversial-belo-monte-dam-faces-new-legal-challenge>

¹⁰⁷ Diniz Guerra, G.A. and Freitas Maia, R.E. (2015) Local Residents and Hydroelectric Dams: A case study of two areas struck by the Belo Monte dam in Brazilian state of Pará, *Campo-Território: revista de geografia agrária*, 10(20): 362-392

that reached the site shortly after.¹⁰⁸ This was only the first of many occupy-style protests that have interested the dam sites from that moment on, and an example of the several times that Norte Energia enjoyed judicial benefits granted from its public nature.

In January 2012 another protest took place,¹⁰⁹ this time in Belo Monte's Pimental work site. The protesters arrived by boat showing banners in front of the dam site and they managed to block the works for over two hours. The corporation had begun to construct the first coffer dam that would link the left side of the river to Pimental Island, where they were cutting the jungle, after receiving the authorization from IBAMA to cut up to 55'000 hectares of rainforest. MXVPS reported that the waters of the Xingu had started to turn into red mud. In June, on the Eve of Rio+20 UN Conference the resistant communities engaged in a longer action, that last 21 days.¹¹⁰ They arrived walking on the Trans-Amazonian highway and occupied a temporary dam made of earth which was built with the purpose of stopping the Xingu. Once arrived, protesters, armed with pick and shovels, opened a passage through the earthen dam in order to restore the Xingu natural flow. Then, they assembled in groups to spell out the words "Pare Belo Monte" (stop Belo Monte). This protest had a high symbolic feature, as the participants planted 500 native *açai* trees and erected 200 crosses to honour those who gave their lives for protecting the Amazon forests. These actions were part of the Xingu+23 encounter which was taking place in Altamira to commemorate twenty-three years since the first victory against Belo Monte's original project. Meanwhile residents of Altamira joined the protest holding a march to Norte Energia's headquarters.

In 2012, other groups, following the example of indigenous and residents affected by the Belo Monte dam, decided to take action. There are many evidences that the logic of large projects accentuate violations, mostly related to the poorest populations, even causing several psychological disorders. Women were one of the group that suffered the most because of the dam construction, besides indigenous and riverine communities. For instance, the migration of thousands of men had increased cases of sexual violence, as had previously happened for the cases of Jirau and Madeira plants, where there was an increase of almost 200% of rape cases.¹¹¹ For Belo Monte, the social chaos was eventually brought to light the following year, as a human trafficking and prostitution ring was dismantled,

¹⁰⁸ Zachary Hurwitz, "Tribes Occupy the Belo Monte Dam Work Site", *International Rivers*, Oct. 27th 2011
<https://www.internationalrivers.org/blogs/258/tribes-occupy-the-belo-monte-dam-work-site>

¹⁰⁹ International Rivers, "Protestors Paralyze Belo Monte Dam Construction Works", Jan. 18th 2012
<https://www.internationalrivers.org/resources/protestors-paralyze-belo-monte-dam-construction-works-3691>

¹¹⁰ International Rivers, "Amazonian Communities Occupy the Belo Monte Dam Site", June 15th 2012
<https://www.internationalrivers.org/resources/amazonian-communities-occupy-the-belo-monte-dam-site-7514>

¹¹¹ MXVPS, "Mulheres na luta e resistência contra as mazelas de Belo Monte", June 14th 2014
<http://www.xinguvivo.org.br/2014/06/14/mulheres-na-luta-e-resistencia-contra-as-mazelas-de-belo-monte/>

thanks to a brave minor who escaped from a nightclub and denounced having being treated as sexual slave. After that scandal, an investigation was opened to question whether Norte Energia, CCBM (Consórcio Construtor Belo Monte) and financial investors were complicit.¹¹² This one was only one of the problems that women were facing because of the dam, thus, it is not surprising that in occasion of the International Woman's Day, in March 2013, several women took to the street in the city of Altamira, where the rate of violent crime committed against women had suffered a sharp increase since the beginning of works at the Belo Monte site. The demonstration began in front of the Norte Energia headquarters and then moved to the center of the city, where protesters tied to each other stopped the traffic for almost two hours.¹¹³ The women action continued in the following years,¹¹⁴ and Altamira hosted in June 2014 the II meeting of Women from Country and City (*Mulheres Campo e Cidade*),¹¹⁵ which brought together women from different municipalities for discussing the impacts of Belo Monte in women's social issues and thinking joint action aimed at strengthening women's struggle in the Trans-Amazonian and Xingu region.

In the fall 2012 also fishermen and dam workers joined the protest. In September, a group of about fifty fishermen on their boats formed a line to prevent the passage of machinery and workers towards a cofferdam. Moreover, they occupied one of the main islands of the Xingu River near the construction site, setting up a camp. Fishermen proclaimed they would remain there till Norte Energia and IBAMA had negotiated compensations for the ecological impact of the construction on fishing.¹¹⁶ They even engaged in an act of civil disobedience, as they protested by fishing all the fish that they could, including the prohibited-by-law species, and they fished in prohibited zones near one of the main construction sites and camped on a near island,¹¹⁷ denouncing the reduction of 50% in fishing due to the closure of the river. Moreover, they denounced the lack of prior implementation of a canal for boat transit as issued by the Installation License and the

¹¹² International Rivers, "Human Trafficking and Prostitution Scandal Threatens Belo Monte Dam", March 8th 2013 <https://www.internationalrivers.org/resources/human-trafficking-and-prostitution-scandal-threatens-belo-monte-dam-7859>

¹¹³ Forest Rivers, "On international women's day protest denounces Belo Monte by social breakdown", March 9th 2013 <https://forestrivers.wordpress.com/2013/03/10/on-international-womens-day-protest-denounces-belo-monte-by-social-breakdown/>

¹¹⁴ MXVPS, "Mulheres de Altamira saem às ruas contra violência de Belo Monte", March 8th 2015 <http://www.xinguvivo.org.br/2015/03/08/violencia-endemica-de-belo-monte-e-denunciada-em-protesto-de-mulheres/>

¹¹⁵ MXVPS, "Mulheres na luta e resistência contra as mazelas de Belo Monte", June 14th 2014 <http://www.xinguvivo.org.br/2014/06/14/mulheres-na-luta-e-resistencia-contra-as-mazelas-de-belo-monte/>

¹¹⁶ International Rivers, "Fishermen Paralyze Construction of the Belo Monte Dam", Sep. 20th 2012 <https://www.internationalrivers.org/resources/fishermen-paralyze-construction-of-the-belo-monte-dam-7680>

¹¹⁷ Klein, P. T. (2015) Engaging the Brazilian state: the Belo Monte dam and the struggle for political voice, *The Journal of Peasant Studies*, pp. 13-14, March 20th 2015

noncompliance with the agreement signed with Norte Energia after the summer protests.¹¹⁸ On October 8th, more than one hundred indigenous leaders joined the fishermen and robbed the keys of trucks and tractors, forcing workers to leave on foot.¹¹⁹ However, as reported by International Rivers, agents arriving at the site were assured of the non-violent nature of the protest.¹²⁰ The protest lasted more than a month, attracted up to two hundred people at its peak and ended with a ten-day occupation that halt the works.¹²¹ From 16th to 18th October were held conciliatory meetings on orders from a Federal Judge , which ended the almost one month-long occupation. The protests had been a victory for fishermen, as they managed to obtained direct negotiations, and talked to high-level government representative from the Ministry of Fish and Aquaculture and also from Norte Energia.¹²² Nevertheless, the negotiations brought no real concession to affected communities, as most of their demands were delayed for future meetings.¹²³ For this reason, the fishermen lately faced new days of protests, as in May 2014, when they gathered in protest to the Belo Monte site with the aim of blocking the Trans-Amazonian highway in different strategic points, to draw attention and obtain new negotiations with Norte Energia or the government relating to compensation for the enormous loss in fishing. In that occasion, their protest was not peaceful.¹²⁴ As a matter of facts, they set on fire a watch tower and many company's buses. Moreover, they engaged in a fight with the National Force, from which many came out wounded because of rubber bullet and tear gas thrown from one side, and because of stones thrown from the other. That was apparently the only occasion in which the fishermen resistance degenerated into violence, according to main sources, whereas dam workers have been different times protagonists of acts of vandalism.

The dam workers can be considered as a group “negatively affected” by the project for the precariousness of their living and working conditions. Such conditions led them to react in early November 2012. As CCBM broke an agreement over wages increase for 2013, a strike of 8'000 dam workers broke out at the two main Belo Monte construction sites. The workers blocked the Trans-Amazonian highway in a peaceful way, but is has to be said,

¹¹⁸ International Rivers, “Local Alliance Renews Occupation of Belo Monte Dam in Brazil”, Oct. 9th 2012
<https://www.internationalrivers.org/resources/local-alliance-renews-occupation-of-belo-monte-dam-in-brazil-7689>

¹¹⁹ Ibid.

¹²⁰ International Rivers, “Fishermen Paralyze Construction of the Belo Monte Dam”, Sep. 20th 2012
<https://www.internationalrivers.org/resources/fishermen-paralyze-construction-of-the-belo-monte-dam-7680>

¹²¹ Klein, P. T. (2015) Engaging the Brazilian state: the Belo Monte dam and the struggle for political voice, *The Journal of Peasant Studies*, pp. 13-14, March 20th 2015

¹²² Ibid.

¹²³ MXVPS, “Audiência de conciliação tem acordos mandatórios, mas posterga maioria das decisões e mitigações”, Oct. 18th 2012, <http://www.xinguvivo.org.br/2012/10/18/audiencia-de-conciliacao-tem-acordos-mandatorios-mas-posterga-maioria-das-decisoes-e-mitigacoes/>

¹²⁴ MXVPS, “Pescadores protestam contra Belo Monte e fecham Transamazônica”, May 13rd 2014,
<http://www.xinguvivo.org.br/2014/05/13/pescadores-protestam-contra-belo-monte-e-fecham-transamazonica/>

that they had not committed openly to nonviolence, unlike others affected groups. For instance, during that first mobilization, and in other occasions, night workers set facilities within the construction site on fire, engaging in real acts of vandalism.¹²⁵ As reprisal, the consortium fired many of them^{126,127}, and Norte Energia managed to complete the cofferdam by December. In the meantime, a new strike was planned for April 2013 at the Pimental work site, in which took part up to 5'000 people, asking for better labor conditions.¹²⁸ They initially stayed at the construction site and then almost 100 workers marched to Belém to draw attention.¹²⁹ Despite the difficulties and the many threats, in the fall of 2013 the protest was renewed at the Pimental site, where workers were threatened of losing their job if they had travelled to Altamira. That was a clear attempt by CCBM to isolate workers and undermined their protest, as well as their solidarity with the others dam-affected communities. In November workers came back on strike at the Pimental site and besides refusing to work, they closed the gates, preventing others construction activities as well, with the aim of negotiating a collective bargaining agreement.¹³⁰ Among their requests there were better labour and health condition as well as a new agreement without the mediation of Sintrapav (*Sindicato dos Trabalhadores das Indústrias da Construção Pesada do Estado do Pará*), the workers union for Pará region and the only entity that CCBM would recognised. Differently from the indigenous protests, which have never stopped throughout the years, probably thanks to the great number of individuals directly affected, the other groups' protests seem more sporadic. However, it was also because of them that the topic managed to stay alive and, above all, it could have been analysed considering a different perspectives, especially as regards the study of the impacts.

In January 2013, a new blockade of an access road was carried out by the indigenous, this time belonging to the Juruna tribe. They denounced the construction of the cofferdam, as it has decreased water quality, rendering fishing activities impossible, and they presented a strange request compared to the previous ones: they wanted R\$300'000 (about €85.000 – exchange rate Oct. 2016) in compensation for environmental degradation as well as the

¹²⁵ Folha de S. Paulo, “Canteiros da usina de Belo Monte são alvo de novo quebra-quebra”, March 4th 2013 <http://www1.folha.uol.com.br/mercado/2013/03/1240368-canteiros-da-usina-de-belo-monte-sao-alvo-de-quebra-quebra.shtml>

¹²⁶ Globo Notícias, “Trabalhadores de Belo Monte paralisam atividades”, Nov. 12nd 2012, <http://g1.globo.com/pa/para/noticia/2012/11/trabalhadores-de-belo-monte-paralisam-atividades.html>

¹²⁷ MXVPS, “Canteiros de obra de Belo Monte são incendiados e destruídos” Nov. 11st 2012, <http://www.xinguvivo.org.br/2012/11/11/canteiros-de-obra-de-belo-monte-sao-incendiados-e-destruidos/>

¹²⁸ MXVPS, “Trabalhadores do canteiro Pimental de Belo Monte anunciam nova greve”, April 5th 2013, <http://www.xinguvivo.org.br/2013/04/05/trabalhadores-do-canteiro-pimental-de-belo-monte-anunciam-nova-greve/>

¹²⁹ MXVPS, “Trabalhadores de Belo Monte chegam a Belém para ações de greve”, April 15th 2013, <http://www.xinguvivo.org.br/2013/04/15/trabalhadores-de-belo-monte-chegam-a-belem-para-acoes-de-greve/>

¹³⁰ MXVPS, “Greve para Belo Monte ha cinco dias”, Nov. 13rd 2013, <http://www.xinguvivo.org.br/2013/11/13/greve-para-belo-monte-ha-cinco-dias/>

construction of artesian wells¹³¹ for providing water after the depletion of the Xingu river within their territory. A more inclusive day of mobilization was on the International Day of Action for Rivers and Against Dams, in March that same year. People gathered in protest at the dam's transposition system, which was supposed to be operational (as granted by Norte Energia) in helping boat to cross the now closed river. Instead people were obliged to interact with company workers for having their wooden boats moved by a tractor, which is both dangerous and humiliating. During the protest about sixty people signed a complaint that was delivered to authorities, in which it was denounced the unsafety of the system and it was asked for an immediate inspection in order to get it improved.¹³² However, their requests were not listened to and two years later, this system would be still described in official reports as inadequate for assuring the crossing and damaging for wooden boats.¹³³

Some days later, 150 protesters, including indigenous and allied riverine communities, occupied the Pimental construction camp for three days, demanding the full demarcation of indigenous lands, specifically the dam-affected Jericoá community, as well as measures for improvement of healthcare, access to potable water and facilitation of transports.¹³⁴ In that occasion, workers were asked to leave the installations and they left peacefully, whereas there were episodes of violence by Police Forces, who silenced a human rights lawyer who tried to take part in the proposed negotiation meeting and a Mexican activist who was taking photos and was picked and found later on the Trans-Amazonian highway without documents nor water. Moreover, there are reasons to believe that in that occasion the company acted with the intention to provoke a clash between workers and protesters.¹³⁵

Starting from May 2nd 2013, took place one of the most historic occupations at the Belo Monte site, which last 16 days and saw the participation of two hundred people from tribes and riverine communities of the Xingu, as well as warriors of the Munduruku, a large tribe from the near Tapajós River Basin, who came to show their support. Shock troops of the Military Police were awaiting them, but did not manage to stop the wave of protesters,

¹³¹ “A well bored perpendicularly into water-bearing strata lying at an angle, so that natural pressure gives rise to a constant supply of water with little or no pumping.”

Retrieved from Oxford Dictionary, https://en.oxforddictionaries.com/definition/artesian_well

¹³² Amazon Watch, “The Gods of the Xingu Are on Our Side!”, March 14th 2013, <http://amazonwatch.org/news/2013/0314-the-gods-of-the-xingu-are-on-our-side>

¹³³ ISA (2015) Atlas dos impactos da UHE Belo Monte sobre a pesca, p.43

¹³⁴ International Rivers, “New Protest Paralyzes Brazil’s Belo Monte Dam”, March 21st 2013, <https://www.internationalrivers.org/resources/new-protest-paralyzes-brazil-s-belo-monte-dam-7894>

¹³⁵ MXVPS, “Impedida de acompanhar negociações, advogada de manifestantes é citada pela Justiça”, March 22nd 2013, <http://www.xinguvivo.org.br/2013/03/22/impedida-de-acompanhar-negociacoes-advogada-de-manifestantes-e-citada-pela-justica/>

moreover, workers at the main site welcomed them with applauses.¹³⁶ After 8 days of occupation the protesters were forced to leave, following a TRF-1 order which authorised the intervention of the Federal Police to resume the works.¹³⁷ Some indigenous remained camped in Altamira, and eventually revived the occupation on May 27th to demand binding legislation on Free, Prior, and Informed Consent (FPIC) or appropriate consultation processes in the planning of hydropower projects. They paralyzed the Trans-Amazonian highway and managed to seize all access to the Belo Monte site, preventing at least fifty police officers of different groups from entering. The police tried to dismantle the blockade threatening of cutting supplies of water and electricity in the facilities where they are housed. However threats did not work, and the Indigenous wrote a letter to CCBM workers to propose a strategic alliance, which intimidate the government, who reacted accusing the Indians of being manipulated by foreign NGOs, as well as depicting them as dangerous.¹³⁸ After four days the occupation moved to FUNAI offices in Brasilia,¹³⁹ where at the beginning of June, 140 people from six indigenous groups gathered for demanding collectively the suspension of viability studies and the construction of hydroelectric projects on the Xingu, Tapajós, and Teles Pires Rivers. The group eventually collected a tiny victory, as it managed to meet representatives of the Brazilian government, including Gilberto Carvalho, Rousseff's Chief of Staff.¹⁴⁰

The Pimental work site was scenario of protests also in the following months. In August, 150 farmers blocked the access road, demanding access to electricity in the facilities built near the worker camp and the construction of a bridge to help the community living in the Big Band, and they disbanded after negotiations with the Federal Government.¹⁴¹ Beginning on September, a group of hundred indigenous Parakanã of the Apyterewa Indigenous Territory occupied the work site with the aim of pressure for the implementation of the mitigation activities, including protection against land invasion and

¹³⁶ International Rivers, “Indigenous Peoples Launch New Occupation on Belo Monte Dam Site”, May 3rd 2013, <https://www.internationalrivers.org/resources/indigenous-peoples-launch-new-occupation-on-belo-monte-dam-site-7953>

¹³⁷ MXVPS, “Justiça determina reintegração de posse do canteiro”, May 9th 2013, <http://www.xinguvivo.org.br/2013/05/09/justica-determina-reintegracao-de-posse-do-canteiro/>

¹³⁸ MXVPS, “Belo Monte: nova ocupação, mesmas demandas, mesmos problemas”, May 28th 2013, <http://www.xinguvivo.org.br/2013/05/28/belo-monte-nova-ocupacao-mesmas-demandas-mesmos-problemas/>

¹³⁹ Globo Notícias, “Índios mantêm ocupação em prédio da Funai em Brasília”, June 11st 2013, <http://g1.globo.com/distrito-federal/noticia/2013/06/indios-mantem-ocupacao-em-predio-da-funai-em-brasilia.html>

¹⁴⁰ Amazon Watch, “Indigenous Tribes Occupying Belo Monte Vow to Continue Resisting Amazon Dams”, June 6th 2013, <http://amazonwatch.org/news/2013/0606-indigenous-tribes-occupy-belo-monte-vow-to-resist-amazon-dams>

¹⁴¹ Globo Notícias, “Agricultores bloqueiam principal acesso a Belo Monte, no Pará”, Aug. 20th 2013, <http://g1.globo.com/pa/para/noticia/2013/08/agricultores-bloqueiam-principal-acesso-belo-monte-no-pará.html>

the demarcation of the Cachoeira Seca territory.¹⁴² Later, about 50 Juruna members joined the occupation and together they halted construction activities on a section of the dam and blocked the main access road, asking Norte Energia to comply with mandated conditions meant to remove land invaders and mitigate the dam's severe social and environmental impacts.¹⁴³ Protests have never stopped during the years, but by the time the 2014 began, halting the construction had become a secondary problem, as another critical issue required the immediate action of affected communities, i.e. the imprecise and violent implementation of the resettlement plan established by Norte Energia.

2.5 The Challenge of Resettlement

2.5.1 Noncompliance with the PBA

The challenges raised during the resettlement process were not limited to the great delay with respect to the scheduled deadline for the provision of infrastructures and houses, nor with safety reasons. Most of the problems were related to the Norte Energia noncompliance with the Basic Environmental Plan (PBA) that it had signed, and above all with its Indigenous Component (PBA-CI). The PBA is a document in which are included more than eighty projects for meeting the conditions for the Operation License of the plant,¹⁴⁴ which was expected to be drafted and signed 35 days after the Installation License, back in January 2011. Nevertheless, three years had already passed, when Norte Energia released a statement in the press confirming it would sign the commitment term for fulfilling the conditions, without specifying the date.¹⁴⁵ Hence, riverine, indigenous people, fishermen and social movements mobilized for having their demands met before IBAMA provided the Operating License¹⁴⁶, which would have allowed the permanent blockade of the Xingu and would have made operative the first turbines of Belo Monte. According to the PBA for Belo Monte, all those affected should be entitled to choose between resettlement (RUC) - a new home outside the area affected by flooding - or compensation that should give access to housing in the same situation or better than the previous.

¹⁴² International Rivers, "Parakanã Declaration on the Belo Monte Dam", Sep. 12nd 2013, <https://www.internationalrivers.org/resources/parakan%C3%A3-declaration-on-the-belo-monte-dam-8087>

¹⁴³ Amazon Watch, "Indigenous Peoples Renew Occupation of Belo Monte Dam", Sep. 17th 2013, <http://amazonwatch.org/news/2013/0917-indigenous-peoples-renew-occupation-of-belo-monte-dam>

¹⁴⁴ Ibama, Processo de Licenciamento, <http://www.ibama.gov.br/licenciamento-ambiental/processo-de-licenciamento>

¹⁴⁵ MXVPS, "No 4º dia de ocupação dos acessos a Belo Monte, indígenas afirmam: "Não vamos mais sair só na promessa e no papel", May 25th 2014, <http://www.xinguvivo.org.br/2014/05/25/no-4o-dia-de-ocupacao-dos-acessos-a-belo-monte-indigenas-affirmam-nao-vamos-mais-sair-so-na-promessa-e-no-papel/>

¹⁴⁶ MXVPS, "Indígenas apreendem ônibus e fecham via de acesso a Belo Monte", July 11st 2014, www.xinguvivo.org.br/2014/07/11/indigenas-apreendem-onibus-e-fecham-via-de-acesso-a-belo-monte/

However, the criteria used by Norte Energia for the selection of those entitled to new houses and for the calculation of compensation are questioned by many. ISA reported that, besides having carried out the removal process with little or no control by the State, riparian dwellers ended up being coerced into accepting inadequate compensation for site acquisition, which is quite concerning, since according to the official data of Norte Energia, 75% of rural affected families received compensation in cash, showing that the unfair compensation option prevailed over the resettlement.¹⁴⁷ Not only Norte Energia encouraged the resettlement away from the river, but it also gave compensation that allows the purchasing of an urban property it owns, within the pre-established values, but not the purchase of land near the river.¹⁴⁸ Hence many people found themselves distant from the sustenance of the river, marketplaces or in areas lacking of transports; others claimed they lived in precarious hygienic conditions due to waste dumping by the consortium. Moreover, those who resettled have received no title proving the ownership of the new house, which according to the Federal Public Defender Francisco Nobrega, who provided legal assistance to the population affected by Belo Monte since mid-January 2014, is completely irregular. Norte Energia justified it by saying it would regularize the situation of the settlers as the relocation had finished.¹⁴⁹ According to data, the process of relocation and resettlement in the urban area would affect about 9'000 families, including 600 families of Indians who live in the city.¹⁵⁰ However, many claimed they had been left out of the compensation register, such as those who lived in rural areas and conservation units, but maintained support houses in the urban area.¹⁵¹ Moreover, ISA¹⁵² reported several cases of extensive families, consisting of several nuclear families, registered as one, since the RUC was conceived for urban family parameters. This, according to the report, gave rise to asymmetric compensation, generated conflict and led to the dispersion of family groups. According to Antonia Melo,¹⁵³ founder and coordinator of the MXVPS, those doomed to eviction most of times did not receive any information about compensation or resettlement. Moreover, Norte Energia had a strategy to lower the amount of

¹⁴⁷ ISA (2015) Atlas dos impactos da UHE Belo Monte sobre a pesca, p.36

¹⁴⁸ ISA (2015) Atlas dos impactos da UHE Belo Monte sobre a pesca, p.37

¹⁴⁹ MXVPS, “Belo Monte vai engolir muito mais que palafitas em Altamira”, Feb. 12nd 2015,

<http://www.xinguvivo.org.br/2015/02/12/belo-monte-vai-engolir-muito-mais-que-palafitas-em-altamira/>

¹⁵⁰ MXVPS, “Audiência em Altamira expõe dramas do deslocamento compulsório de Belo Monte”, Nov. 26th 2014, <http://www.xinguvivo.org.br/2014/11/26/audiencia-em-altamira-expoe-dramas-do-deslocamento-compulsorio-de-belo-monte/>

¹⁵¹ MXVPS, “Belo Monte escancara injustiças no reassentamento de populações afetadas por grandes obras”, Nov. 26th 2014, <http://www.xinguvivo.org.br/2014/11/26/belo-monte-escancara-injusticas-no-reassentamento-de-populacoes-afetadas-por-grandes-obras/>

¹⁵² ISA (2015) Atlas dos impactos da UHE Belo Monte sobre a pesca, p.37

¹⁵³ MXVPS, “Belo Monte vai engolir muito mais que palafitas em Altamira”, Feb. 12nd 2015,

<http://www.xinguvivo.org.br/2015/02/12/belo-monte-vai-engolir-muito-mais-que-palafitas-em-altamira/>

compensation: it registered also centric areas as peripheral zones and it used the price of 2012 for properties, which did not take into account the huge overvaluation that had affected Altamira due to the rising demand. Among the most shocking cases, there is Elisandra Oliveira's.¹⁵⁴ She has even appeared in the commercial recorded by Norte Energia in favour of the resettlement programme, which showed her enjoying her new house. The video has been showed on TV commercials in Altamira, but during a hearing in 2014 a representative of the Movement of Dam-Affected People (MAB) showed another video in which Elisandra, ten months after recording the commercial, explained that she never received her new home, but an unreasonable compensation. This is only one example of the countless complaints by people who have been pressured to accept compensation ranging between R\$15'000 and R\$50'000 (€4.400 - €14.644), insufficient for purchasing a home in Altamira, where property prices have seriously increased.¹⁵⁵

In February 2014, the Federal Regional Tribunal mandated Norte Energia to redesign the urbanization project for families impacted by Belo Monte, since there were proofs of the unsafety of the buildings in the resettlement complex, as repeatedly denounced by Antonia Melo.¹⁵⁶ In the meantime, indigenous who still lived in the flooded areas pushed for an immediate resettlement, protesting with new occupations. In February, about thirty Indians occupied an administrative building in Altamira pushing for acceleration of projects involving health, education and transport in the villages;¹⁵⁷ in April about 150 inhabitants of those areas occupied the neighbourhood of Jatobá in Altamira, which was still under construction and thus unable to be inhabited.¹⁵⁸ And the following month, 150 indigenous of different ethnicities occupied the main access to the construction site, demanding the compliance with the PBA-CI and for hurrying the commitments the consortium made for other issues, such as building schools, homes and roads. Protesters said they were aware of the false promises of the consortium, hence, they refused to leave without a real commitment. On the second day of protests, Indigenous sent a letter to FUNAI, asking the

¹⁵⁴ MXVPS, “Belo Monte escancara injustiças no reassentamento de populações afetadas por grandes obras”, Nov. 26th 2014, <http://www.xinguvivo.org.br/2014/11/26/belo-monte-escancara-injusticas-no-reassentamento-de-populacoes-afetadas-por-grandes-obras/>

¹⁵⁵ MXVPS, “Audiência em Altamira expõe dramas do deslocamento compulsório de Belo Monte”, Nov. 26th 2014, <http://www.xinguvivo.org.br/2014/11/26/audiencia-em-altamira-expoe-dramas-do-deslocamento-compulsorio-de-belo-monte/>

¹⁵⁶ MXVPS, “Decisão do TRF1 obriga Norte Energia a refazer projeto de assentamento urbano”, Feb. 6th 2014, <http://www.xinguvivo.org.br/2014/02/06/decisao-do-trf1-obriga-norte-energia-a-refazer-projeto-de-assentamento-urbano/>

¹⁵⁷ MXVPS, “Indígenas apreendem ônibus e fecham via de acesso a Belo Monte”, July 11st 2014, <http://www.xinguvivo.org.br/2014/07/11/indigenas-apreendem-onibus-e-fecham-via-de-acesso-a-belo-monte/>

¹⁵⁸ Globo Notícias, “Manifestantes ocupam casas construídas pela Norte Energia no PA”, March 4th 2014, <http://g1.globo.com/pa/para/noticia/2014/03/manifestantes-ocupam-casas-construidas-pela-norte-energia-no-pa.html>

President to reach them and assuring they were only temporarily in a peaceful protest. For instance, there were some clashes with the National Force and a company bus was set on fire¹⁵⁹, but such episodes do not undermine the nonviolent nature of the general protest.

In November, the MPF held in Altamira a public hearing¹⁶⁰ to meet those affected by compulsory displacement to make way for the reservoir of Belo Monte. The meeting was attended by representatives of the Presidency Secretariat General of the Republic, the IBAMA, FUNAI, BNDES, the Ministry of Fisheries, Altamira City Hall and the Union Public Defender. A first outcome of the hearing was that the representative of the DPU, Francisco Nobrega, announced that would arrive defenders in Altamira later that year on an emergency basis to ensure legal assistance of those affected. According to natives, Norte Energia had delayed the signing in the attempt of withdrawing some commitments from the Operational Plan, which seem plausible as the company had argued that health and education were duties of the Ministry of Education and Indigenous Health Department. Unluckily for the company, in the PBA they were already included.¹⁶¹ Norte Energia has even tried to asked to ANEEL for delaying the delivery of the PBA, in May 2015, blaming among other things, occupations and demonstrations as main causes of the delay.

By the end of January 2015, almost 70% of the hydroelectric plant was completed, but none of the health centers or school buildings had been built. Moreover, only half of the water supply systems and only three out of 34 flour mills planned were completed. The main concerns of the Indigenous were still about the regularization of their lands and the implementation of a monitoring plan on the construction of territorial protected areas, which should have provided 14 checkpoints, but only two were completed.¹⁶² Hence, one year after the request of a new urbanization project, another blockade took place in the construction site of Pimental. About hundred Indigenous blocked the entrance demanding the compliance with commitments about sanitation, construction of schools, health centers, surveillance, as well as compensation for the loss of ornamental fish, an important subsistence activity of the indigenous people of the Big Bend.¹⁶³

¹⁵⁹ MXVPS, “No 4º dia de ocupação dos acessos a Belo Monte, indígenas afirmam: “Não vamos mais sair só na promessa e no papel”, May 25th 2014, <http://www.xinguvivo.org.br/2014/05/25/no-4o-dia-de-ocupacao-dos-acessos-a-belo-monte-indigenas-affirmam-nao-vamos-mais-sair-so-na-promessa-e-no-papel/>

¹⁶⁰ MXVPS, “Audiência em Altamira expõe dramas do deslocamento compulsório de Belo Monte”, Nov. 26th 2014, <http://www.xinguvivo.org.br/2014/11/26/audiencia-em-altamira-expoe-dramas-do-deslocamento-compulsorio-de-belo-monte/>

¹⁶¹ MXVPS, “No 4º dia de ocupação dos acessos a Belo Monte, indígenas afirmam: “Não vamos mais sair só na promessa e no papel”, May 25th 2014, <http://www.xinguvivo.org.br/2014/05/25/no-4o-dia-de-ocupacao-dos-acessos-a-belo-monte-indigenas-affirmam-nao-vamos-mais-sair-so-na-promessa-e-no-papel/>

¹⁶² MXVPS, “Indígenas bloqueiam acesso a canteiro de obras para cobrar dívida de Belo Monte”, Feb. 10th 2014, <http://www.xinguvivo.org.br/2015/02/10/indigenas-bloqueiam-acesso-a-canteiro-de-obras-para-cobrar-divida-de-belo-monte/>

¹⁶³ Ibid.

2.5.2 The problem of being recognised as “affected”

Even more conflictive situations emerged after the refusal by Norte Energia to define some groups as “affected”. As a matter of fact, the non-recognition of many segments of the population caused their demands to be ignored and thus they were not considered entitled either to a house or refund, putting them in an extremely precarious situation.

These reasons led a group, formed by displaced indigenous ethnic group of Arara and Xipaya, to seize the keys of six buses that carried dam workers to the construction site and used some of the vehicles to close the Trans-Amazonian highway close to Pimental, in July 2014. Although they lived in places nearby, they were not considered affected by entrepreneurs. For instance, resettlement near the river, fishing equipment and boats were not considered in the Basic Environmental Plan. The protest ended after a negotiation with the police and the schedule of a meeting with Norte Energia for the following day. That was the third protest, only in 2014, related to this issue. The first and the second were in May, when men of the National Force attacked with rubber bullet shots about twenty Indians of the Xikrin ethnic group that tried to occupy the site by the river; and when fishermen occupied the access roads to the Belo Monte and Pimental sites, demanding, as well as displaced indigenous, to be recognized as affected.¹⁶⁴ In January 2015, with the same request, about 200 residents from a neighbourhood that would be flooded, stormed the Norte Energia office, the Government House and finally the City Hall of Altamira. Norte Energia office was closed and protected by Security Guards, so the group protested a bit in front of the consortium, and then met with the representative of Norte Energia at the Government's House. The protest managed to have Norte Energia committed with a new meeting with residents within twenty days. The City Hall also committed to attend at the same meeting, since Norte Energia continued to blame the City Hall responsible as families were living in "improper places."¹⁶⁵

Other categories, besides indigenous tribes, found themselves in the same situation of uncertainty, since Norte Energia pretended to be blind in front of the clear impact that the dam would have on their livelihood. These groups included potters, teamster, boatmen and fishermen. For facing the problems presented by the different segments, a Conciliation Board was established, whose first meeting was held in January 2015 in Altamira.¹⁶⁶ At the

¹⁶⁴ MXVPS, “Indígenas apreendem ônibus e fecham via de acesso a Belo Monte”, July 11st 2014, www.xinguvivo.org.br/2014/07/11/indigenas-apreendem-onibus-e-fecham-via-de-acesso-a-belo-monte/

¹⁶⁵ MAB, “People Affected by Belo Monte struggle to be recognized”, Feb. 2nd 2015, <http://www.mabnacional.org.br/en/noticia/people-affected-belo-monte-struggle-be-recognized>

¹⁶⁶ MXVPS, “População atingida por Belo Monte poderá recorrer à câmara de conciliação e ouvidoria”, Jan. 16th 2015, [http://www.xinguvivo.org.br/2015/01/16/populacao-tingida-por-belo-monte-podera-recorrer-a-camara-de-conciliacao-e-ouvidoria/](http://www.xinguvivo.org.br/2015/01/16/populacao-atingida-por-belo-monte-podera-recorrer-a-camara-de-conciliacao-e-ouvidoria/)

meeting, the MPF announced that it had opened investigative procedure on the situation of riverine, fishermen and indigenous people who use seasonal dwellings on the outskirts of Altamira, but are not being addressed by resettlement. Resettlement problems were also among the demands of the group that blocked the Trans-Amazonian highway that same week, preventing the passage of vehicles for the works of the plant for three days, and claiming to be resettled nearby the river areas. The Board was supposed to ensure more equality in the treatment of the resettlement issue, since until then those affected had had no legal advice in negotiations with Norte Energia. The intent of the Board was to collect and qualify the demands and to include representatives from urban, indigenous and riverine groups. Therefore, a new meeting was scheduled for mid-January and civil society and Norte Energia were invited to submit suggestions on the functioning of the Board. Norte Energia was not present at the meeting, but received a letter requesting to submit proposals and clarify how it wanted to participate. However, despite Norte Energia at the hearing on November 2014 had publicly accepted to participate in the new project, following events showed it did not make good on its word.

In May 2015, dozens of potters working in the production of bricks from raw materials in the city of Altamira closed access to the city airport in protest against their expulsion from the area where they historically operated on the edge of the Xingu River. Approximately 160 families worked in the pottery activity in Altamira, organized in a trade union and a cooperative. Norte Energia had refused to consider the category as affected by Belo Monte and claimed partial ownership of the area where the potters developed their professional activities. At the end of February the Federal Judge granted the injunction and fixed a daily fine of R\$500 (146 euros) in case anyone on site would block the effectiveness compliance with the decision. They wanted the government send people with negotiating and decision power to give them some guarantees. Moreover, they asked the Operating License was not granted before NESA fulfilled all the obligations. In that occasion Dilma put the Attorney General's Office (AGU) at the service of the company and against the workers.¹⁶⁷

Also the fishermen took action and together with river dwellers surrounded the headquarters of the Norte Energia consortium with over 700 meters of networks, preventing the entry of employees and directors.¹⁶⁸ The protesters demanded new negotiations on compensation for the fisheries sector, since hundreds of families had lost

¹⁶⁷ MXVPS, “Oleiros de Altamira fecharam acesso a aeroporto contra Licença de Operação de Belo Monte”, May 14th 2015, <http://www.xinguvivo.org.br/2015/05/14/oleiros-de-altamira-fecharam-acesso-a-aeroporto-contra-licenca-de-operacao-de-belo-monte/>

¹⁶⁸ MXVPS, “Belo Monte paralisada: Pescadores cercam sede da Norte Energia e agricultores fecham Transamazônica”, May 18th 2015, <http://www.xinguvivo.org.br/2015/05/18/belo-monte-paralisada-pescadores-cercam-sede-da-norte-energia-e-agricultores-fecham-transamazonica/>

their main economic activity because of the construction of the dam. In the meantime, 650 farmers of the Fetagri (Federation of Agricultural Workers) blocked the Trans-Amazonian highway and set up tents on the highway, presenting a fairly extensive list of demands. Unluckily, the protest had a tragic outcome, as three of them were trampled.¹⁶⁹

In July, also owners and pilots of boats and motorboats (called *voiaderas*) mobilized. They occupied Norte Energia office, along with indigenous peoples of the Arara and Juruna ethnic groups, denouncing the violations of their rights.¹⁷⁰ In March, with the intermediary of the Public Defender of the Union, they had met with NESA, but only a month later NESA had sent a document to DPU arguing that the category would not suffer from closure of the river and the formation of the lake, hence, it would not be treated as an “affected” category. However, according to boatmen, the works on the Xingu had already caused irreversible environmental and economic changes. The lack of fish, the change in water quality and even insecurity about the future had already caused the displacement of hundreds of families, who are boatmen’s first clients. Moreover, NESA had distributed more than three hundreds boats to indigenous tribes since 2011, undermining even more the client base of the pilots. Hence, dissatisfied with the negotiation outcome, they occupied the NESA office, trying to pressure the company and the government to guarantee a fair dealing, but they were surprised by an injunction, which prohibits any kind of manifestation by the workers against Belo Monte, criminalizing leaders and the base category.¹⁷¹ Later that year, as part of Norte Energia plan for Altamira urbanization project, the access to the port where boatmen and teamsters had always exchanged passengers, was closed. As a consequence, the affected groups reopened the space enclosed, occupying it.¹⁷² The demonstration was accompanied by a strong police apparatus and the protesters asked the intervention of the DPU, who concluded that Norte Energia did not guarantee the survival of the two categories, which for over a century had contributed to the building of Altamira. After this intervention, the company committed to provide a specific space for them, even though defining it as “temporary”, while boatmen and teamsters wanted a permanent space and demanded the City Hall commitment in ensuring the preservation of

¹⁶⁹ MXVPS, “Nota de solidariedade e pesar: O sangue dos agricultores do Xingu escorre das engrenagens do governo”, May 19th 2015, <http://www.xinguvivo.org.br/2015/05/19/nota-de-solidariedade-e-pesar-o-sangue-dos-agricultores-do-xingu-escorre-das-engrenagens-do-governo/>

¹⁷⁰ Combate Racismo Ambiental, “Pilotos de voadeira ocupam escritório da Norte Energia, no Xingu. Nota à sociedade de Altamira e do Brasil”, June 26th 2015, <http://racismoambiental.net.br/2015/06/26/pilotos-de-voadeira-ocupam-escritorio-da-norte-energia-no-xingu-nota-a-sociedade-de-altamira-e-do-brasil/>

¹⁷¹ MXVPS, “Barqueiros e indígenas ocupam o rio Xingu”, July 2nd 2015, <http://www.xinguvivo.org.br/2015/07/02/barqueiros-e-indigenas-ocupam-o-rio-xingu/>

¹⁷² MXVPS, “Carroceiros e barqueiros ocupam orla de Altamira e obrigam Norte Energia a reconhecer direitos”, Aug. 11st 2015, <http://www.xinguvivo.org.br/2015/08/11/carroceiros-e-barqueiros-ocupam-orla-de-altamira-e-obrigam-norte-energia-a-reconhecer-direitos/>

their identities. All these categories, mostly teamster, boatmen and fishermen, excluded from the resettlement programme, were among the leaders and representatives of the member organizations of the Forum for Altamira Defense (FDA), who, accompanied by the DPU, attended a meeting with the Federal Court of Altamira to demand celerity in judging the actions filed by the DPU regarding the violations of human rights by the Belo Monte Hydroelectric Plant.¹⁷³ That same categories took part in the action called “Hugging the Arapujá Island”¹⁷⁴, together with other affected communities, social movements, human rights defenders, residents of Altamira and students of the University of Pará. The Arapujá Island was located on the opposite bank of the city's waterfront, which would become part of the dam reservoir, and it is one of the greatest environmental disaster caused by Belo Monte.

2.5.3 Forced evictions and police violence

The resettlement process has been characterized by physical, beside psychological, violence. Most of times people faced forced eviction by the military on a very short notice and many that have not been resettled have received unreasonable compensations or false hope by Norte Energia representatives. The situation of families threatened by compulsory evictions was going complicating in the Spring 2015, after the discovery of the non-correspondence between the houses planned to be built (4'000), and the number of affected families (9'000).¹⁷⁵ The tension in Altamira reached such high levels that the issue attracted the attention of the Pará Society for the Defense of Human Rights (SDDH) that filed with the Security State Department a petition against the action of the Military Police and Rotam¹⁷⁶ in Altamira, denouncing abuses of power and the provision of police service to a private entity (Norte Energia) against the population. The SDDH requested the Secretariat to find out what has happened and to order the stop of this kind of action.¹⁷⁷ In April forty families living in the lower region of Altamira began a protest against construction in the area, claiming it would have destroyed their homes without granting any

¹⁷³ MXVPS, “Movimentos Sociais cobram do Juiz Federal de Altamira agilidade nos processos de afetados por Belo Monte”, Aug. 21st 2015, <http://www.xinguvivo.org.br/2015/08/21/movimentos-sociais-cobram-do-juiz-federal-de-altamira-agilidade-nos-processos-dos-afetados/>

¹⁷⁴ MXVPS, “O assassinato da mais bela ilha do Xingu (aos olhos de Altamira)” Aug. 31st 2015, <http://www.xinguvivo.org.br/2015/08/31/o-assassinato-da-mais-bela-ilha-do-xingu-aos-olhos-de-altamira/>

¹⁷⁵ MXVPS, “Familias de Altamira sofrem constrangimento ilegal da Norte Energia e violência da polícia”, April 16th 2015, <http://www.xinguvivo.org.br/2015/04/16/familias-de-altamira-sofrem-constrangimento-ilegal-da-norte-energia-e-violencia-da-policia/>

¹⁷⁶ ROTAM (Rondas Ostensivas Táticas Metropolitanas) is a special task force for the state's military police

¹⁷⁷ MXVPS, “Familias de Altamira sofrem constrangimento ilegal da Norte Energia e violência da polícia”, April 16th 2015, <http://www.xinguvivo.org.br/2015/04/16/familias-de-altamira-sofrem-constrangimento-ilegal-da-norte-energia-e-violencia-da-policia/>

compensation. With many materials, residents closed access roads and adopted the tactic called "empate"¹⁷⁸ (joining hand in hand) preventing the machines to pass and continue the demolitions. The group, led mostly by women and supported by Xingu Vivo Movement, said that would not leave the place or permit the demolition of their homes until they were guaranteed the right to new housing. The police were called for to unclog the roads, but the protesters received unexpected support from PM sergeant, who commanded the operation. However, soon came three cars of the Military Police, along with the spokesman for resettlement projects of NESA, who, according to testimonies, arrived in an authoritarian manner and threatened women who were participating in the "empate". NESA spokesman stated that who could not get one of the houses built by the company, would be part of the programme "My Home, My Life", which was a clear manipulation in favour of Norte Energia.¹⁷⁹ The *empate* managed to stop the works for 5 days, but the reprisal of the police got worse. They used pepper spray, stun bombs and rubber bullets. They even threatened a boy who was filming police actions.¹⁸⁰ After a week the protesters suffered an attempt of illegal eviction by an official and a spokesman of Norte Energia who came with and extrajudicial notification of eviction. In the meantime, police continued to threaten people with eviction and to use violence.¹⁸¹ One of the residents of the neighbourhood, a 18-year-old boy, was brutally beaten by police, who even tried to put a plastic bag on his head to intimidate him, before releasing and leaving. According to his testimony, when questioned if he was going to denounce the assault, the boy refused and said he was very afraid of reprisals.

In May 2013, Altamira was the scene of another series of violence against different segments of the population. A residence was partially destroyed with people inside while Norte Energia was bringing down the house next door. Moreover, there are witnesses of abuse of power inside the same Norte Energia office. For instance, a resident was beaten after refusing to accept the result of the negotiation. He was grabbed by his arm by the lawyer who called the security to prevent him from leaving. The man and his wife were criminalized as if they were traitors, for not complying with requests by the federal

¹⁷⁸ The term "empate" became known worldwide from the resistance actions carried out initially by the rubber tappers in Acre, when men, women and children engaged in a collective action preventing the passage of machinery, farmers and whoever was a threat to the forest.

¹⁷⁹ MXVPS, "Norte Energia atinge casas sem indenizar famílias em Altamira", April 11st 2015, <http://www.xinguvivo.org.br/2015/04/11/norte-energia-demole-casas-sem-indenizar-familias-em-altamira/>

¹⁸⁰ MXVPS, "Continua a resistencia das mulheres em Altamira – 5º dia", April 4th 2015, <http://www.xinguvivo.org.br/2015/04/14/continua-a-resistencia-das-mulheres-em-altamira-5-dia/>

¹⁸¹ MXVPS, "Famílias de Altamira sofrem constrangimento ilegal da Norte Energia e violência da polícia", April 16th 2015, <http://www.xinguvivo.org.br/2015/04/16/familias-de-altamira-sofrem-constrangimento-ilegal-da-norte-energia-e-violencia-da-policia/>

government's ally, Norte Energia. Constrained by being humiliated inside the Norte Energia office, sought support in the MXVPS, which guided them to make a police report against these abuses. Some days later, thirty indigenous leaders occupied the office demanding the fulfilment of conditions, mainly the construction of health care infrastructure, education projects and the implementation of the PBA in the villages.

These reported here are only some of the many cases of abuse of power by the police, and it is likely that the great majority of them will remain unspoken because of threats and intimidations, despite the support given by MXVPS and other activists' groups.

2.6 Features of the Indigenous Activism

2.6.1 Nonviolence and innovative usage of traditional culture

The movement declared itself peaceful from the very beginning. As a matter of facts, when in the 2008 Encounter an Electrobrás official was wounded by an angry protester, the organizing team immediately expressed their regret over the fact, denouncing the incident as incompatible with the democratic and pacific spirit of the event.¹⁸² Another proof of the attitude of protesters is witnessed in the 2011 Declaration of the Xingu Alliance against the Belo Monte Dam¹⁸³, in which was on paper their intention to give their life for the Xingu and to protect it, *armed with only their dignity and their rights*. Moreover, even during periods of high tension, indigenous managed to keep their commitment to the peaceful protest. For instance, when in July 2012 leaders of Xikrin, Juruna and Arara tribes abducted three dam engineers and kept them detained in a village for five days, while demanding Norte Energia and the government to comply with their promises, the authorities reported there was no use of violence or force.¹⁸⁴ In several other occasions, agents arriving at the protest site were assured of the non-violent nature of the protest.¹⁸⁵

Another characteristic of the movement, of which the Kayapos were the first interpreters,¹⁸⁶ was the usage of innovative forms of representation and public acts of opposition, which consisted in the adaptation of their traditions and cultural

¹⁸² International Rivers, "Xingu Encounter - Altamira, Brazil", May 19th 2008, <https://www.internationalrivers.org/resources/xingu-encounter-altamira-brazil-3618>

¹⁸³ Zachary Hurwitz, "Tribes Occupy the Belo Monte Dam Work Site", *International Rivers*, Oct. 27th 2011, <https://www.internationalrivers.org/blogs/258/tribes-occupy-the-belo-monte-dam-work-site>

¹⁸⁴ Brent Millikan, "Amidst Broken Promises, Indigenous Authorities Detain Belo Monte Dam Engineers", *International Rivers*, July 25th 2012 <https://www.internationalrivers.org/resources/amidst-broken-promises-indigenous-authorities-detain-belo-monte-dam-engineers-7606>

¹⁸⁵ MXVPS, "Fishermen Paralyze Construction of the Belo Monte Dam", Sep. 20th 2012, *International Rivers*, <https://www.internationalrivers.org/resources/fishermen-paralyze-construction-of-the-belo-monte-dam-7680>

¹⁸⁶ Turner, T. and Fajans-Turner, V. (2006), Political innovation and inter-ethnic alliance: Kayapo resistance to the developmentalist state. *Anthropology Today*, 22: 3–10.

manifestations, as well as the creative exploitation of new media, such as video, internet and social media. Moreover, the birth of the political, besides ethnic, alliance back in 2006, was endorsed by the performing of their own ritual choreography and self-decoration, as collective dance was an integral part of the meeting. This feature was later employed during demonstrations and protests, not only to show their strong identity, but also to draw the attention, mostly using red war paint.¹⁸⁷ For example, during a protest in 2013, Xikrin tribe chanted in their native language while marching together. They were carrying clubs and spears and had their faces painted for combat, even though that was a peaceful sit-in.¹⁸⁸ This fact, as well as the creative use of technology, are representative of the indigenous awareness of the opportunities given by a social and cultural environment, in which they are only marginally integrated.

2.6.2 Declarations, petitions and open letters

As part of their pacific action, social movements, in partnership with national and international organizations, made public declaration and sent open letters to governmental agencies, federal courts, and even international organizations. Even before the outbreak of mass protests and sit-ins in 2011, social movements wrote letters and collective declaration. In 2008, they submitted to the Altamira Federal Tribunal, against the building of Belo Monte and asked “the federal justice system to be sensitive” to their request, announcing their intention to fight for protecting the people of the Xingu and “in defence of the rivers of Amazonia”.¹⁸⁹ In 2009 they went further, as the Coordination of Indigenous Organizations of the Brazilian Amazon (Coiab) sent a letter to the Rapporteur of the United Nations, James Anaya, denouncing the violation of the ILO Convention 169 and the UN Declaration on the rights of Indigenous Peoples.¹⁹⁰ Also the single tribes released declarations by themselves, as the one by the Parakanã people of the Apyterewa Indigenous Territory in 2013, that stated: “We want you to send the Federal Police to remove the whites that are destroying our lands. If you instead send the Federal Police to remove us

¹⁸⁷ Cinedelia (2012), Belo Monte: Announcement of a War, available at: <https://vimeo.com/44877149>

¹⁸⁸ Gabriel Elizondo, “Brazil tribes occupy contentious dam site”, *Aljazeera*, June 30th 2012, <http://www.aljazeera.com/indepth/features/2012/06/201263012941975547.html>

¹⁸⁹ International Rivers, “Document of the Indigenous Peoples of the Xingu Basin”, May 21st 2008, <https://www.internationalrivers.org/es/node/4315>

¹⁹⁰ Alfredo de J. Flores e Gustavo Castagna Machado (2015) *A Batalha Jurídica de Belo Monte: Os Argumentos Elaborados no Campo Jurídico do Direito Constitucional pelas Posições Favoráveis e Contrárias à Construção da Usina Hidrelétrica de Belo Monte* in *I Encontro de Internacionalização do Conpedi*. Barcelona, Laborum, 2015. 14: 48

from occupying the Belo Monte Dam, we choose to die here at Belo Monte, because without our territory, we will have lost our lives.”¹⁹¹

Social movements took advantage from new technologies and launched also online petitions, as the so called “Raoni Petition”, signed by the representatives of 62 indigenous leaders: Cacique Betkamate Kaiapó, Cacique Raoni Kayapó and Yakareti Juruna. This was the first petition openly calling for international support, because, they argued, the world had to know what was happening and people had to realize that destroying forests and indigenous tribes means destroying the whole world.¹⁹² Later, they launched another petition, this time together with allied riverine communities affected by the dam, under the name of MXVPS. The petition was launched in March 2014 and this time was addressed to a specific agency, IBAMA, with the aim of asking to deny the Operating License to Belo Monte, since legally, technically and socially the requirements had not been fulfilled.¹⁹³ Social movements even addressed the very Brazilian President, Dilma Rousseff, as they delivered a petition signed by 1.3 million citizens to the presidential palace, demanding the immediate suspension of the construction of Belo Monte and the opening of a national debate on sustainable energy development.¹⁹⁴

Petitions and open letters were also used for attracting attention, asking new studies or spreading information. For instance, during the protest on the International Day of Action for Rivers and Against Dams in 2011, people signed a complaint that was delivered to authorities, in which was denounced the unsafety of the system and asked for an immediate inspection in order to get it improved.¹⁹⁵ In the same year, with the help of NGOs, including Amazon Watch and International Rivers, local communities delivered a petition exposing human rights violations to the Inter-American Commission on Human Rights.¹⁹⁶

Later, affected communities used an open letter for describing the problems that they were facing in the new houses built by Norte Energia during the resettlement.¹⁹⁷ The open letters were maybe more efficient ways for letting people know which were the real problems,

¹⁹¹ International Rivers, “Parakanã Declaration on the Belo Monte Dam”, Sep. 12nd 2013, <https://www.internationalrivers.org/resources/parakan%C3%A3-declaration-on-the-belo-monte-dam-8087>

¹⁹² “Pedido de apoio internacional do Cacique Raoni e dos representantes dos povos indígenas do Xingu contra a usina de Belo Monte.”, Raoni.com, June 17th 2010, <http://raoni.com/atualidade-57.php>

¹⁹³ MXVPS, Não à Licença de Operação de Belo Monte, retrieved from Change.org: https://www.change.org/p/ibama-n%C3%A3o-%C3%A3o-%C3%A0-licen%C3%A7a-de-opera%C3%A7%C3%A7%C3%A3o-de-belo-monte%2Frecruiter=262734301&utm_source=share_petition&utm_medium=twitter&utm_campaign=share_twitter_responsive

¹⁹⁴ Amazon Watch, “Millions Join Belo Monte Protest in Brazil”, Dec. 20th 2011, <http://amazonwatch.org/news/2011/1220-millions-join-belo-monte-protest-in-brazil>

¹⁹⁵ Amazon Watch, “The Gods of the Xingu Are on Our Side!”, March 14th 2013, <http://amazonwatch.org/news/2013/0314-the-gods-of-the-xingu-are-on-our-side>

¹⁹⁶ Amazon Watch, “Belo Monte Dam May Lead Brazil to OAS High Court”, June 6th 2011, <http://amazonwatch.org/news/2011/0616-belo-monte-dam-may-lead-to-oas-high-court>

¹⁹⁷ MXVPS, “Carta aberta denunciando a Norte Energia”, April 12nd 2012, <http://www.xinguvivo.org.br/2016/04/12/carta-aberta-denunciando-a-norte-energia/>

such as the lack of services, structural problems such as cracks and infiltrations. Hence, it seems logic that for addressing the local government and agencies and protesting against the approval of the Preliminary License¹⁹⁸, and for denouncing the release of the Operating License five years later¹⁹⁹ they chose an open letter. Instead petitions are more useful for reaching widespread consent for the struggle, as they are likely to reach anybody in any part of the world. For instance, thanks to their commitment to reach international support, local communities managed to speak also through "allied" or friend organizations that sympathized with their cause, such as Occupy Wall Street²⁰⁰, which reposted the petition against Belo Monte.

Social movements and NGOs have proposed themselves as human rights and constitutional defenders, hence, they have tried to speak to the judiciary during the years. For instance, they have sent four letters regarding constitutional violations of the hydroelectric project to the Supreme Federal Tribunal. The first three did not even have a STF response. The last one was sent in June 2014 on the day Joaquim Barbosa said goodbye to the presidency of the Supreme Court and it presented arguments of national and international law on the protection of the environment and human rights that support the legal action of the MPF.²⁰¹ For instance, the letter requested the vote in plenary of a previous MPF complaint referring to indigenous hearings, to date not made by the National Congress as stipulated in the Federal Constitution. According to the letter, the movements denounced the procrastination of justice to ensure the rights of dam-affected populations and the serious risk of the Supreme Court to create a "jurisprudence in reverse", regarding its compliance with federal government position and the right to prior consultation with the communities. Social movements could not just stand by and watch the judiciary ignoring the rule of law and undermining democracy as it had done in different ways, such as the reduction by decree of Conservation Units to allow the construction of hydroelectric plants on the Tapajos, or the avoidance of voting on a related Direct Action of Unconstitutionality, as well as not considering the indigenous component in the EIA and the use of Safety Suspension to overturn any decision favourable to the

¹⁹⁸ Mark Sabaj Pérez. "Timeline of the Controversial Belo Monte Megadam in Brazil", *American Scientist*, Oct. 14th 2015, <http://www.americanscientist.org/blog/pub/timeline-of-the-controversial-belo-monte-megadam-in-brazil>

¹⁹⁹ MXVPS, "Carta aberta contra a concessão da Licença de Operação de Belo Monte", July 19th 2015, <http://www.xinguvivo.org.br/2015/07/19/carta-aberta-contra-a-concessao-da-licenca-de-operacao-de-belo-monte/>

²⁰⁰ Occupywallstreet.net, "Ocupação Belo Monte: We Need Your Support Urgently!", <http://occupywallstreet.net/story/ocupa%C3%A7%C3%A3o-belo-monte-we-need-your-support-urgently>

²⁰¹ MXVPS, "No último dia de Barbosa, organizações demandam STF a votar ações sobre hidrelétricas", July 2nd 2014, <http://www.xinguvivo.org.br/2014/07/02/no-ultimo-dia-de-barbosa-organizacoes-demandam-stf-a-votar-acoes-sobre-hidreletricas/>

people affected by hydroelectric projects. The letter concluded that all these actions undertaken by the Supreme Court were the negation of the Court's own mission.

Besides written complaints and letters, another act of peaceful resistance regards money. There are plenty of cases in which the government or Norte Energia corrupted indigenous leaders with goods such as motorcycles to obtain their approval, or at least, their refraining from resistance,²⁰² in addition to the company's charm offensive, made of videos, press releases to environmental NGOs, and the organization of concerts for promoting the dam.²⁰³ However, money was also seen as a way for rejecting and denouncing the actions of the company. For instance, in 2013, twenty six Kayapó leaders discussed and refused a generous offer of US\$9 million from Eletrobrás, calling it "dirty money".²⁰⁴ Another member of those who refused compensation is Leoncio of the Arara tribe, who even refused to leave his home and remained alone with one of his sons in the ghost village where he was born.²⁰⁵

2.6.3 International support

Ever since the first struggle led by the Kayapos against the Belo Monte dam, the Indigenous had understood the power that they could get by allying with international movements and NGOs, as well as international public figures. The First Encounter attracted environmentalists from all over the world, including the British singer Sting, who advocated for the protection of the River and its inhabitants. The new mobilization gained the support of international figures as well. For instance, film director James Cameron travelled to Amazonia in April 2010, together with two actors who starred in *Avatar*, for showing their support to Xingu peoples.²⁰⁶ The director was accompanied by Amazon Watch activists and he found himself so upset after the meeting with the locals, that he decided to send a compelling letter to the Brazilian President.²⁰⁷ However, the scene was different from the 1980s. In 1989, the Kayapo organized a massive mobilization, identified as the "Altamira Gathering", which culminated in the cancellation by the World Bank of its

²⁰² Cinedelia (2012), Belo Monte: Announcement of a War, available at: <https://vimeo.com/44877149>

²⁰³ Karen Hoffmann, "Belo Monte dam marks a troubling new era in Brazil's attitude to its rainforest", *The Ecologist*, Aug.15th 2011, http://www.theecologist.org/News/news_analysis/1016666/belo_monte_dam_marks_a_troubling_new_era_in_brazils_attitude_to_its_rainforest.html

²⁰⁴ Amazon Watch, "Brazil's Kayapó Reject Amazon Dams, Refuse Millions", March 13rd 2013, <http://amazonwatch.org/news/2013/0313-brazils-kayapo-reject-amazon-dams-refuse-millions>

²⁰⁵ Maira Irigaray, "Belo Monte and the Face of Development We Refuse To See", *Amazon Watch*, March 4th 2016, <http://amazonwatch.org/news/2016/0404-belo-monte-and-the-face-of-development-we-refuse-to-see>

²⁰⁶ Tom Phillips, "Avatar director James Cameron joins Amazon tribe's fight to halt giant dam", *The Guardian*, April 18th 2010, <https://www.theguardian.com/world/2010/apr/18/avatar-james-cameron-brazil-dam?INTCMP=ILCNETXT3487>

²⁰⁷ Peter Bosshard, "James Cameron in the Amazon: Avatar Meets Real Life", *International Rivers*, April 14th 2010 <https://www.internationalrivers.org/blogs/227/james-cameron-in-the-amazon-avatar-meets-real-life>

loan, which delayed the construction of the dam for more than a decade, instead this time they needed a different type of international pressure, because the project relied largely on public funds from BNDES. For this reason, when became clear that the shouting of local communities against the blind and deaf Brazilian government would not have been enough to avoid the socio-environmental disaster, the protests expanded to the opposite hemisphere. Even before that the Installation License was granted, three Indian leaders, two from Brazil and one from Peru, protested with Survival supporters outside the office of the Brazilian state development bank BNDES, which was providing much of the funding for three controversial dam projects in the Amazon, including Belo Monte.²⁰⁸ In August 2011, while in Brazil had begun massive street protests which would later give way to sit-ins and occupations, thousands of people protested in at least fifteen countries worldwide calling on President Rousseff to halt the project, and Survival supporters delivered concerned letters to several Brazilian embassies.²⁰⁹ This strategy is commonly used by environmentalist organizations and it is most of times effective, as for the same nature of the embassy it allows protesters to attract both their national and international attention. The protesters even took inspiration from the global trend which characterized the fall 2011. Most people may remember October, 15th 2011, the date of the global call to occupation of public spaces. Protesters opposing to the hydroelectric plant of Belo Monte joined this worldwide protest, which took place in more than 300 cities around the world. In this occasion, they camped out in São Paulo and Belém, waiting the trial of the first 12 civil actions of the MPF against Belo Monte by the TRF-1.²¹⁰ Several times the protesters chose a specific date for mobilization in order to draw international attention. It was not by accident that they protested in 2011 and 2014²¹¹ on the International Day of Action for Rivers and Against Dams, nor it was casual the decision of engaging in a major protest in December 2013, when indigenous protesters, from the Xingu, Tapajos and Teles Pires basins, along with civil society groups, occupied the Attorney General's office in Brasilia on the International Human Rights Day, to protest against the Belo Monte Dam, the Tapajos Dam, and the Teles Pires Dams and for demanding the courts to rule on cases of human rights violations.²¹²

²⁰⁸ Survival International, “Amazon Indians protest in London as judge blocks Brazil dam”, March 2nd 2011, <http://www.survivalinternational.org/news/7053>

²⁰⁹ Survival International, “Worldwide protests against Amazon mega-dam”, Aug. 22nd 2011, <http://www.survivalinternational.org/news/7602>

²¹⁰ MXVPS, “Ocupação em São Paulo contra Belo Monte”, Oct. 16th 2011, <http://www.xinguvivo.org.br/2011/10/16/ocupacao-em-sao-paulo-contra-belo-monte/>

²¹¹ Amazon Watch, “Brazilian Indigenous Leader Slams Amazon Mega-Dams in Paris Protest”, March 14th 2014, <http://amazonwatch.org/news/2014/0314-brazilian-indigenous-leader-slams-amazon-mega-dams-in-paris-protest>

²¹² MXVPS, “Atingidos e ameaçados por usinas na Amazônia protestam no dia dos Direitos Humanos”, Dec.

Another thing that needs to be taken into account while considering the importance of obtaining international support is that, in a globalized economic system, all the major projects required international partners. Belo Monte typifies this global pattern, as shown by the lists of involved corporations published by Greenpeace.²¹³ As pointed out in an independent documentary²¹⁴, the interests behind the mega-dam are not only Brazilian, but also American, French, German and Austrian. According to Fearnside(2006)²¹⁵, even China contributed to pushing the building of the dam, as it entered in the alumina processing plants and, despite its lacking of energy, it had a great amount of capital for investments abroad. In May 2013, in Munich took place a protest in front of the insurance giant that was backing the project, the company Munich Re, which alone was granting a quarter of US\$10 billion insurance costs for Belo Monte, receiving about US\$20 million for this service from Norte Energia.²¹⁶ Hence, protesters gathered outside the company's headquarters while was taking place the annual shareholders meeting. Before the protest, two leaders of the opposition to Belo Monte, Verena Glass and Helena Palmquist, had spoken in front of the Green Party members of the European Parliament, denouncing the strategic support that the German insurance company was giving to the dam, appointing it as "jointly responsible" for the crimes committed. But Munich Re was not the only European supporter. For instance, the German Allianz was insuring another 5% of the financial risks, and the companies Voith-Siemens (Germany), Andritz (Austria), and Alstom (France) had a €500 million contract with Norte Energia for the supply of turbines.²¹⁷ The transmission lines as well are expected to be built by a Chinese-Brazilian consortium, that won the auction in 2014.²¹⁸ The following month, few representatives of the European Green Party, two French and an Austrian, travelled to Brazil to visit the dam sites and to talk with involved communities, prosecutors, federal Ministries and European Ambassadors. Once gained first-hand knowledge of the situation, they sent a letter to the Brazilian Ambassador to the European Union in which they stated "a project as big as Belo Monte cannot be constructed on a provisional legal basis and by the logic of fait

²¹³ 10th 2013, <http://www.xinguvivo.org.br/2013/12/10/atingidos-e-ameacados-por-usinas-na-amazonia-protestam-no-dia-dos-direitos-humanos/>

²¹⁴ Greenpeace (2016), Damning the Amazon. The risky business of hydropower in the Amazon, April 13rd 2016

²¹⁵ Cinedelia (2012), Belo Monte: Announcement of a War, available at: <https://vimeo.com/44877149>

²¹⁶ Philip M. Fearnside (2006). Dams in the Amazon: Belo Monte and Brazil's Hydroelectric Development of the Xingu River Basin. *Environmental Management* 38(1), pp. 16-27

²¹⁷ Amazon Watch, "Brazilians Denounce Dirty Belo Monte-Euro Connections", May 1st 2013, <http://amazonwatch.org/news/2013/0501-brazilians-denounce-dirty-belo-monte-euro-connections>

²¹⁸ Ibid.

²¹⁹ Mariana Barbosa, "Brazilians Denounce Dirty Belo Monte-Euro Connections", *Folha de S.Paulo*, Feb. 7th 2014, <http://www1.folha.uol.com.br/mercado/2014/02/1408862-consorcio-de-chineses-furnas-e-eletronorte-vence-leilao-de-linhas-de-transmissao-de-belo-monte.shtml>

accompli”.²¹⁹ In November they even held a conference at the European Parliament on the Belo Monte Dam, which was followed by major protests and public events in Paris.²²⁰ In the following years there were further bidirectional travels between Europe and the Amazon. In January 2014 representatives of the MXVPS attended to a Siemens shareholder meeting in order to explain which were the real effects of the technological support that Siemens was giving to the dam, through the words of Amazonian activist Monica Brito, who invited shareholders to reflect on the universal importance of the threatened Xingu River.²²¹ Siemens however did not abandon the project, and in 2015 a coalition of German and international organizations gathered out of the company shareholders annual meeting, this time in Munich.²²² Also Paris was a hot point for protests, since it is where are located the offices of French companies GDF Suez, EDF and Alstom, which are involved in several mega-dam projects. Thus, it is not surprising that Brazilian Indian Sonia Guajajara, leader of the Brazilian Association of Indigenous Peoples, led in protest human waves to their offices in March 2014.²²³ The advocacy campaign by the indigenous leaders went as far as reaching the UNHRC in Geneva. For instance, in March 2014, the national coordinator of Brazil's Association of Indigenous Peoples (APIB) spoke at the 25th session of the United Nations Human Rights Council, exposing the alarming effects of mega-dam projects on indigenous people.²²⁴

²¹⁹ Amazon Watch, “From Brazil, European Greens Condemn Belo Monte”, July 30th 2013, <http://amazonwatch.org/news/2013/0730-from-brazil-european-greens-condemn-belo-monte>

²²⁰ International Rivers, “PR: Belo Monte Dam Protested in Europe”, Nov. 15th 2013, <https://www.internationalrivers.org/resources/pr-belo-monte-dam-protested-in-europe-8150>

²²¹ Amazon Watch, “From Altamira to Munich: Confronting Belo Monte's Corporate Profiteers”, Jan. 31st 2014, <http://amazonwatch.org/news/2014/0131-from-altamira-to-munich-confronting-belo-montes-corporate-profiteers>

²²² MXVPS, “Multinacional alemã Siemens é vinculada a abusos de direitos humanos nas Américas”, Jan. 29th 2015, <http://www.xinguvivo.org.br/2015/01/29/multinacional-alema-siemens-e-vinculada-a-abusos-de-direitos-humanos-nas-americas/>

²²³ Amazon Watch, “Brazilian Indigenous Leader Slams Amazon Mega-Dams in Paris Protest”; March 14th 2014, <http://amazonwatch.org/news/2014/0314-brazilian-indigenous-leader-slams-amazon-mega-dams-in-paris-protest>

²²⁴ Amazon Watch, “Indigenous Leader Condemns Brazil's Rights Abuses at United Nations”, March 11st 2014, <http://amazonwatch.org/news/2014/0311-indigenous-leader-condemns-brazils-rights-abuses-at-united-nations>

CHAPTER III

CASE STUDY ON SOCIO-ECONOMIC JUSTICE: OCCUPY WALL STREET

3.1 The Financial and Economic Crisis

The world's financial system almost collapsed after the bankruptcy of the Lehman Brothers in September 2008, but there is no full agreement on the causes of financial imbalances. Most policymakers and researchers agree on the lack of supervision and regulation, but while some blame accommodative monetary policies, others argue that the root cause was the widening global imbalances and capital flows. Hence, while someone blame the accommodative policy of the Federal Reserve from 2001, that is likely therefore to have shaped housing demand and asset prices, some others argue that the influence of the monetary policy was minimal and it is better to blame the overall increase in house prices in the U.S., thus the global imbalances. Maybe it is the third position the most reliable, that argues that the cause is a combination of both factors, which is proved by the divergent results found on the relationship between capital inflows and house price appreciations.¹ This work agrees with this position, that will be here briefly explained.

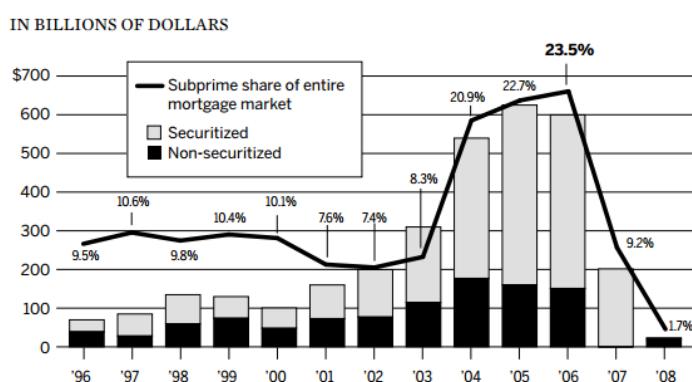
The financial crisis of subprime mortgages began in the U.S. in 2007 and its preconditions date back to 2003, when began to significantly increase the supply of high-risk mortgages (or *subprime* mortgages), namely to customers that normally would not obtain credit since they would not have been able to provide adequate guarantees, such as the youth. The factors that have stimulated the growth of subprime mortgages are due, among other things, to the dynamics of the U.S. housing market and the development of securitization² that began to affect less traditional assets with specific terms such as mortgages, bank loans, or consumer loans, and turned to a wider variety of asset types, such as home equity loans, lease receivables, and small business loans. This shift was encouraged by the improved and increased data about risk quantification. The reason behind the massive use of securitization is obviously convenience. It is a way to transfer, through a third party (called Special-Purpose Vehicle), the default risk of the borrower to other financial

¹ Ouarda Merrouche and Erlend Nier (2010) What Caused the Global Financial Crisis? Evidence on the Drivers of Financial Imbalances 1999–2007, IMF, Dec. 2010

² "Securitization is the process in which certain types of assets are pooled so that they can be repackaged into interest-bearing securities" Andreas Jobst (2008) What is Securitization?, *Finance & Development*, 48-49, IMF.

institutions, such as insurance companies or banks.³ The SPV encourages the purchase of securitized loans by offering investors short-term securities, and it allows the original institution to immediately recover a large part of the credit that would otherwise have received only at the end of the mortgage (10, 20 or 30 years later).⁴ Thanks to securitization, financial institutions could greatly expand their activities, which allowed them to make very high profits, but also exposed to the risk of large losses. Moreover, while customers' reliability was assessed in an increasingly less accurate way, which means that borrowers were approved for loans they could not afford, structured products generated by the securitization were traded mostly outside regulated markets where there would exist a shared evaluation of their price, therefore the judgment of rating agencies has become increasingly important, despite such valuation model was later proved to be too generous. To sum up, banks were paying the mortgage and then transferring to third parties via securitization, immediately recovering the amount lent, instead of paying the mortgage and waiting for a period of time before recovering the loan and the interest thereon. To focus on the relevance of securitization of mortgages, it is here reported a graphic by the U.S. Financial Crisis Inquiry Commission that shows the increasing creation of subprime loans that rose from \$70 billion in 1996 to \$600 billion in 2006, and the great majority was securitized. That year subprime lending accounted for 23.5% of all mortgage originations.⁵

Figure 3.1 - Subprime Mortgage Originations⁶



³ Andreas Jobst (2008) What is Securitization?, Finance & Development, IMF, September 2008

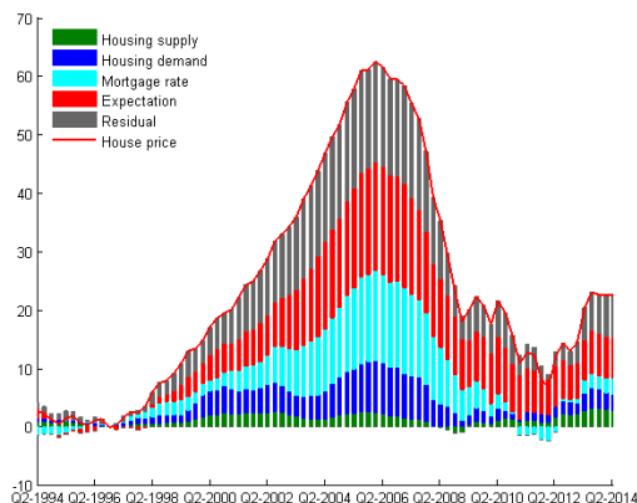
⁴ CONSOB (Commissione Nazionale per la Società e la Borsa), La Crisi Finanziaria del 2007-2009, <http://www.consol.it/web/investor-education/crisi-finanziaria-del-2007-2009>

⁵ The Financial Crisis Inquiry Commission (2011) The Financial Crisis Inquiry Report, US Government Publishing Office, Feb. 2011, p.70

⁶ Percent securitized is calculated as subprime securities issued divided by originations in a given year.

The Commission's report concluded that the financial crisis was avoidable, if only the warnings were questioned and evolving risks were managed. Within the warning signals they listed "the explosion in risky subprime lending and securitization, an unsustainable rise in housing prices, widespread reports of egregious and predatory lending practices, dramatic increases in household mortgage debt, and exponential growth in financial firms' trading activities".⁷ As a matter of fact, the speculation on properties values was one of the major causes not only of the financial crisis, but also of the bankruptcy of thousands of common families, whose main and usually only property is their house. Hence, for the role it played in contributing to the financial crisis, it is here briefly considered the evolution of the housing prices in the U.S., reported in a graphic⁸ showing the composition of the price in order to make clear the impact of financial speculation on properties value.

Figure 3.2 - Historical Decomposition of Real House Price Developments



From 2000 to 2006 in the U.S. housing prices have grown steadily and significantly, generating a real estate bubble, which was helped by the accommodative monetary policy of the Federal Reserve (Fed), which kept interest rates at historically low levels until 2004, in response to the crisis of the Internet bubble and the 9/11 attack.⁹ Low interest rates were equivalent to a low cost of money for the borrowers, or for families requiring mortgage loans, and therefore ended with stimulating further demand for housing relative prices. The housing bubble was convenient to profit-driven institutions, as they could make

⁷ The Financial Crisis Inquiry Commission (2011) The Financial Crisis Inquiry Report, US Government Publishing Office, Feb. 2011, p. xvii

⁸ Pascal Towbin and Sebastian Weber (2015) IMF Working Paper on Price Expectations and the U.S. Housing Boom, IMF, July 2015, p.15

⁹ Katalina M. Bianco (2008) The Subprime Lending Crisis: Causes and Effects of the Mortgage Meltdown, 2008, CCH, p.4-5

affordable mortgage lending and in the event of insolvency of the borrower they could recover the money lent through the foreclosure and the home resale. However, starting from 2004, the Fed began to raise interest rates in response to the U.S. economic recovery, which made the mortgages become more expensive and reduced the demand for real estate.¹⁰ The combination of this action with the increasing securitization of subprime mortgages caused the bursting of the housing bubble¹¹ and the contraction in the value of underlying existing mortgages. The financial institutions involved in the delivery of subprime mortgages, many involving housing properties, recorded heavy losses. Since the securities, widely disseminated on the market, lost all value, SVPs turned to banks that had issued such securities and that had guaranteed liquidity. Some banks, however, were not able to find the necessary liquidity to meet these requests, because no financial institution was willing to loan credit to them. As a matter of fact, in the unclear and uncertain context of distribution of structured securities, the interbank interest rates rose, whereas the availability of banks to extend credit to other financial institutions decreased. Hence the trust crisis became a liquidity crisis and some of the largest U.S. banks went close to bankruptcy. The first major institution to fall was Bear Stearns, that was the U.S. fifth largest investment bank.¹² Buried by liquidity rumours, in March 2007, BS stock price dropped in few days and reached the bottom as Fed announced it will lend money to buy BS and transfer to JPMorgan Chase for \$2 a share, a price established by the Treasury Department, which was later rose to \$10 for employees. However, while some were saved, being bought by competitors or by the intervention of the Fed through the securitized bond purchase program TARP¹³, an investment bank called Lehman Brothers, did not receive any state or private support and started bankruptcy proceedings on 15 September 2008.¹⁴ The episode was described by economist Max Wolff as “one of the largest regulatory mistakes made in American history”¹⁵, and it seemed mostly inexplicable why Bear Stearns was considered “too big to fail” while Lehman Brothers (twice its size) wasn’t. As conspiracy theories spread, LB’s insolvency triggered a new phase of intense

¹⁰ Ibid.

¹¹ A housing bubble is defined as “an economic bubble that occurs in local or global real estate markets” characterized by “rapid increases in the valuations of real property until unsustainable levels are reached in relation to incomes and other indicators of affordability”, which are followed by “decreases in home prices and mortgage debt that is higher than the value of the property.” Katalina M. Bianco (2008)

¹² Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, pp.125-132

¹³ TARP was carried out between 2007-2009, it reached up to 7.7 trillion dollars and gave liquidity to the banking market with interest rates near zero.

¹⁴ CONSOB (Commissione Nazionale per la Società e la Borsa), *La Crisi Finanziaria del 2007-2009*, <http://www.consolb.it/web/investor-education/crisi-finanziaria-del-2007-2009>

¹⁵ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, p.142

instability. The crisis appeared increasingly systemic in its nature with unprecedented turmoil that extended from the market of structured products to stock markets and gradually to the entire financial system. The losses experienced by financial institutions on their mortgage-related securities impacted their ability to lend, slowing economic activity. Moreover, thanks to the pre-2004 low interest rates, the securitization pipeline had transported toxic mortgages from the U.S.A. to investors around the globe, especially in Europe, which created the conditions for the contagion from U.S. to European economies.¹⁶ As U.S. banks, also European banks were saved by consistent rescue plans,¹⁷ but the bailouts led to increased public debt, laying the foundations for the so-called sovereign debt crisis.

As the crisis hit the economy, it caused a fall in income and employment, as well as a heavy reduction in world trade and global growth. For instance, the global economy has faced the most severe and synchronized recession of the post-war period,¹⁸ that was therefore named the Great Recession. The World Development Indicators¹⁹ show that the crisis has provoked a drastic slowdown of the average world annual GDP growth, and it is noticeable that the low- and middle-income countries in Middle East and North Africa (where the 2011 protests began) saw the largest drop, falling from 3.1% (pre-crisis) to -0.3 percent in the post-crisis period. As regards the United States, annual GDP growth was already in a descendent pattern from 2004, but it fell drastically due to the crisis, from 1.77% (2007) to -0.29% (2008) and touched its lowest point in 2009 reaching -2.77%.²⁰ The European Union as well registered a negative score in 2009, falling from 0.5 (2008) to -4.39 percent. The worst situation in Europe was faced by the so called PIIGS (Portugal, Ireland, Italy, Greece and Spain), a group of countries that wasn't able to rescue over-indebted banks and governments during the crisis.²¹ These same countries were greatly involved in the "European Summer" of protests against austerity measures and financial institutions such as the European Central Bank. Amongst them, Greece experienced the most severe recession, as shown in the graphic hereafter.

¹⁶ Katalina M. Bianco, 2008, The Subprime Lending Crisis: Causes and Effects of the Mortgage Meltdown, 2008, CCH, p.3

¹⁷ IMF (2009) World Economic Outlook. Crisis and Recovery, April 2009, p.7

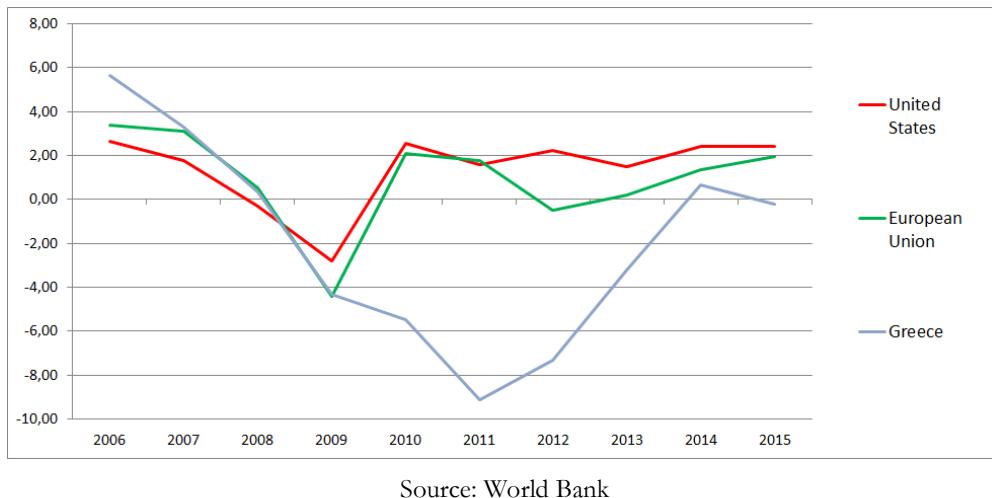
¹⁸ IMF (2009) World Economic Outlook. Crisis and Recovery, April 2009, p.14

¹⁹ World Bank, 2016, World Development Indicators 2016 Maps, <http://data.worldbank.org/products/wdi-maps>

²⁰ World Bank, GDP growth (annual %) 2006-2015, <http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG?contextual=default&end=2015&start=2006&view=chart&year=2008>

²¹ Ibid.

Figure 3.3 - GDP growth (annual %) 2006-2015



Source: World Bank

Wall Street was not chosen by OWS protesters as a mere symbol of inequality; it was responsible for its widening and aggravated the already precarious conditions of the great majority of the population. The 2007 financial crisis and the following economic crisis had a direct impact on income, wealth, and unemployment rates. According to the ECB, from 2008 to early 2010, in the euro area four million people lost their job and even if employment rate began to rise again in the first half of 2011, it declined at the end of that year and still three millions (below the pre-crisis level) were unemployed.²² At the same time, in 2008 U.S. foreclosure filings rose by 81% compared with the previous year and by 225% compared with 2006, accounting to more than 850'000 families who lost their home to foreclosure in 2008 and meaning that one out of every 54 households received a foreclosure notice.²³ Foreclosures continued to grow in number also during 2009, despite Government's attempt to help homeowners through specific loan and mortgages modification programs to keep people in their homes. Not only was the federal program limited, as by July 2009 only 200'000 people were involved, but it also met the opposition of banks and lenders, which in many cases have more financial incentive to let borrowers lose their homes than to negotiate.²⁴ Another effect of the crisis was the rise in the unemployment rate. In the U.S. it went from 4.8% in April 2008 to 10.6% at its peak in January 2010.²⁵ Among the crisis-affected population groups, the youth (aged 18-25) suffered the most severe income losses in the OECD countries, where householders

²² ECB (2012) Euro Area Labour Market and the Crisis, Oct. 2012, pp.13-14

²³ Les Christie, "Foreclosures up a record 81% in 2008", CNN Money, Jan. 15th 2009
http://money.cnn.com/2009/01/15/real_estate/millions_in_foreclosure/

²⁴ Danny Schechter (2009) The Crime of Our Time: Was the Economic Collapse "indeed, Criminal"? , Ed. Mediachannel.org, New York, 2009

²⁵ Angus S. Deaton (2011) The Financial Crisis and the Well-being of Americans, NBER, June 2011

income fell by around 1% per year among youth and by 0.7% among prime-age adults (aged 26-65).²⁶ For these reasons, the OECD report concludes that the crisis has worsened a trend that in the last twenty five years has seen the youth as the group with the greater risk of income poverty. This risk in 2011 was four times higher than the reference population, if considering jobless households. Especially in Greece and Spain that were hardly hit by the crisis, the gap between rich and poor gradually increased over the years. Spain national unemployment rate in 2011 was at 21%, and it reached 32% for foreign born, and about 44% for those younger than 24 years.²⁷ The share of top-income recipients in total gross income have grown in most countries from the 80s to 2012 with the U.S. in the front line. According to the OECD²⁸, in the U.S. the share of the richest 1% in all pre-tax income has more than doubled. Income Inequality is an alarm sign of persistent disadvantage for particular segments of the society as well as the lack of income mobility and opportunity, according to the IMF that argues: "Widening inequality also has significant implications for growth and macroeconomic stability, it can concentrate political and decision making power in the hands of a few, lead to a suboptimal use of human resources, cause investment-reducing political and economic instability, and raise crisis risk."²⁹ As a matter of fact, income inequality has risen in most advanced and emerging market economies for the benefit of the top 10%, that by 2015 had an income close to nine times that of the bottom counterpart. In response to the poor economy, extremes acts including suicides, self-inflicted injury, child abuse and murder have increased. Schechter (2009)³⁰ reports that in the U.S., the National Suicide Prevention Lifeline received, in 2008, 150'000 more calls than in the previous year, logging the record of 568'437 calls. Moreover, it has been recorded a rise in domestic violence and the National Domestic Violence Hotline had a calls increase of 18% between October 2007 and October 2008. The economic crisis produced a social crisis.

²⁶ OECD (2014) Rising Inequality: Youth and poor fall further behind, Dec. 2014, p.5

²⁷ Ernesto Castañeda (2012) The Indignados of Spain: A Precedent to Occupy Wall Street, Social Movement Studies: Journal of Social, Cultural and Political Protest, p.1

²⁸ OECD (2014) Top Incomes and Taxation in OECD Countries: Was the crisis a game changer?, May 2014

²⁹ Dabla-Norris et al. (2015) Causes and Consequences of Income Inequality: A Global Perspective, IMF, June 2015

³⁰ Danny Schechter (2009) The Crime of Our Time: Was the Economic Collapse "indeed, Criminal"? , Ed. Mediachannel.org, New York, 2009, p.xxxii

3.2 The Global Response from the U.S. to the World: OCCUPY

3.2.1 Sources of inspiration

Occupy Wall Street is described by the well-known linguist and political activist Noam Chomsky as “a collective insurgency in constant evolution, whose main weapons are transparency, democracy and non-violent direct action”³¹. The movement was born as part of a global awakening that during 2011 reached almost every corner of the planet. This global wave of protests began with the “Arab Spring”, followed by the so called “European Summer” and finally arrived in the U.S., where gave birth to what was later known as the “American Autumn”. Mitchell (2013)³² argues in his analysis that what linked the wave of occupations in 2011 was their same existence, and the fact that they created what Hannah Arendt called “space of appearance”.

Space of appearance comes into being wherever men are together in the manner of speech and action and therefore predates and precedes all formal constitution of public realm. [...] and it does not survive the actuality of the movement [...] but disappears [...] with the dispersal of men [...] or (with the) arrest of the activities themselves.

(Arendt cit. in Mitchell et al., 2013)

But there are many differences indeed, regarding target and scale.³³ In the Arab World protesters faced the authoritarian regimes of Mubarak, Ben Ali, Gaddafi, Al-Assad. The public enemy had a face and a name and people in the squares risked their lives daily for pursuing a political aim, democracy. Also in European upheavals the enemy was known. It was embodied by the IMF, the ECB and the austerity measures implemented to save the banks while the poor became poorer. However, the Europeans, as OWS, did not face as strong violence as in the Arab Spring uprisings. OWS was directed to the center of financial capital and wanted to unmask the corruption of democracy by the increasing economic inequality, denouncing the empty promises of the global economic system. In addition, the movement more than political, posed itself as anti-political and anti-systemic. OWS incorporated characteristics of the two previous experiences. According to the Writers for the 99%,³⁴ the greatest sources of inspiration for OWS were the popular uprisings of Tahrir Square and Puerta del Sol in Spain; the first especially for the methods,

³¹ Noam Chomsky (2012) Siamo il 99%, Ed. Nottetempo, Rome, July 2012, p.15

³² Mitchell, Harcourt and Taussig (2013) Occupy. Three Inquiries in Disobedience, University of Chicago Press, 2013, p.106

³³ Ibid., pp.68, 95-98, 101

³⁴ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, pp.2-14

the rhetoric of space, general assemblies and the democratic organization, whereas the second for the strong request for economic and social justice. Despite the fact that OWS shared with Tahrir the refusal of a leader, in the first case it was due to safety reasons, in the second it was an ideological choice, a sign of the movement commitment to anonymity. Even if OWS had no individuals to target, nor a mass gathering as the one in Tahrir Square, it managed to invade the global media both verbally and visually, and in the collective imaginary it became the peak of a global process of awakening that began in Egypt on January 25th. As far as concerns the 15M movement in Spain, it is considered by most, the precedent to OWS as it was the first occupation in the developed world following the economic crisis.³⁵ Participants called themselves “indignados” (the outraged), a name that came from a manifesto by the French diplomat and activist Stéphane Hessel titled “Indignez-vous!”, which call on the youth to act against injustice. They criticised major “structural adjustments” imposed by the IMF and ECB that consist of cutting social services to rescue banks and their main demand was the establishment of a “Democracia Real Ya” (Real Democracy Now), as they saw no real alternative between the two main parties for which they would vote within a week. People were disenchanted with both parties, which had adopted structural adjustment measures suggested by international financial organizations that cut the public expenditure for saving banks. They wanted elites to listen the real requests. As previously in Tahrir Square, communities throughout Spain organized in committees for discussing specific topics, and university professors gave lectures in the Plaza. As later in OWS, participants came from different countries, U.S.A. included. However, as will be later explained in this work, a main difference between the *Indignados* and the Occupiers remains: the first wanted to obtain the attention of the elite and thus putting the proposals in their agenda, while the second went further and wanted to develop outside the system that it criticized. From the OWS declaration of autonomy:

Occupy Wall Street is a people's movement. It is party-less, leaderless, by the people and for the people. It is not a business, a political party, an advertising campaign or a brand. It is not for sale. We welcome all, who, in good faith, petition for a redress of grievances through non-violence. We provide a forum for peaceful assembly of individuals to engage in participatory as opposed to partisan debate and democracy. We welcome dissent.³⁶

³⁵ Ernesto Castañeda (2012) The Indignados of Spain: A Precedent to Occupy Wall Street, Social Movement Studies: Journal of Social, Cultural and Political Protest

³⁶ Occupy Wall Street, Statement of Autonomy, Nov 10th 2011, <http://occupywallstreet.net/learn>

3.2.2 Chronology of OWS

September 17th, 2011, is the official beginning of the occupation of Zuccotti Park, hence it is the official date of the birth of the movement. However, there have been in the U.S. some signals of change even before. For instance, many have credited the occupation of the state capitol of Wisconsin, which took place in February and March 2011 and helped to inspire Occupy Wall Street, as they raised the similar claim of public spaces in opposition to the intention of state Governor to eliminate the collective bargaining rights of public sector workers.³⁷ Another positive experience began on June 16th, as a group of activists under the name of New Yorkers Against Budget Cuts (NYABC), together with other small organizations, engaged in three weeks of camping outside the City Hall to protest budget cuts and layoffs proposed by the New York Mayor Michael Bloomberg. The proposal would have caused the closure of twenty fire stations and the dismissal of 4'000 public school teachers.³⁸ The encampment was named “Bloombergville” by activists: the union of the Mayor’s surname and “Hooverville”, which was the popular name for the shanty towns for the homeless during the Great Depression. The camp lasted till the approval of the proposal by the City Hall Council, which, anyway, reduced the number of the victims of budget cuts.³⁹ According to participants, they experienced in those days, as in the following General Assemblies and in OWS, a great sense of community. Even the slogan and the organizational scheme beneath Occupy Wall Street appeared before September 17th. As a matter of fact, during the “Bloombergville experience” activists shaped some dynamics which later became part of the movement, such as providing food, building a library and holding teach-ins.⁴⁰ The same idea of the 1% living at the expense of the 99% was coined months before by David Degraw in his book “The Economic Elite vs. the People of the United States”, which was a call for the population to unmask the bribery scheme behind both political parties and the global financial interests.⁴¹ Something in the U.S. was moving. A contribution came also from Canada, as the magazine Adbusters launched on July 13th the idea of an occupation on Wall Street, which, according to the magazine, should have focused on asking Barack Obama to establish a presidential committee with the purpose of putting an end to the influence of money over politics.⁴² Adbusters gave to OWS a name, an appointment and a purpose, but the movement took off with its own requests and

³⁷ Judy Lubin (2012) The ‘Occupy’ Movement: Emerging Protest Forms and Contested Urban Spaces, *Berkeley Planning Journal*, 25(1), p. 186

³⁸ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, Milan, March 2012

³⁹ Ibid.

⁴⁰ Ibid.

⁴¹ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, pp.94-95

⁴² Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p.22

strategies. In order to organize the occupation, activists met to share information about how to hold general assemblies as the ones of Bloombergville and to spread knowledge about risks and dynamics of occupation. Hence they called a meeting for August 2nd and 9th, respectively in front of the symbol of the enemy, the “Charging Bull”, and at the Irish Potato Famine Memorial in Battery Park. The first assemblies attracted mostly veterans, small political organizations and activists sympathetic with anarchist principles. Many of them had took part in protests in Spain, Greece and even Tunisia or had anti-globalisation positions.⁴³ In those occasion were established the consensus decision-making process and the first workgroups, among which the Strategy Committee played a pivotal role, as they tried to occupy Tompkins Square Park and Wall Street to test the police’s attitude and find a suitable place for the 17th. The first choice was Chase Manhattan Plaza, that was reinforced by police, hence protesters turned to choice B, Zuccotti Park,⁴⁴ right between Wall Street and Ground Zero (see Annex 7). Meanwhile, on August 23rd, the hacktivist group Anonymous had joined the protest showing its support.⁴⁵

Initially occupiers decided to hold General Assemblies twice in a day, for better organizing and facing problems as they appeared, and to march daily on Wall Street at the opening and closure time, even though it was soon declared no-go area by the police. As a matter of facts they firstly direct their efforts on organizing their life in the Park, while marching in different parts of Lower Manhattan, mostly avoiding, but sometimes facing, police roadblocks. On September 22nd occupiers left for the first time Lower Manhattan for interrupting an auction to support the pre-existing opposition of the Teamster Local 814 union against Shoteby’s.⁴⁶ Two days later, the Occupiers had their first strong confrontation with the police, as they marched on Broadway against traffic and 80 were arrested.⁴⁷ The confrontation and the viral video showing the police pepper-sprayed harmless girls made the movement gain even more support. On 1st October, to denounce the brutality of the police during the previous demonstration, more than 1’000 people met in Zuccotti Park and marched with the aim of reaching the Brooklyn Bridge, on the day that was later remember as one of the symbol of the hard-handed reprisal of Mayor Bloomberg.⁴⁸ Protesters faced with a small group of policemen at the entrance of the bridge, but those could not prevent the march from advancing. However, while activists

⁴³ Ethan Earle (2012) A Brief History of Occupy Wall Street, Rosa Luxemburg Stiftung, New York, Nov. 2012, p.3

⁴⁴ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp.23-25

⁴⁵ Ethan Earle (2012) A Brief History of Occupy Wall Street, Rosa Luxemburg Stiftung, New York, p.3

⁴⁶ Ibid., p.4

⁴⁷ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011

⁴⁸ Scrittori per il 99%, 2012, Occupy Wall Street, Ed Feltrinelli, March 2012, pp.47-53

who chose the walkway continued undisturbed, those on the roadway were soon contained in the orange netting. More than 700 were arrested. Many told they did not hear police warnings not to enter and to many participants the fact that police first headed the line and then kettled protesters looked like it had been planned.⁴⁹

Thanks to its inclusive and revolutionary spirit, OWS was a catalyst for mobilization around different causes, such as those of students and workers. On 5th October, thousands gathered in Foley Square for joining the Community and Labour Rally and marched in solidarity with OWS. The greatest surprise was the NYU contingent, which was expected to be small, instead literally invaded the Fifth Avenue and went down till Foley Square.⁵⁰

The Student movement under the name of NYSR (New York Students Rising) was born in May 2011 denouncing budget cuts for higher education and tuition increases,⁵¹ but thanks to Occupy the solidarity among the groups increased. From the 5th October protest was born the Nyu4Ows (New York Universities for OWS) that was particularly active in supporting workers of Sotheby, the Teamsters Local 814, fired after refusing an austere contract with a 10% cut in wage and granting easier hiring for non-union workers. Together with OWS activists, they infiltrated in auctions and high-profile restaurants owned by affiliated to the company, and even blocked Sotheby's Hall on November 9th.⁵² The fellowship between OWS and the Teamsters Local 814 union became a symbol of the opposition to the excess of the 1% and the workers eventually gained more visibility thanks to the movement, finally claiming victory in June 2012.⁵³

Occupy Wall Street was close to celebrate its first month of existence and it was getting stronger and stronger. It had gained the support of the largest federation of unions in the U.S. (AFL-CIO), build solidarity with other causes, such as the student's fight against debts and even protested against the execution of death row prisoner Troy Davis.⁵⁴ Later, they supported a group called Occupy 477, formed by low-income residents of an historical building conflicted out by two different companies that wanted to get rid of them. For this reason they were living without heating. The GA deliberated for helping Occupy 477 with a donation, help for fixing the heating and for defending the building and their right to a

⁴⁹ Scrittori per il 99%, 2012, *Occupy Wall Street*, Ed Feltrinelli, March 2012, pp. 47-53

⁵⁰ Ibid., pp. 62-63

⁵¹ Ibid., pp. 64-66

⁵² Ibid., pp.67-68

⁵³ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.4

⁵⁴ Ibid, p.34

home.⁵⁵ A scene that was reproduced in other cities, such as Oakland, Portland and Minneapolis, where the movement sided with residents of foreclosed homes.⁵⁶

On October 13th the police delivered leaflets announcing the enforcement of a new park regulation that literally made the occupation (sleeping bags, tarps, personal properties) illegal, for allowing a park cleanup the following morning at 7.00 am. Occupants worked tirelessly all night long for cleaning the park and supporters organized to join them in the morning and defend the occupation, however, the private company announced that the cleanup had been postponed. For celebrating, activists marched towards Wall Street and the City Hall. The police answered with violence, arresting many protesters and even hurting several of them, but many came back happy to the Park.⁵⁷ After two days, on October 15th, there was a Global Day of Action. The date was not casual, it was the fifth month anniversary of the 15M movement of *Indignados*. On that day were held peaceful demonstrations and events in almost 1'000 cities around the world, in 82 countries, mostly identifying themselves as part of Occupy.⁵⁸ New York hosted an estimated 50'000 people demonstration in Times Square, where 90 were arrested, as in Chicago, Boston and Phoenix. Meanwhile began one of the longest lasting occupations of the movement, Occupy London, which was evicted only on February 27th 2012 from the St. Paul's courtyard.⁵⁹ On November 5th was held the Bank Transfer Day.⁶⁰ Planned for weeks by consumers and supported by OWS, the action was a protest against the decision by Bank of America to charge a \$5 monthly fee for debit card transactions. The decision was taken on September 29th and by November 5th, almost 600'000 people in the U.S. had transferred billions of dollars from commercial banks into credit unions.

The Wall Street occupation instead faced its own “black Friday” on November 15th, as the police carried out a night raid in Zuccotti Park and evicted all the occupants, justifying it with reasons of safety and fire hazard. The police encircled the Park shortly after midnight, lighting it up and shouting in the megaphone that the occupants should leave. Schechter (2011) reported more than 200 arrests and the use of teargas and selective physical violence against resisters during the takeover. But the worst thing was that the police destroyed part of what had been created. They broke medical resources collected in the two previous

⁵⁵ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, pp.131-132

⁵⁶ Ibid, p. 197

⁵⁷ Scrittori per il 99%, 2012, *Occupy Wall Street*, Ed Feltrinelli, March 2012, pp.112-121

⁵⁸ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.5

⁵⁹ Sam Halvorsen (2012) *Beyond the Network? Occupy London and the Global Movement*, *Social Movement Studies: Journal of Social, Cultural and Political Protest*, 11:3-4, 427-433

⁶⁰ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.7

months, such as two defibrillators,⁶¹ and threw away almost 3'000 out of 5'000 confiscated books of the People' Library, even though the Mayor declared they were safe.⁶² Police used stun devices and pepper spray to advance the conquest, however, much of the brutalities carried out were not seen or reported by those who had come running to Zuccotti Park, as the police had put barricades too far to see inside the encampment, a move which would be later criticized as "illegal preventing of witnessing". A group of hundred people marched first to Foley Square and then scattered in different directions. By 5.00 am the cleanup had removed all the properties of the occupants and shortly after the police cleared Broadway.⁶³ During the day protesters tried to seize a new space at 6th Avenue and Canal Street, owned by Trinity Church, but they had to face with police in riot gear. It was clear that the owner did not want them to stay, and although protesters later in December tried to convince them to change their mind by doing a mass hunger strike, they did not succeed.⁶⁴ Some days later, students tried to seize a new space inside the New School University, but they eventually decided to leave.⁶⁵ The park that had been home for hundreds in the two previous months, and had represented the birth of a new society based on democracy and solidarity, was now surrounded by barricades and strictly monitored by the police. Even though the access to the park was restored, as it was still a public site, a legal ordinance declared illegal, if not the occupation, most of things that create one.⁶⁶ Hence, activists could meet during the day but had to leave at the closure. OWS had to deal with a new situation: survival without a physical space. The longer lasting occupations in the U.S. were those of L.A. and Philadelphia, which were evicted on November 30th, and the San Francisco's, evicted shortly after, declaring the end of the encampment period of the American movement.⁶⁷

On its second month anniversary, the day identified as N17, OWS celebrated with a peaceful rally in which took part 20'000 people at Foley Square and a march by 10'000 across the Brooklyn Bridge where many were arrested a month earlier.⁶⁸ In that occasion, and during December and January activists tried to re-occupied both Zuccotti Park and other sites in the country, but none of such attempts was successful. They found an immediate police repression while they tried to seize again Zuccotti Park: on the three-

⁶¹ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p.110

⁶² Ibid., pp.184-192

⁶³ Ibid.

⁶⁴ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, pp.126-127

⁶⁵ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p. 196

⁶⁶ Ibid., p. 194

⁶⁷ Rosanna Xia, "Timeline Occupy Wall Street", *Los Angeles Times*, Jan. 2nd 2012

<http://timelines.latimes.com/occupy-wall-street-movement/>

⁶⁸ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011

months anniversary on December 17th, fifty were arrested, and on January 1st another group of almost seventy people.⁶⁹

During the winter groups of activists and sympathizers continued to meet across the country, with the promise to come back for a new phase of occupation in the spring. However, nobody knew which shape would have this new part of the story and the disintegration of the communities mined the core of the movement, and almost delete it from the social discourse. People tend to forget what does not appear in the media, and in the case of OWS, physically in Zuccotti Park, at the heart of the financial district. Besides the many doubts, something was still living. For instance, since the loss of the encampments, Occupy sympathizers and activists engaged in the next phase which consisted of dealing with geographically specific issues of particular communities.⁷⁰ For instance, in New York they supported Latino residents in their protest against an abusive landlord, and also collaborated with pre-existing institutions against discrimination of Latinos and Afro Americans by police officers. Moreover, from the Occupy experience were born a network of cooperatives dealing with gardens, bicycles, consumers and workers, which still embodied the values of the Zuccotti's society. They even support or organized nation-wide campaigns for the reclaim of foreclosed houses and against the plague of debt, including student debt, as well as credit card and mortgage debt.

The agreed date for Occupy's reawakening was set on March 17th and a number of sizeable action were held, however they were all stopped by the police or authorities intervention and they did not manage to invade the mainstream media as they had done in the autumn. The hope for a rebirth was substituted by a sense of disillusion, as the movement could not restart from where it left in November.⁷¹ Seven months after the clearing of Zuccotti Park, on the international workers holiday May Day, many of those who had occupied worldwide took the streets. Only in New York tens of thousands of people marched on Broadway but, again, many Occupiers were disappointed of the broken promise of a new occupation or blockade of any city.⁷² Moreover, the sense of community and inclusiveness was gone, mostly because they made no use of the tools which had characterized the movement, such as the People's Mic.⁷³ In the weekend before the first anniversary, hundreds met to plan an action and three thousand people took part in coordinated actions in Manhattan's financial

⁶⁹ Ethan Earle (2012) A Brief History of Occupy Wall Street, Rosa Luxemburg Stiftung, New York, p.10

⁷⁰ Ibid., p.11

⁷¹ Ibid., pp.10-11

⁷² Ibid.

⁷³ Mitchell, Harcourt and Taussig (2013) Occupy. Three Inquiries in Disobedience, University of Chicago Press, 2013, p.21

district.⁷⁴ The day was far more successful than the May Day march, but it was clear that Occupy was not as strong as it had been.

3.2.3 Horizontal approach to democracy and democratic structures

Inside Zuccotti Park people engaged in a wide range of activities, some of them pretty political, some others dealing with personal survival, like organizing food provision, sanitation, legal and medical care, or looking for sleeping equipment. Some others dealt with cleaning, spreading information, recruiting and planning direct actions. Occupiers experimented in different forms and scale the creation of a miniature version of the society they wish to live in. The bottom-up movement was organized with what activists called an “horizontal approach to democracy”⁷⁵, thought for allowing everyone to have a voice instead of having few appointed leaders. The General Assembly was the beating heart of this mechanism and it was the decision-making organ that worked on consensual basis and was found on values of transparency and inclusion. Despite its being time-confusing and frustrating, the process was helped by the Facilitators⁷⁶, who were people previously trained for hosting the Assembly in the most respectful and efficient way, always rotating responsibilities in order to prevent the emergence of any leadership. The Facilitators had also the duty to explain to newcomers the mechanisms through which the GA works, such as the *twinkling*, a gesture of one or both hands to express approval, indifference or disapproval for what is being said, depending on the direction of the wiggle. Other gestures used in GAs were: *point of information* (raising one hand while extending the index finger) for adding some information to what is being said; *clarification* (curling a hand into a C shape); *point of process* (forming a triangle with thumbs and index fingers), to ask the intervention of a Facilitator in case of transgression in the procedures of the assembly; and *wrap it up* (rolling motion of the hands) to invite the speaker to conclude and let others talk. The strongest gesture used during GAs is the *block* (arms crossed over the chest) that means there is a serious objection to the proposal and it is usually followed by a friendly amendment to meet everyone’s needs.⁷⁷ Another important gesture which reflects the sensibility of the movement towards the marginalized social groups is the *progressive stack* to order the exposure of comments, and the opportunity for speakers to *step up*, *step back* to cede the word, depending on how much they have spoken. After the reports of the Workgroups and announcements, was the time for everybody to speak off the cuff. Since

⁷⁴ Ethan Earle (2012) A Brief History of Occupy Wall Street, Rosa Luxemburg Stiftung, New York, p.12

⁷⁵ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, p.96

⁷⁶ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp.39-45

⁷⁷ See Annex 8 for Hand Gestures Guide.

sound systems were not permitted, in the GAs and above all in the demonstrations, activists used the “People’s Mic”, which was used also in Seattle during the 1999 protests against the WTO,⁷⁸ as well as in other protests in the U.S. and abroad. But it was with OWS that it gained a great popular traction,⁷⁹ and was used to spread information, slogans, or just to speak to a quite big crowd, as the one that had formed in Zuccotti Park since the beginning of the movement. So, to make an announcement or attract people’s attention outside the GAs one had to shout “Mike check!” and those nearby would repeat the phrase so everyone can hear the speaker.⁸⁰

To encourage the inclusive spirit of the GA and of the whole movement, the Press Team had the duty of conveying in real time what was happening through Twitter and ‘The Other 99%’ blog. The Press Team is just one of the many Workgroups, also called Committees or Teams, in which the movement organized. Each team coordinated with the others and dealt with specific problems. The Workgroups were the beating heart of the occupation, as they were the place for sharing ideas and knowledge and where participants could make available their personal experience for the good of the movement. Danny Schechter (2011) described some of them in his documentary and later in his book. There was the Comfort group that matched activists with community members living nearby for allowing them to have a shower; Info And Outreach group that told the story of the encampment, keeping the calendar updated with whatever occurred; the Kitchen provided and distributed food to everyone, homeless included, and also many professionals gave their help for cooking; the People’s Library wanted to spread knowledge and allow people to access to books hard to find in public libraries, while promoting an alternative education system to the one which caused students to have heavy loan debts. It reached up to 9'000 books thanks to donations and each one was marked with a “OWS Library” stamp.⁸¹ Other groups committed with Sanitation, hence they picked up and recycled garbage, or with Security, dealing with the police-related concerns and with internal people who caused disruptions by helping them to calm down. In case medical assistance was needed, doctors and nurses who were volunteering were ready to intervene. Members of National Nurses United set up the first aid stations in several occupy sites, starting from Zuccotti Park, and dealt with hypothermia cases and even mental problems, as they gave assistance also to people who had not received any for years.

⁷⁸ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.30

⁷⁹ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.4

⁸⁰ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, p.30

⁸¹ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.85

Besides attracting activists from all over the world, the movement attracted also donations, and by mid-October they had received \$483'000, hence, a Finance Group was created, obviously putting transparency at the top of the requirements list. Others groups were that of Facilitators, Direct Action, Art and Culture, Structure, Environmentalist Solidarity, People of Color, Occupy the Hood, OWS *en español* and OWS Labour Group (that includes representatives of more than 40 unions).⁸² Especially the POC was a successful reality, as it was really helpful in contrasting racial and gender segregation and discrimination through teach-ins and dialogue not only within OWS but also at Occupy Philadelphia and Occupy Boston. The Workgroups used to meet at 60 Wall Street, in a privately owned public atrium of a skyscraper that became the movement's "second home", especially after the partial eviction from Zuccotti Park on November 15th and considering the heavy winter coming.⁸³ Besides the strong and pervasive commitment to inclusiveness and democracy of the movement in its methods and representations, in addition to the external confrontation with the authorities and the whole society, Occupy had to face the internal disagreements, as it was still victim of many problems that exist in the world around the encampments and that they wanted so hard to delete. Class, race and gender conflicts began to emerge within the microcosms in which the movement was organized throughout the country, even though the most part of this kind of violence was not explicit, but inherent in the culture of white patriarchy to which belonged most of the participants. Moreover, there were disagreements on whether or not to use violence during protests and on the growth of the movement and its possible commitment into politics.⁸⁴ By the end of October the differences inside Liberty Plaza acquired a geographical position and the gap between the Eastern and the Western part became pretty evident in terms of accessibility, socio-political position, and workgroups presence.⁸⁵ The main activities of the movement, such as the GA, took place in the Eastern part where the common ideology was more reformist, while in the Western side gathered people closer to the working class and with more radical political positions. In addition, there was a widening gap regarding hygienic conditions, as the middle-class educated protesters had more chances of finding hospitality for a rest or a shower nearby than the others. An activist noted that there was an increasing racial self-segregation, with whites in the north-east and blacks and Latinos in the south-west. Despite these discrepancies, it is clear that Occupy managed to reunite together the most different sectors of the society, as its own existence was based on radical democracy and

⁸² Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p.69,123, 127-128

⁸³ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp.56, 59

⁸⁴ Ethan Earle (2012) A Brief History of Occupy Wall Street, Rosa Luxemburg Stiftung, NY, pp.8-9

⁸⁵ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp.73-77

heterogeneity. Due to the early eviction of the encampment, there are not proofs of the irreversibility of such internal fragmentations. Still they would have been an interesting object of study on the long term to assess the influence of one's socio-cultural background on their relationship choices.

3.2.4 Showdown with the Power: police strategies and criminalization

On the first day of occupation, the Mayor Bloomberg commented: "People have a right to protest, and if they want to protest, we'll be happy to make sure they have locations to do it" (cited in Earle, 2012), hence, despite massive presence of the police, no one intervened to stop the protest. However, although Bloomberg continued for a while to release sympathetic populist comments, stressing the importance of the right to protest and expression,⁸⁶ by the end of the week he had done a complete about-turn. The negotiated management approach that aims to minimize conflict was widespread in the United States until the 1999 Seattle protest, when few violent protesters provoked the strong police response and several police departments invested in riot gears and more aggressive trainings.⁸⁷ Although veterans were a consistent group of supporters of the Occupy movement in the U.S. and also many police officers showed respect for occupiers in different occasions, especially being calm and kind during arrests,⁸⁸ since the beginning the city administrations and their executive branch adopted strategies for hampering the movement. These measures ranged from discouraging tactics to violence and legal procedures. In the first days of the occupation in Zuccotti Park, the police tried to discourage occupants taking advantage from the rainy weather. As it started to rain, activists found repair under suspended tarps, but the police declared them illegal. Therefore, activists decided to hold them up by themselves, but the police continued to declare them still structures, so they rudely began to rip them away from protesters and arrest some of them.⁸⁹ On October 10th, during the night police tried to confiscate the medical tent, which was the first still structure of the encampment, however volunteers formed a human chain and managed to prevent the seizure by the police.⁹⁰ At every sneaky manoeuvre of the police, activists tried to find a solution. This was the case also for electricity: when the police seized all the diesel generators, occupants introduced new

⁸⁶ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.5

⁸⁷ Sarah Knuckey, Katherine Glenn and Emi MacLean (2012) *Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street*, NYU School of Law and Fordham Law School, pp. 27-29

⁸⁸ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, p.31

⁸⁹ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.33

⁹⁰ Ibid., p. 108

manual generators that were bike-powered.⁹¹ Similar reactions took place to face the prohibition of tents and sound systems, as well as for facing the reality of a urban encampment and thus they used the building facades as big screens for delivering messages, and faced the cold thanks to the restless knitting of old women.⁹² Everybody contributed. The police strategies were so sinister that Occupiers began to think that homeless people were directed by the police on purpose to Zuccotti Park with the aim of diluting the occupation and promoting the fragmentation of the community.⁹³ Alongside with these discouraging tactics, since the first weeks, protesters were ideologically targeted, as many from politicians to journalists tried to discredit what they were doing and labelled them as irresponsible and uninformed hot-heads. According to Earle (2012), mass media contributed to depict occupiers as dangerous and a series of incidents were used as an excuse for immediate evictions, despite there was no evidence that any of those incidents was the result of violence by protesters. Thus, it is understandable why Occupy created new media sources, including not only websites, but also journals, such as The Occupied Wall Street Journal, The Occupied Oakland Tribune and The Boston Occupier, as well as Spanish-language journals.⁹⁴ It was necessary to give to the movement the fair and effective coverage that official media was denying it.

Official media at the service of the Power played a great role in this sense, but later the strategy got to the next level. As Schechter puts it, “when demonization doesn’t work, authorities invariably resort to criminalization”⁹⁵. Zuccotti Park is a privately owned public park and plaza that is required to stay open 24 hours a day, so technically NYPD cannot bar protesters from it. But the power always finds a way to act, hence, on 13th October, the day after the cordial visit by the Mayor to the encampment, policemen distributed an announcement by the private owner of the Park about an imminent cleaning. Moreover, a new regulation entered into force: starting from that day, it was prohibited to lay down on benches, grass or passages, and store personal properties on the ground, use sleeping bags, tents and tarps. Even though activists were told they would be allowed back inside after the park cleanup, the occupation had become illegal.⁹⁶ On November 15th the Mayor announced that the NYPD in riot gear was going to intervene to enforce a call by

⁹¹ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p. 138

⁹² Mitchell, Harcourt and Taussig (2013) *Occupy. Three Inquiries in Disobedience*, University of Chicago Press, 2013, pp.30-31

⁹³ Ibid., p.11

⁹⁴ Knuckey, Glenn and MacLean (2012) *Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street*, NYU School of Law and Fordham Law School, p.13

⁹⁵ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, p.39

⁹⁶ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, pp.112-113

Brookfield Realty Group that owns the park, to shut it down for cleaning. Even if that action was justified with “public safety reasons”, it was seen as a pretext for an enforced political cleansing.⁹⁷ And this theory was confirmed the following day by the Mayor of Oakland, Jean Quan, who during an interview blurt out the raid was part of a coordinated effort of eighteen mayors, federal authorities and National Security, to preserve the status quo in the country.⁹⁸ Following the eviction of November 15th, OWS protesters presented a motion and a liberal judge ruled that the police should allow the protesters to return to the Park with their tents and sleeping bags. However, the cops ignored the ruling and later that day the Supreme Court overturned the decision saying that living in the park could not be justified by the First Amendment rights that protesters were pleading. Better said, he used a judicial loophole which has been frequently used in American history since the 60s, that is appealing to “time, space and manner restrictions” of the amendment.⁹⁹

Another strategy adopted by the police was carried out against Occupy Cincinnati.¹⁰⁰ The police imposed a \$105 fine to everyone who refused to leave the park after 10.00pm, but the protesters did not leave. Quite the contrary, some of them together with Occupy Cincinnati took legal action for civil rights violations, pleading on the right of assembly and speech granted by the First Amendment. However, the Park Board changed its regulation and the police proceeded with the arrests. Many times the administrations acted in improper ways, as in Austin, Texas, where the City Hall implemented a decision without previous vote by the City Hall Council, in clear violation of the legal procedures, and on October 30th thirty eight people were arrested for not complying with the request of closing picnic tables at 10 p.m.¹⁰¹ Further strategies were adopted to suppress the democratic protests, such as the introduction by the Governor of Tennessee, Bill Haslam, of a curfew, later blocked by the federal judge Aleta Trauger who considered it a violation of the First Amendment. Even though in limited occasions judges sided with the protests, as when Occupy Boston was saved by a ruling which impede the eviction on November 17th and Occupy Spokane was given a formal permission for camping out,¹⁰² most of the times protesters had to face police in actions of questionable legality. In Chicago, Police erupted at the October 15th protest in Grant Park and arrested more than three hundred protesters for staying there beyond 11 p.m., instead of simply issuing written citation and moved

⁹⁷ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, pp.119-121

⁹⁸ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.195

⁹⁹ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, pp.124-126

¹⁰⁰ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.171

¹⁰¹ Ibid., pp. 212-214

¹⁰² Ibid., pp. 212-214

them, as provided by law for a mere violation of a park ordinance. Following the episode, the Mayor Rahm Emanuel enacted anti-protest laws, under the guise of the upcoming G8 summit and NATO meetings in the city the following May.¹⁰³ He exploits the fear of summit violence, supported by the media, to enlarge his power and police surveillance through the installation of cameras, as well as to adopt limitations on political dissent by introducing changes to permit requirements for protests, including sound amplifications and banners size. He actually deputized local and federal law enforcement agencies, included FBI, DEA and DOJ, for the fulfilment of the laws. Moreover, he rose the fine for resisting arrest from \$25 to \$200, including passive resistance that was more plausible in such context since Occupy Chicago was a peaceful movement notwithstanding it was faced with almost military measures. Of greatest concern is the fact that many of the adopted laws were not temporarily restricted to the events, but they actually limited permanently civil rights to protest.

During the “American Autumn”, the police was protagonist of a severe repression against defenceless people. During raids and demonstrations, they attended in riot gear, used stun devices, tear gases, pepper spray, as well as beanbag rounds, as the ones who injured the veteran Scott Olsen. In the most outraging actions they used pepper sprayed on harmless students and groups of people already grabbed within the orange police netting,¹⁰⁴ as on September 24th, when they used the spray on a group of women. This action, grabbed in a video that went viral on the internet, represented the turning point in the relationship with the police. For instance, in the following weeks there was a clear escalation of police repression all around the country. On 29th October, police cleared the area of Capitol State in Denver, Colorado, using pepper grenades. The following day twenty people were arrested in Portland, Oregon, for refusing to leave a park at closing time. In November Occupy Davis was seized by campus Police in a night raid with massive use of pepper spray on unarmed students, which caused widespread outrage across the country. The same happened to Occupy Cal, formed by students of the California University and Berkeley, who were occupying the university administration and the courtyard.¹⁰⁵ According to newspapers and to the same activists, the more was evident the police overreaction, the more the support for OWS grew. Activist Brennan Cavanaugh said he came out after his first three-hours imprisonment more committed to the movement than ever,¹⁰⁶ and he was

¹⁰³ Mitchell, Harcourt and Taussig (2013) *Occupy. Three Inquiries in Disobedience*, University of Chicago Press, 2013, pp.74-78

¹⁰⁴ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.34

¹⁰⁵ Ibid.

¹⁰⁶ Ibid., p.36

not a single case. Protesters were not afraid of being arrested; on October 1st they actually used the hours spent in the police wagon for re-organizing, sharing ideas and getting to know each other. The spirits, according to the arrested, were literally up.¹⁰⁷ Such image perfectly resembles what Henry David Thoreau wrote on Civil Disobedience: "Under a government which imprisons any unjustly, the true place for a just man is also a prison."¹⁰⁸ Considering that OWS had its roots in civil disobedience tradition, as it began with the occupation of a property without permission and thus was illegal from the beginning, a legal support was necessary. That's how was born the Legal Desk of OWS, which consist of a group of independent and small-firm lawyers who stepped in to protect the civil rights of the demonstrators. In addition, in several occasions was explained through the People's Mic or teach-ins what to do if arrested, and it was even spread a guide saying which were the demonstrator's rights.¹⁰⁹ The main problem to face regarded the arrests issue, as the lawyers could not help those in custody without knowing their personal data. For this reason, the Legal Desk, besides providing activists with general legal counsel, coordinated its action with the National Lawyers' Guild,¹¹⁰ which sent on the field several "legal observers" during demonstrations, who supervised and took notes with the names of those arrested. It became common practice among the protesters to write down on arms the telephone number of the NLG.

During the mass protests and occupations, the Federal Government has repeatedly interfered in community policing. Moreover, U.S. government intelligence agencies has acted as private security for the benefit of capitalism and power, which obviously only strengthened the reasons of Occupy. The Partnership for Civil Justice Fund filed a series of FOI¹¹¹ requests in the fall of 2011 against federal agencies including the FBI, which took almost a year for releasing documents. When the hundred-pages report named "Potential Criminal Activity Alert"¹¹² was disclosed, it was discovered that the FBI had carried out a mass surveillance operation against the Occupy movement, thanks to cooperation with major banks, corporations, Homeland Security Department and local law enforcement

¹⁰⁷ Ibid., pp.51-53

¹⁰⁸ H. D. Thoreau (2008) On Civil Disobedience, in *Walden, Civil Disobedience and Other Writings*, ed. III, USA, W. W. Norton & Company, p.236

¹⁰⁹ Mitchell, Harcourt and Taussig (2013) Occupy. Three Inquiries in Disobedience, University of Chicago Press, 2013, p.19

¹¹⁰ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp.90-91

¹¹¹ Since 1967, the Freedom of Information Act (FOIA) has provided the public the right to request access to records from any federal agency, excluding nine categories which protect interests such as personal privacy, national security, and law enforcement. <https://www.foia.gov/glossary.html>

¹¹² Dennis J. Bernstein and Mara Verheyden-Hilliard, 2012, "How the FBI Monitored the Occupy Movement", Global Research, Dec. 31st 2012, <http://www.globalresearch.ca/how-the-fbi-monitored-the-occupy-movement/5317536>

entities, starting from August 2011. As a matter of fact, even during the preparatory assemblies for September 17th, activists had the feeling of being watched by infiltrated policemen.¹¹³ The 24 hour a day spying is questionable from a Constitutional point of view, but it is needed a Court ruling for stopping it. According to FBI report, the movement was not only spied on, but also “attacked” by this federal cooperation, as there are proofs that federal agencies have advised raids against protesters in Salt Lake City, Denver, Portland, Oakland, and NYC.¹¹⁴ In addition, Occupy was undermined by a strong disinformation campaign and it was treated as a criminal terrorist threat, despite its open advocacy of nonviolence. It was indeed listed, together with Anonymous and the Arian Nation, in the group of domestic terrorism threats.¹¹⁵

The Protest and Assembly Rights Project, formed by international human rights and U.S. civil liberties experts of seven law school clinics in the U.S., has investigated the United States response to Occupy Wall Street taking into consideration the international legal obligations.¹¹⁶ The report they published collects data from several U.S. cities but focus mostly on New York City and recognizes the validity of successful democratic policing styles that promoted negotiation with protesters without using force, while highlighting major policy concerns and serious violations of the rights of protesters in other occasions, denouncing the alarming presence of abusive and unlawful protest regulation and policing practices across the United States. It concludes that there has been a serious and visible violation of international law, as U.S. authorities are legally bound to respect and uphold fundamental rights such as the freedoms of peaceful assembly and political expression. In New York City, some of the worst practices documented include unnecessary and excessive police force, pervasive surveillance and obstruction of press freedoms, whose greatest example occurred during the November 15th eviction. Moreover, the report adds to the list of breaches of international law also violent late-night raids, unjustified closure of public space, dispersal of peaceful assemblies, kettling of protesters, arbitrary rule enforcement, baseless arrests and failures to ensure transparency about applicable government policies. Probably the most worrying is the last one listed: “failures to ensure accountability for those allegedly responsible for abuses”¹¹⁷, which puts a spotlights on a

¹¹³ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p.27

¹¹⁴ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, p.147

¹¹⁵ Dennis J. Bernstein and Mara Verheyden-Hilliard, 2012, “How the FBI Monitored the Occupy Movement”, Global Research, Dec. 31st 2012, <http://www.globalresearch.ca/how-the-fbi-monitored-the-occupy-movement/5317536>

¹¹⁶ Knuckey, Glenn and MacLean (2012) Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street, NYU School of Law and Fordham Law School, pp.vi-viii, 1-49

¹¹⁷ Ibid., p.vi

diffuse plague that will be taken into consideration at the end of this chapter while describing the criminal actions that led to the crisis, i.e. the incapability of institutions to enforce people's right and protect them. It is indeed concerning the absence of reform and responses in front of a system that does not enforce the law when it is time of protecting citizens' rights, because it undermines not only the public trust in the law, but also in those who are supposed to represent the democratic base.

3.3 Occupy as a Global Movement

3.3.1 Heterogeneity and solidarity

Back in September 2011, the first night of occupation, three hundred people slept in Zuccotti Park.¹¹⁸ Nobody could imagine that a local protest would spread across the country and the continents so fast as it did. It was literally a global contagion. In few weeks, Occupy Wall Street has spread to over 100 cities in the United States and has produced or supported actions in over 1,500 cities globally.¹¹⁹ By its second week, the movement had already gained the support of Madrid, San Francisco, Los Angeles, Madison, Toronto, London, Berlin, Frankfurt, Athens, Sydney, Stuttgart, Milan, Amsterdam, Algiers, Tel Aviv, Portland, Chicago, Tokyo, Hong Kong. Moreover, Montreal, Cleveland, Atlanta, Kansas City, Seattle, Dallas, Miami and Orlando were in the process of joining.

The strongest occupations in the U.S., besides Zuccotti Park, were those of Portland and Oakland, but even a constellation of small cities joined the protests. The most surprisingly thing, according to Earle (2012), was that it was happening in the U.S., a country with so little reputation for activism, and were joining also cities which had never hosted a protest before. According to activists,¹²⁰ the unofficial website occupywallst.org bridged the distance among the several occupations and kept posted also the "cyber99", supporters who could not physically occupy. The success or failure of a rising occupation was determined by the capacity of adapting the struggle to local frameworks, considering which were the main local issues that could mobilize common people from their political apathy. This is the reason for the great heterogeneity inside the Occupy global movement and behind its success. For example, Occupy Oakland focused its commitment in opposing the brutality of the police, which for long had characterized the city, and the officials reaction strengthen the denounce. Oakland was the first high-profile eviction, on 25th October.

¹¹⁸ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p.30

¹¹⁹ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011

¹²⁰ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp. 165-171

Cops shot rioters with tear-gas grenades and the episode of the Iraq veteran Scott Olsen being seriously hurt by the police went viral on YouTube.¹²¹ As a sign of support, the next day OWS activists marched to Union Square and on November 2nd Occupy Oakland proclaimed the nation's first general strike since 1946 and seized the port, helped by workers.¹²² The success of this action gave strength to the whole movement even though on November 14th Occupy Oakland faced a new eviction from the reconquered park.

The whole world was linked by a *fil rouge* made of solidarity and hope for a better future and the social media played a fundamental role in linking different expressions of Occupy across the globe and in planning coordinated actions of different Occupy satellite movements. When Zuccotti Park was taken by the police, many cities mobilized for showing their support., such as Occupy D.C. that carried out a sit-in in front of the Brookview Properties, Occupy Cal, Occupy Seattle and Occupy Davis. In the same way, several occupations worldwide acted in solidarity with Tahrir Square, like on November 22nd , when hundreds of people protested in front of the Egyptian Consulate in New York, and again on the 26th in front of the Egypt Mission in Manhattan. Through the Internet they could overcome distance and act in different place for the same purpose. For this reason in early November was created InterOccupy.net, that is the major communication channel among GAs, workgroups and supporters.¹²³ However, it was through the social media that was produced the biggest echo and the great majority of supporters was kept posted. According to Preston (cited in Lubin, 2012)¹²⁴, the daily publishing of videos and photos on the Facebook and Twitter networks helped to shape the narrative of the movement. Preston reported two millions of YouTube videos tagged with "occupy" only in the 'politics and news' section and 400 "occupy" Facebook pages recorded by November 2011. Statistics from Google Trends¹²⁵, that registers how often a term is searched on Google relative to the total number of searches considering various entering languages, show that the item "occupy" registered its highest rate in October 2011, and later began to decrease constantly except a high peak in the week of the eviction of Zuccotti Park and smaller peaks corresponding to May 2012, September 2012, June 2013 and September 2014. The 2012 peaks correspond respectively to the May Day march and to the first OWS anniversary. The last two increases in the trend are of particular

¹²¹ Ibid., p. 169

¹²² Ethan Earle (2012) A Brief History of Occupy Wall Street, Rosa Luxemburg Stiftung, New York, pp.6-7

¹²³ Noam Chomsky (2012) Siamo il 99%, Ed. Nottetempo, Rome, July 2012, pp.13, 71

¹²⁴ Judy Lubin (2012) The 'Occupy' Movement: Emerging Protest Forms and Contested Urban Spaces, *Berkeley Planning Journal*, 25(1), p.187

¹²⁵ Google Trends for "Occupy", <https://www.google.it/trends/explore?date=2011-01-01%202015-01-01&q=Occupy>

importance, as they are emblematic of the global outreach of Occupy. The third revival of the “occupy” item relates to the Turkish uprising that began after the violent eviction by the Police of a demonstration against the development urban plan for Taksim Gezi Park and developed in a wave of civil unrest with civil and political freedoms as core concern. Finally, the last peak corresponds to another social movement that owes much to Occupy Wall Street, i.e. the Umbrella movement in Hong Kong. Even if Hong Kong had joined the Occupy movement performing one of its longest-running occupations that lasted almost a year,¹²⁶ the research-item reached the highest peak in Hong Kong during the fall 2014, when pro-democracy groups took the streets against the proposed electoral reform that would have tinkled the independence of local government’s election from 2017, as it would favour Beijing “suitable” candidates. For this reason, pro-democracy groups launched the “Occupy Central with Love and Peace” campaign, which eventually developed into the Umbrella revolution.¹²⁷ Even if research trends do not correspond to real participation in the mobilizations across the world, they highlight the Occupy capability of drawing popular attention and sensibilising public opinion. At the same time a rise in the graphic show a positive attitude towards information, as people voluntarily decide what to look for and to get informed. This fact should not be underestimated, since, as previously reported, mainstream media played a role in delegitimizing Occupy protesters and demands, which means that individual research and content production acquired even more importance.

3.3.2 Ideology and Symbology

After one week from the birth of Occupy Wall Street, the movement released its first official document called “Principles of Solidarity” that was the first, and in some ways the only, shared definition of the features and aims of Occupy. The Principles of Solidarity¹²⁸, as published in one of the main website of the occupation, include:

- Engaging in direct and transparent participatory democracy;
- Exercising personal and collective responsibility;
- Recognizing individuals’ inherent privilege and the influence it has on all interactions;
- Empowering one another against all forms of oppression;
- Redefining how labor is valued;

¹²⁶ The Guardian, 2012, “Occupy Hong Kong camp cleared from HSBC headquarters”, Sep. 11st 2012, <https://www.theguardian.com/world/2012/sep/11/occupy-hong-kong-camp-hsbc>

¹²⁷ BBC, 2014, “Hong Kong protests: Timeline of the occupation”, Dec. 11st 2014, <http://www.bbc.com/news/world-asia-china-30390820>

¹²⁸ NYCGA, 2011, Principles of Solidarity, Sep. 23rd 2011 <http://www.nycga.net/resources/documents/principles-of-solidarity/>

- The sanctity of individual privacy;
- The belief that education is human right;
- Making technologies, knowledge, and culture open to all to freely access, create, modify, and distribute. (amendment 2/9/2012)

Protesters were repeatedly accused of not having a coherent rationale for their mobilization (as if the demand for equality were not a demand!). The most questioned thing to occupiers was “What do you want? What is your agenda?”, but by asking this, journalists and politicians missed the point. The same fact of not having a list of requests, was the point. The same Principles of Solidarity included a strong critic to the way the society is. Occupy Wall Street succeeded to act outside the corrupted institutions that it was criticising and managed to create a new society “inside the society”, and at the same time, to make clear the violent overreaction of the State in front of the successful newly-born democratic spaces based on heterogeneity. OWS had since the very beginning a pluralistic nature and it saw the convergence of a wide range of different viewpoints. According to Harcourt¹²⁹, inside Occupy could coexist mutually exclusive ideas and nobody could have spoken for the whole movement also because it was founded as a meeting of multiple voices, hence in the encampment could be find pro- and anti-government protesters at the same time. In addition, he argues, the choice of not making any choice is by itself a declaration of opposition to the liberal conception of Western society, whose core is the sovereign choosing self. Mitchell, in contribution to this reflection, sees in the refusal to speak out through a leader the realization of the “politics of radical equality and nonsovereignty”¹³⁰. Despite the lack of a common and shared agenda of the Occupy movement as a whole, it would be wrong to say that the movement did not have any objective. The fact is that within a movement that proclaimed itself as representative of the 99% of the population, heterogeneity had to be an inherent feature, not only for the social composition but also for the requests. Chomsky (2012)¹³¹ acknowledges the presence of a multitude of instances within the movement, each one based on solid necessity and requiring specific action or reform. Above all on the short term there were some concrete common objectives that gained fast and widespread consensus in the U.S., such as reforming the fiscal policy and politics, more regulation on financial institutions, and facing serious environmental issues. Moreover, protesters asked for structural reforms to face the housing crisis, high health care and education cost, as well as better public spending that entails the U.S. withdrawal

¹²⁹ Mitchell, Harcourt and Taussig (2013) *Occupy. Three Inquiries in Disobedience*, University of Chicago Press, 2013, p.56

¹³⁰ Ibid., p.103

¹³¹ Noam Chomsky (2012) *Siamo il 99%*, Ed. Nottetempo, Rome, July 2012, p.63

from wars and support for the labor market. Within the successes of Occupy there is the elaboration of particular policy proposals, such as the submission to the Securities and Exchange Commission by the workgroup “Occupy the SEC” of a 325-page letter in defence of the proposed reform of the financial sector (Volcker Rule) that could help prevent the outbreak of a new subprime mortgage crisis by prohibiting consumer banks from engaging in certain kinds of risky trades.¹³² In addition, Noam Chomsky argues that one of the best examples of the Occupy real action is the empowerment of citizens who started to have an active role for ending corporate personhood. According to him, Occupy has positively influenced the New York City Council and similar actors in the U.S., which have approved symbolic resolutions opposing corporate protection under the Constitution. Resolution No.1172, approved on January 4th 2012 by the New York City Council, opposes the United State Supreme Court's interpretation of the Constitution in *Citizens United v. Federal Election Commission* regarding the constitutional rights of corporations.¹³³ In 2010 corporations were entitled to the entirety of protections and rights of natural persons, including the independent spending on elections as form of “freedom of speech” constitutionally protected by the First Amendment. The decision in fact impeded the limitation of corporate influence on the electoral process, which has been strongly criticised by Occupy. The New York City Council, together with more than 300 cities, is calling on Congress to begin the process of amending the Constitution for excluding corporations from any type of personhood protection. According to Move to Amend,¹³⁴ which since 2009 has brought together a wide range of organizations and individuals committed to social and economic justice, the total number of passed and in progress resolutions addressing corporate personhood across the U.S.A. is 489 and is still rising, thanks to citizens' initiative and endorsing organizations. This massive mobilization is emblematic of the influence of Occupy on the national discourse. According to Noam Chomsky (2012)¹³⁵, there is large agreement that the greatest success of OWS is to have push the national debate to leave the deficit issue for focusing on the spreading inequality that most of the U.S. population was suffering from and the disproportionate power of money over politics. Moreover, it has created a network of associations, links and cooperative actions. As a matter of fact, five years after the birth of OWS, many are still holding weekly GAs,

¹³² Knuckey, Glenn and MacLean (2012) Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street, NYU School of Law and Fordham Law School, p.13

¹³³ New York City Council, Res. No. 1172-2011,

<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=1020081&GUID=7B877E8C-4823-4AC3-B283-406534448686>

¹³⁴ Move To Amend, Resolutions & Ordinances <https://www.movetoamend.org/resolutions-map>

¹³⁵ Noam Chomsky (2012) Siamo il 99%, Ed. Nottetempo, Rome, July 2012, p.9

helping the homeless and marching under the name of Occupy, while crossing efforts together with pre-existing local and international NGOs.¹³⁶

Chomsky, as linguist, goes further and acknowledges other achievements of the movement: it has influenced the way of delivering information, public perception and it has changed even the language. Even after the clearing of Zuccotti Park, which has been the symbolic heart of the values of Occupy and of its fight against the broken social model, it has become impossible for the mass media to address the inequality issue without mentioning Occupy or the “99%”. Mitchell (2013)¹³⁷ as well suggests that some words have acquired a new meaning or even changed connotation since 2011. For instance, the verb “to occupy” and the name “occupation” were charged with new positive meanings that referred to the whole range of potential outcomes. The words were related to a global hope for changing. Mitchell describes this idea perfectly, by writing: “The very word ‘occupy’ performed a kind of homeopathic magic on the discourse of globalization”¹³⁸. Occupy from verb became a subject, with singular and collective meaning and also an adjective qualifying a kind of social movement. When heard, the word “occupation” loses for a moment its military connotation and reminds people of the peaceful seizure of public spaces with the final aim of a rebirth. Occupy has become undoubtedly a brand, a cultural meme with global diffusion, helped by the echo produced by social media, and it has been accompanied by enduring images and slogans that turned into icons of the global revolution of 2011. The chants and banners “we are the 99%” firmly established itself as protesters favourite. According to scholar and activist David Graeber (cited in Earle, 2012)¹³⁹ the idea of the 99 percent was so successful because it managed to revive in the U.S. the concept of social class as a political issue for the first time since the Great Depression. However, critics of the movement see in the lack of leadership the main obstacle to achieve political change. Since the very beginning, even during the preparatory meeting before the birth of OWS, there was a lively debate about which should have been the symbols and forms of representation of the movement. Symbology was as important as ideology. For instance, the same Zuccotti Park was known by those on the marching lines of the movement with its original name (the one it had before 2006), i.e. “Liberty Plaza” or “Liberty Square”.¹⁴⁰ The name obviously had a powerful connotation, just like the chosen “Liberato’s Pizza”, a

¹³⁶ Interoccupy.net, OWS 5 Year Anniversary, Sep. 17th 2016, <http://interoccupy.net/blog/ows-5-year-anniversary/>

¹³⁷ Mitchell, Harcourt and Taussig (2013) *Occupy. Three Inquiries in Disobedience*, University of Chicago Press, 2013, pp.104-107

¹³⁸ Ibid.

¹³⁹ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.16

¹⁴⁰ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, p.28

family-run local restaurant that was literally stormed by orders and callings from around the world by people who were paying food for the protesters during the first days of occupation.¹⁴¹

One of the major characteristic of the Occupy movement was its broad creativity. Above all was pervasive the production of audio-visual media, which led to debate how addressing the archiving of such amount of user-generated material, but artistic creativity was performed in the street as well, through banners carried during marches, and even in street-theatre created by protestors who dressed up as bankers or financiers and acted out satiric scenarios while marching.¹⁴² For this reason it is easy to understand why the Art and Culture workgroup can be considered a beating heart of the occupation. It represented the inherent creativity of the movement and managed to use different kinds of art as forms of political discourse. The group was born before and in preparation of September 17th and was theirs the first attempt to occupy Wall Street on September 1st as well as the first mass arrest of the movement.¹⁴³ The arts were not used as merely decorative, they were vehicles for delivering a message, fostering debate, getting passers-by involved. The group engaged in both passive diffusion of the message, through banners or pins, and active diffusion, holding theatre lessons in nearby universities and teaching people how to speak in public. Visual art developed mostly on pizza boxes, since the prohibition of sticks for make banners stand, and the messages included slogans as well as invitation to take part in direct actions.¹⁴⁴ Other important forms of artistic expression of the movement were poetry and music. The experience of the democratic Poet's Assembly in the square inspired the creation of an OWS Poetry anthology,¹⁴⁵ which was rescued from the destruction of the People's Library and issued on a digital version. Poets from all over the world sent their works and contributed to build a great collection of poems in solidarity with OWS. Music as well was part of the life at the occupation. In particular Jam-sessions were considered a way to create links among people.¹⁴⁶ Thanks to the incredible role of social media, these simple slogans and symbols spread fast through the globe. The 'leaderlessness' and anonymity that the movement advocated was someway embodied by the main slogan and images. The 99% was leaderless, it was a multitude of voices and requests and in the manifestations in different parts of the world appeared one face representing the 99%, it

¹⁴¹ Ibid., p.32

¹⁴² Howard Besser, Archiving Media from the “Occupy” Movement: Methods for Archives trying to manage large amounts of user-generated audiovisual media, Nov. 2012.

¹⁴³ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp.155-156

¹⁴⁴ Ibid., p.160

¹⁴⁵ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, pp.165-166

¹⁴⁶ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, p.159

was the grinning visage of Guy Fawkes. The mask was firstly used by cyber activists belonging to Anonymous, and later it became common in Occupy protests that spread it all around the world. This was emblematic of the intention to represent the majority of the population, as for representing everybody and speaking up for a multitude of requests at the same time, being ‘no one’ is necessary.

3.4 The crime that has not been prosecuted

Professionals, teachers and economists were constantly giving lectures or holding teach-ins in Zuccotti Park. One of them was William Black, a former federal regulator who is well-known as he disentangled the Savings and Loan¹⁴⁷ crisis and is firmly convinced of the necessity of prosecuting, and possibly arresting, financiers who are accountable of fraud.¹⁴⁸ Black was prized after the S&L collapse for his contribution to the jailing of more than hundred executives after federal investigations that found fraud in each one of the involved banks. In the aftermath of the crisis, about 2'000 S&L officials were prosecuted, the half was jailed, together with more than 2'500 bankers for crisis-linked offenses.¹⁴⁹ In the current crisis as well there are plenty of proofs that the subprime loans responsible for the global financial and economic crisis were the result of fraudulent activities. Nevertheless, prototypical corporate frauds perpetrated by Wall Street giants, such as Lehman Brothers, Goldman Sachs and Bear Sterns, have received little attention.¹⁵⁰ As previously reported, the financial crisis was caused by the housing bubble burst due to the massive securitization of subprime mortgages. The advantage of selling those highly risky packages is that by increasing the corporate income, increases also the executive personal pay packages. However, knowingly deceiving investors about the risks of mortgage securities is a form of fraud. Which means that a little group of people belonging to the up 1% may be hold accountable of such crime and could be responsible for the Great Recession, if only financial crimes prosecution were enforced. And it should be so, since the contemporary societies have left the economy of real goods, to pass to a system that relies on people buying and selling intangible money, assets or firms, whose value is flexible.

¹⁴⁷ The American Savings and Loan crisis began in the 70s when vast numbers of depositors moved their money from the S&L institutions to money market funds, which were less regulated and allowed for higher interest rates. Hence, S&Ls began to engage in high-risk activities for covering losses without worrying as their deposits were insured by the Federal Savings and Loan Insurance Corporation. However, widespread corruption led to the insolvency of the FSLIC and by the 90s more than 1'000 S&Ls failed.

¹⁴⁸ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, p.103

¹⁴⁹ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, p.xxxix

¹⁵⁰ Pontell, H.N., Black, W.K. & Geis, G. (2014) “Too big to fail, too powerful to jail? On the absence of criminal prosecutions after the 2008 financial meltdown”, *Crime Law Soc Change* (2014) 61:1

Thanks to the FOIA, different organizations are helping to provide the public with comprehensive and easy-accessible information about the activities of federal agencies. Among such organization there is the TRAC, an organization at Syracuse University which collects and distributes vital data. TRAC has addressed the problem of white-collar crime prosecution, and released a report in 2015 showing how the percentage of individuals prosecuted by federal agencies for such crimes has dropped continuously during the last twenty years, indicating that the decline “does not necessarily indicate there has been a decline in white collar crime”.¹⁵¹ Quite the contrary, the crisis showed how CEO’s and executive members were looting their companies. However, there is an ideological reason behind the fact that many have not seen or have refused to see the crisis coming. The likelihood of a huge systemic crisis crushes with the perfection embodied in the image of the “self-regulating market”, which rationalizes human activities without taking into account the issue of criminality.¹⁵² This excessive trust in the capabilities of the modern financial economics, alongside with financial deregulation, has provided incentives for corporate lawbreaking, while turning many blind in front of warning signals, such as the 2004 alarm given by the FBI. Actually many in positions of power downplayed the threat. First among those enchanted by the market’s invisible hand, Alan Greenspan, the former Fed head, who during the Clinton administration was considered one of the greatest economists ever and was applauded by the Congress when stated that the economy due much to the existence of precarious workers.¹⁵³ But how could a mass lawbreaking occur with impunity? The reasons are multiple. First, for most spectators, commercial activities are arcane and unintelligible, hence it is hard for financial crimes to draw and sustain public attention, which can eventually pressure the government to take stronger measures against it. There is widespread financial illiteracy within homeowners, which allows loan and mortgage lenders to take advantage of it, and despite the common idea that in the Information Age disinformation is a choice, probably educational systems and media are to blame for this huge information gap that seems to have no excuses. Schechter (2009)¹⁵⁴ is particularly concerned with the failure of financial journalism to report the crimes behind the crisis, as well as to warn the public about what was about to happen. He reports that also in Europe there was widespread ignorance about what was going on by October 2008

¹⁵¹ TRAC (2015), Federal White Collar Crime Prosecutions At 20-Year Low, July 29th 2015,
<http://trac.syr.edu/tracreports/crim/398/>

¹⁵² Pontell, H.N., Black, W.K. & Geis, G. (2014) “Too big to fail, too powerful to jail? On the absence of criminal prosecutions after the 2008 financial meltdown”, *Crime Law Soc Change* (2014) 61:4

¹⁵³ Noam Chomsky (2012) Siamo il 99%, Ed. Nottetempo, Rome, July 2012, pp.33-34

¹⁵⁴ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009

and according to his journalist colleague, U.S. media did not investigate because of fear of lawsuits and of budget cuts; some newspapers could be even considered complicit with the criminals as they gained revenues from advertising lenders, credit cards and real estate properties.¹⁵⁵ The main obstacle is that financial crime is not considered catchy, thus it is not lucrative for the media business which rather focus on political scandals and celebrities. By June 2009, the FBI had started investigating more than hundred securities fraud cases and more than five hundred corporate fraud cases, however these got little attention.¹⁵⁶ News have mostly listed the causes, such as the increase of subprime mortgages, without considering they are only symptoms of a generalized epidemic that is inherent in the very structure of capitalism and globalization: the rich become richer, the poor become poorer. Nobody addressed the real problem, i.e. the system is broken and pervaded with criminal behaviour. Somebody even tried to obscure it. For this reason OWS is even more revolutionary, as it managed to change the public debate, enriching it with topics which have long been considered too complex or trivialized as someone else's business.

Moreover, it seems that financial crimes prosecution depends more on political than legal choices, as financial institutions are highly influential on policy-makers and invest in major lobbying and political campaign to grant themselves loose regulations. A collateral effect could be that federal agencies investigating fraud crimes do not have enough resources for dealing with the issue. For example, the Federal Bureau of Investigation, the leading agency for investigating white-collar crime, faced a serious staff cut starting from 2001, which amounts to a 36% reduction of agents involved in the investigation of such crimes.¹⁵⁷ It was due also to the fact that many fraud investigators were transferred to counterterrorism, and the understaffed FBI admitted it could not deal with more than 5'000 fraud allegations it received monthly by the Treasury Department. Unfortunately the number of SARs registered a 42% increase between 2007 and 2008 reaching nearly 53'000 allegations that needed to be investigated.¹⁵⁸ This is an additional reason of the little punishment imposed to white collar criminals. For instance, fraudsters have been rather punished with fines, which cannot clearly represent a real deterrence for further criminal activities, since their companies can afford to pay and even consider fines as a cost of doing business.¹⁵⁹

¹⁵⁵ Ibid., pp.109, 112-115

¹⁵⁶ Ibid., p.20

¹⁵⁷ Pontell, H.N., Black, W.K. & Geis, G. (2014) "Too big to fail, too powerful to jail? On the absence of criminal prosecutions after the 2008 financial meltdown", *Crime Law Soc Change* (2014) 61:2

¹⁵⁸ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse "indeed, Criminal?"*, Ed. Mediachannel.org, New York, 2009, p.70-71

¹⁵⁹ Ibid.

Another obstacle to fraud prosecution is that political power holders are reluctant to depict as “criminals” their associates, thus even though they spread the “crime control” discourse, they in fact implement something different, which consists of “damage control”, as the main objective is to protect the economic system.¹⁶⁰ For this reason, in 2008 the priority was the rescue of the major financial institutions, instead of the research of the guilty ones. Consequently, it would be embarrassing and politically delegitimizing for the government to prosecute those who had saved with hundreds of billions of taxpayer dollars. Moreover, a criminal charge would have damaged the image of the companies, undermining customers’ and investors’ trust. According to several analysts, the case of Goldman Sachs is emblematic of the favouritism that politics gives to finance and of the real power that it has.¹⁶¹ The firm received a total \$63.6 billion in federal subsidies. It was rescued with a \$10 billion from TARP funds and it was allowed to act as a commercial bank , which was not, to get access to low or zero cost capital at the Fed Discount window. Then it got \$13 billion from bailing out U.S. insurer AIG, \$35 billion from the FDIC’s Temporary Liquidity Guarantee Program, and finally, \$11 billion under the Fed’s Commercial Paper Funding Facility. It ended up in 2009 proclaiming its largest bonus payout in history, while taxpayers did not get back their money, which brought many to think that it was Goldman Sachs the dominant party in the negotiation with the government. Therefore, even if the Congress agreed on the constitution of a Special Commission modelled on the Pecora Commission that investigated in the corruption of Wall Street in the aftermath of the 1929 crisis, analysts were sceptical or even thought that the commission could cover up the truth. For instance, between 2002 and 2009 any new limiting legislation with respect to housing bubbles or excessive finance power was passed by Congress.¹⁶²

Additional difficulties for crime prosecution are posed by the legal framework. Schechter (2009) reports that neither in the American Law and Legal Information library can be found a shared accepted definition of economic crime. There is plenty of theories, definitions and subcategories included. The theoretical work divides the three main aspects of the crime: offender motivations, economic outcomes, and economic processes. Taking into consideration the crime of fraud, which is only a type of economic crime, there are several obstacles in the prosecution process. The hardest part is proving the criminal intent, which means that not only the prosecutor has to prove that the corporation knew that they

¹⁶⁰ Pontell, H.N., Black, W.K. & Geis, G. (2014) “Too big to fail, too powerful to jail? On the absence of criminal prosecutions after the 2008 financial meltdown”, *Crime Law Soc Change* (2014) 61:7

¹⁶¹ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, pp.62-66

¹⁶² Ibid., pp.59-61

were engaging in criminal activities, but also that they deliberately meant to harm people. Therefore, if someone with the best intentions defraud people they cannot be criminally prosecuted. Moreover, not to arouse suspicion and to avoid the “will” issue, white-collar criminals make sure that the chain of criminal activities is composed by single acts which are not crimes in of themselves, as a former criminal explained to Schechter in an interview.¹⁶³ In addition, fraud is not like a physical or violent crime whose consequences are tangible and easy to show before a court. Moreover, even though there has been an increase in the prosecution of fraud cases, non-bank mortgage lenders, that originate a growing number of loans thanks to securitization and are responsible for almost half of all subprime loans that caused the crisis, are likely to get away with it, as they are not required to report suspicious activity to the Fed, unlike other financial institutions.¹⁶⁴ Moreover, prosecutors have to deal with top executives and their lawyers, who like to pick or drop the pretence of personhood of the corporation, i.e. to claim that a corporation is a ‘person’ with all of the rights of an actual human being, depending on the situation.¹⁶⁵ For instance, they pick it when they want to guarantee rights, but they drop it when it comes to punishment, saying that the entity can be fined, but not jailed, because it’s a financial structure, not a person.

To conclude the description of the inherent challenges in fraud prosecution, it has to be noted that the crime has a complex structure. The crime is composed by three level. First, top executives defrauded people with mortgages they could not afford, i.e. subprime mortgages. Second, banks and investment houses bought and securitized the loans, selling them after having them overvalued by rating agencies, hiding the inherent risk. The buyers failed to monitor the derivative products as they relied on rating agencies. Third, they needed to insure these fraudulent practices in case of insolvency of the borrowers. For this phase they used hedge funds¹⁶⁶ and insurance companies, like AIG, which almost collapsed and was eventually saved by a \$85 billion government bailout. Also AIG made its reserves look stronger than they were thanks to fraudulent declarations and conspiracy, which led to the conviction of five former executive from Gen Re (General Re Corporation) and AIG.¹⁶⁷

¹⁶³ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, p.46

¹⁶⁴ Ibid., p.73

¹⁶⁵ Ibid., p.38

¹⁶⁶ A hedge fund is an investment that sell short pooled funds in order to generate high returns for its investors.

¹⁶⁷ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, p.98

All these reasons usually make prosecutors hold back, even though the backlash of non-prosecuting criminals is indeed clear. If there is no prosecution nor guilty, there will be no increase in regulatory and enforcement measures to prevent future fraud-related crisis. Economist Paul Krugman said there was rescue without reform, as the governments in U.S. and Europe saved financial institutions but did not guarantee better regulation, nor saved the economy.¹⁶⁸ As regards the financial crisis, Pontell, Black & Geis (2014) conclude in their analysis that protection has been “proportionate to the status and power of the perpetrator, as well as the absolute amount of damage and loss to society”¹⁶⁹. For instance, not a single top Wall Street executive or trader has been found responsible for criminal actions that contributed to the crash, even though civil suits have showed that Wall Street firms knew they were cheating investors and customers and that they were committing a crime in order to obtain higher bonuses. What is shocking is that not only some financial institutions gained more bonuses than net income, as reported in a study by New York Attorney General Andrew Cuomo, but also that the top five executives at ten financial institutions that were saved with the highest bailouts have enriched, as the value of their stock options have rose.¹⁷⁰ The U.S. Justice Department has not pursued any criminal cases against them; the “big fish” continue to swim freely while the country charged with all the responsibility some small ones. This is the case of Bernard Madoff, former market leader, who became one of the symbol of the financial crisis even though his activities had little to do with it.¹⁷¹ Everybody was looking for a scapegoat and he was a perfect one. In the spring 2009 he actually confessed to have ran an illegal Ponzi scheme¹⁷², hide behind a huge production of counterfeited documentation, which concealed from investors and regulators the extra annual returns obtained by fabricating fictitious trades that never occurred. Madoff was given the maximum sentence “as deterrence”, the judge explained, but probably he could have obtain a better one if only his case were not so symbolic. He took the burden for the 1% and put a face to the crime, even though the case gained so much attention and thus did its punishment, because of the very rich clients involved, such as the film director Steven Spielberg. However, the Bank of America Merrill Lynch has calculated

¹⁶⁸ Ibid., p.203

¹⁶⁹ Pontell, H.N., Black, W.K. & Geis, G. (2014) “Too big to fail, too powerful to jail? On the absence of criminal prosecutions after the 2008 financial meltdown”, *Crime Law Soc Change* (2014) 61:12

¹⁷⁰ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, p.xxxiii

¹⁷¹ Ibid., pp.1-27

¹⁷² A Ponzi scheme (from the name of its creator, Charles Ponzi) is an investment fraud that promises high returns and little risk to investors. However, the scheme generates returns for older investors by acquiring new investors and usually is short-lived as it collapses for lacking of money if the constant flow is interrupted.

that the economic meltdown has not affected the rich and poor proportionally, because half or more of the assets of the bottom 90% is in residential real estate, while the top 10 percent have only 25% of their assets in housing and the great majority in stock and bonds, whose value have recovered faster and better than that of homes.¹⁷³ Hence, the poor became poorer. It is not an original story, but the leitmotiv of the neoliberal processes of the globalized world.

¹⁷³ Danny Schechter (2009) *The Crime of Our Time: Was the Economic Collapse “indeed, Criminal”?*, Ed. Mediachannel.org, New York, 2009, pp.55-56

CHAPTER IV

GCS ACTIVISM AND THE EVOLUTION OF POLITICS

4.1 Dissent, Resistance or Rebellion?

Economic forces and corporations have shaped the neoliberal globalization and imposed it from above to everyone on the planet. Civil society instead has begun to build a different path, claiming universal rights and values, while acting locally for the promotion of transnational solidarity and effective democracy. Even though the 21st century has just begun, the potentialities of Civil Society are clear. Within national borders it can become a protagonist and act to restore the balance among economic powers, companies and governments and to increase the space of action for grassroots social organizations. At the same time civil society is beginning to build new alliances and identities beyond national borders, opening the doors to new paths for development that are as widespread as the most tragic effects of globalization, such as universalized inequality and environmental catastrophes, which political elites and governments are incapable or unwilling to fight. Claiming the return to a world based on human dignity, civil society is progressively extending its outreach to every corner of the planet, giving birth to what has been identified as the Global Civil Society. The GCS is the new protagonist of the 21st century and it is composed by a great variety of social movements and networks of organizations committed to the full realization of the issues that have emerged in the last decades: peace, human rights, solidarity, equality, development and the environment. The GCS has managed to developed a worldwide network in which information, knowledge and solutions are shared. It was Richard Falk (cit. in Pianta)¹ to name this collective effort “globalization from below”. According to him, it is focused on four main values, which are minimizing violence, maximizing economic well-being, realizing social and political justice and safeguarding the environment. Manuel Castells (2008)² confirmed what has been discussed in Chapter 1 and argues that the rise of GCS was induced by the growing inability of national governments (and international institutions) to take action against global problems. He thinks that the notion of GCS includes a variety of competitive and

¹ Mario Pianta (2001) *Globalizzazione dal basso. Economia mondiale e movimenti sociali*, Roma, 2001, p.31

² Manuel Castells (2008) *The New Public Sphere: Global Civil Society, Communication Networks, and Global Governance*, *The Annals of the American Academy of Political and Social Science*, Vol. 616: 78-93, March 2008

sometimes contradictory forms of action. Whereas on the internal level there are local and sectoral initiatives, on the international level there are NGOs operating within a global framework and with global goals, that usually promote universal values facing political agencies manipulating them. Traditionally, NGOs were identified as the main expression of GCS, however, recently, social movements challenging globalization have built networks and promoted collective actions for inducing a global movement for justice. Castells (2008) adds a third category formed by movements of public opinion, such as the great peace marches that were held simultaneously on 15th February 2003 against the intervention in Iraq. NGOs, GJM and public opinion movements are all directed and enabled by the digital communication technology. Since the Seattle upheavals, NGOs played a central role in the expression of dissent through Counter Summits. For instance, they were accountable of up to 80% of all the efforts for organizing such events.³ However, their effectiveness on real policies remained low, as they were mostly ignored by official summits. The GJM instead confirms what has been theorised by Hands (2011)⁴. According to him, the emerging multitude of movements is innovative, as it embodies all the moments of “activism”: protest, resistance and rebellion. *Protest*, or dissent, is the “expression of dissatisfaction” with the status quo, that entails a validity claim addressed to others that can freely agree or disagree. Hands (2011) argues that such validity claims are always for justice and entail the recognition of everyone’s freedom, as well as the principle of solidarity. Each democratic society has institutionalized a space for expressing dissent, and social media have undoubtedly enlarged such space. But is this sufficient for producing a change? Apparently not, as shown by the Counter Summits experience in the early 2000s. To change things it is necessary to move to the second step, *resistance*, which is a “more active and stubborn approach” that could be backed by implicit or explicit use of force and consists of refusal not just of consent but also of compliance. It means refusing to comply with a law, or an order, thus imposing limits to the authority; for example passive resistance in the form of sit-ins and blockades. The last step, rebellion, is the positive and proactive moment, in which the subject, that is always collective and cooperative, takes action to change the unjust system, always appealing “to the freedom of those it addresses” and seeking their consent. According to this description, the indigenous attitude towards Belo Monte is definable as “resistance”, while the OWS experience is closer to be “rebellion”, since, as we have said in the previous chapters, it carried out a project of a “society within the society”, in which occupants figured out new organizational strategies based on

³ Chomsky and Dieterich (1997) La Società Globale, La Piccola Editrice, Viterbo, Sep. 1997, p.100

⁴ Joss Hands (2011) @ is for Activism., Pluto Press, London, pp.4-6

solidarity and cooperation, thus denying the values of the neoliberal society outside Zuccotti Park. The indigenous resistance is instead fitted in the traditional definition of “civil disobedience” given by Hannah Arendt⁵, who recognises the collective nature of the action, that is illegal as it breaks the law, but does not reject the authority. Moreover, being collective, it always has political value. Harcourt (2013)⁶ contributes to this reflection, as he argues that OWS embodied a new form of disobedience, that is “political” more than “civil”. Civil disobedience, he says, accepts the legal framework, the structure of political institutions, but resist the moral authority of the resulting laws, thus the civil disobedient break those laws and accept the punishment. Political disobedience instead does not accept the lawmaking institutions nor the structure of political governance. It resists political rationality, discourses and strategies, which led this type of disobedients to reject the identification in a party, or in the post-war ideologies and to defines itself as “leaderless”, and non-hierarchical. This description perfectly fits what previously said about the horizontal approach of the Occupy movement. However, despite OWS can be an example of “political disobedience” or “rebellion”, from a general perspective, even within the Occupy experience there are actions of civil disobedience, such as the acceptance of being arrested showed in several occasions by protesters. Whether OWS is a new form of disobedience or not, it is for sure, as well as the Belo Monte protest, an act of citizenship, as described by H. D. Thoreau. According to him, “civil” does not refer to nonviolent methods, but to citizenship, which is the moment in which the minority recognised itself as a political actor and affirm the subordination of unjust laws to its collective conscience (morality). And since the minority cannot act through institutionalized processes (controlled by the majority) such as the vote, it has to stop the political machine based on injustice, withdrawing its consensus.⁷ Thoreau did not asked for the abolition of government, but for a fairer one. Because if laws and policies make people accomplices of injustice, the only solution is make the direct action to follow the moral principle of justice.⁸ This is the main objective of the emerging social movements, changing the collective behaviour and rescue those values, or principles, that have been lost along the way.

⁵ Hannah Arendt (1985) *La Disobbedienza Civile e altri saggi*, Ed. Giuffrè, Milano 1985, pp.29-88

⁶ Mitchell, Harcourt and Taussig (2013) *Occupy. Three Inquiries in Disobedience*, University of Chicago Press, 2013, pp.46-47

⁷ Raffaele Laudani (2010) *Disobbedienza*, Il Mulino, Bologna, pp.107-109

⁸ H. D. Thoreau (2008) *On Civil Disobedience*, in *Walden, Civil Disobedience and Other Writings*, ed. III, USA, W. W. Norton & Company, 227-246

4.2 Digging up the “moral issue” and pursuing justice

Talking about resistance and rebellion to prescribed values and institutions involves a reflexion on a debate that has already emerged before the turn of the century and that now pervades most of the arguments of the GJM, i.e. the debate about the ethic of globalization, about what is good and what is bad. According to Latouche (1998)⁹ globalisation has caused a moral crisis, as greed and corruption are justified for reaching economic profit. It means that “the end justifies the means”. The current ethic is in fact the ethic of the market, aligned with Adam Smith’s theory that self-interested actions will generate common good. This implies that spreading inequality and negative environmental impacts are accepted as part of a process that bring comprehensive growth. Since the market has dictated a new ethic, the debate on morality has for long been forgotten. However, Latouche (1998)¹⁰ acknowledged that, due to the growing inequality, the ideal economy based on the harmony of interests can no longer be trusted as moral imperative of the *homo oeconomicus*. For instance, moral aims, such as common good and justice, should be universal by definition, but in a world where the strong exploit the weak, economic benefits are not universal. Such considerations paved the path for the reopening of the moral debate. As a matter of facts, there are particularly interesting similarities between current moral questions and the analysis made by Hannah Arendt in the most controversial work on the issue, “Eichmann in Jerusalem: A Report on the Banality of Evil”¹¹, firstly published in the 60s. Why financiers that were cheating on people, did not step back? Why Brazilian government gave green light to a project that would do so much harm to vulnerable communities? Does human dignity matter? The problem of the current system, in all its forms, is its intrinsic amorality, that according to former diplomat Carne Ross, is a plague affecting “any system that suppresses people’s sense of agency”.¹² One can compare some Wall Street financiers to Third Reich’s Adolph Eichmann. Actually they and the system they sustain do share some common features. The financial routine of Wall Street abrogate individual moral judgement and produce thoughtlessness. And as it was for Eichmann, the guilty are not ‘bad’ people, they are mostly good parents and patrons of the arts. Fraud is institutionalized. It is not sporadic but widespread in the global financial system, and when everybody does the same thing, the risk is that the border line between legality and illegality becomes thin or even disappears. The procedure or the action is rationalized as an administrative process, as part of the whole machine. Schechter (2009)

⁹ Serge Latouche (1998) Il Mondo Ridotto a Mercato, Lavoro, Rome, p.123

¹⁰ Ibid., p.139

¹¹ Hannah Arendt (1964) La banalità del male. Eichmann a Gerusalemme, Milan: Feltrinelli, 1964

¹² Carne Ross (2011) The Leaderless Revolution, Penguin, USA, p.113

writes: “When you become part of a money making machine, when you embrace market logic, questions about ethics and values and even legalisms are often dismissed or denied”. However, while in the Nazi machine the order came from the top and was based on an ideology of hate and discrimination, in Wall Street mechanism prevails a culture of exploitation of the weaker. Nowadays the weak are those who lack the contemporary sources of power: information, influence and money. These are the values that globally and in several different ways grassroots movement are desperately trying to defeat. They try to “stay human” in a system built on fraud and deception, whose result is the destruction of middle class wealth and the increasing marginalization and exploitation of the poor. But what is the value of humanity in such a system? Chomsky’s reflection on juridical “personhood of corporations” is emblematic. For instance, the juridical “personhood”, as seen in the previous chapter, has been extended to corporations. However, at the same time, it has been tightened to exclude undocumented migrants, which, according to Chomsky, means that neoliberal dynamics of globalization have given corporations even more rights than those possessed by certain human beings, which is emblematic of the priorities of the mainstream development model.¹³ Also Amartya Sen (2002)¹⁴ argues that the current status quo is questionable from a moral point of view. Sen affirms that the inequality gap in the globalized world is outstanding and morally unacceptable and wonders if it is because of “moral blindness” or extreme egocentrism that humans circumvent the ethical reflexion. According to him, there are two possible causes: “superficial optimism”, that characterized also the modernist theories of development, and “groundless pessimism” that claims the immutability of the system. Both positions led to resignation and inaction that turn humans back away from thinking about ethics, a reflexion that would involve both the question about the morality of the dominant structures and about one’s own values. Ross (2011) contributes to this reflection by saying that people have for long been paralysed, not only because of their own beliefs, but also because they have been tricked by governments, that by claiming to be the only ones able to manage the world’s problem, have encouraged general inaction and disinterest. For instance, people who renounce to their agency in order to empower the authority produce the annihilation of their morality, as the Milgram experiment¹⁵ showed. It proved that when individuals feel no agency, they do not feel either responsibility for their actions, which could bring them to commit terrible ones. That

¹³ Noam Chomsky (2012) Siamo il 99%, Ed. Nottetempo, Rome, July 2012, pp.41-43

¹⁴ Amartya K. Sen (2002) “Globalizzazione: valori ed etica” in Globalizzazione e libertà, Milano, Mondadori

¹⁵ Milgram carried out an experiment whereby volunteers were required to give increasing electric shocks to another participant (unknown to volunteers, an actor) who was supposed to answer correctly to the instructor’s questions. Carne Ross (2011) The Leaderless Revolution, Penguin, USA, pp.113-116

is why people trapped in the money-making machine, convinced by pretentious assurances of their governments, are accomplices to the current administration of global problems that increasingly put in danger the survival of the weakest.

Here it is the merit of social movements that are rising around the world: they are restoring the moral understanding that each individual is responsible for their actions and for the corruption within the world. First environmentalists and later the broader GJM have opened the debate about the good and bad of globalization and capitalism, and despite some of them are badly organized and use violent means, many others are speaking their voices out to share their ideas about other possible way of being of reality. As they are seen as threats to the status quo they are not strangers to discrimination and criminalization, as was clearly shown by the two case studies here presented, that were even object of secret monitoring by authorities. The NYPD and CIA were actually spying on Zuccotti Park around the clock, which could be even be questionable from a constitutional point of view,¹⁶ and the MXVPS found out that a dam worker was hired for spying on the movement.¹⁷ Such efforts of the global society do not challenge only the morality of markets, but the very structure of power relations. The means with which they are carrying it out are ICTs and above all social media. By adding to our reflection some considerations on the media role, the challenges and opportunities that rising grassroots movements embody for the world will be even clearer.

4.3 Old tactics, new tools: the social media

“Civil society by definition does not have power. The medium of civil society is not money, law or coercion, but communication.”¹⁸ The technological revolution had a role in the development of global capitalism but it can also enhance actions for raising awareness and promoting a fairer world. For instance, new ICTs are proving to be pivotal in challenging mainstream “discourses”¹⁹. The 1994 Chiapas uprising, as well as the 1999 Seattle protests, had put the spotlight on the strategic use that movements can make of digital communication technologies even before the beginning of 21st century. Since then,

¹⁶ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, pp.79-80

¹⁷ Paul Paz y Miño, 2013, “Worker Admits to Spying on Social Movement in Belo Monte Dam Case”, *Amazon Watch*, Feb. 26th 2013 <http://amazonwatch.org/news/2013/0226-worker-admits-to-spying-on-social-movement-in-belo-monte-dam-case>

¹⁸ Patrick Heller (2013) Challenges and Opportunities: Civil Society in a Globalizing World, UNDP Human Development Report Office, Occasional Paper 2013/06, p.6

¹⁹ “Discourse”, according to Foucault, is a chain of language that generates an interpretation of reality, pretends to say the “truth” and generate knowledge. Since discourse and power have an ongoing relationship for the constitution of knowledge, such knowledge pretends to be neutral but is not. Clayton, W. “Foucault & Discourse”, Nov. 9th 2012

technology has produced further advances, social mass media have contributed to make the world even smaller, while broadening the number of contents generators. It was Manuel Castells (2000)²⁰ to introduce the term “network society” for describing the organization of the society shaped by new technologies and globalization. In such model the fast production of knowledge and information is the core activity, that permeates every dimension, was it social, political, private or economic; the relationships of power, experience and consumption take place at a global level and involve many different nodes of the net, such as organizations, communities, cities, authorities, institutions and individuals and each node can be dynamic or static, regardless of its geographical position. Since information is lucrative, it can be assumed that who does not participate in the process of creation, elaboration or diffusion of knowledge and information is marginalised from the network society and obviously from the economic and social gains. In worse cases, they are tricked by those possessing information, as happened to American householders before the financial collapse, or indigenous in the Amazon that were convinced to move to a better-served house that has never been built. Among the means of communication, Internet is the most democratised, as almost everyone can participate in enlarging its contents or can consult them. For instance, the great majority of technological appliances with different costs and availability can have access to the World Wide Web. However, it is proven indeed that even WWW is controlled by big businesses (oligopoly), such as Yahoo and Google, that decide what can or cannot appear on the web and filter information according to our algorithmically-deduced interests.²¹ In order to be “sane” and democratic, Barnett (2009) underlines that the network society has to be characterized by pluralism and diversity of its media. The first has been implemented in terms of pluralism in the ownership of information. The second regards media sources, on which people can rely according to their capabilities and level of education. Being organized as a network, the current media system is local and global at the same time. For this reason it is through the media, both mass media and horizontal networks of communication, that GCS gathered and foster social change at a global stage, while acting locally. Since governments are reluctant to develop a real representative democracy for the globe, GCS has developed a solution, by acting mostly through informal media (blogs and social media) that elude government’s control and are contributing to the emergence of a new form of “consensual

²⁰ Manuel Castells (2000) “The Rise of the Network society” in The information Age: Economy, Society and Culture. Vol. 1 . Oxford, Malden, MA: Blackwell, 2n ed.

²¹ Carne Ross (2011) The Leaderless Revolution, Penguin, USA, pp.98-99

global governance".²² Moreover, while challenging governments, civil society discovers the full potential of rights to freedom of expression and association, which are crucial rights to promote active citizen participation, therefore they are fundament of human development. Unfortunately, the desirable "global consensus" is still limited due to the Digital Divide, as many developing countries lack innovation and knowledge institutional framework to protect such rights, and some still needs to catch up the Western democracies in terms of "former generation" rights. Anyway, it is unquestionable the inherent potential of new social mass media for allowing greater participation and solidarity. But it is necessary to acknowledge that information media by themselves are not enough for spreading a change; *action is necessary*. The two cases that have been presented in this work are clear examples of actions that managed to take advantage of media's potential. Social and informal media were essential to both protests, and it is not hard to guess why. Firstly, official media are usually under direct control of the authorities, who do not want to give protesters the chance to gain support and reveal uncomfortable truths. Sometimes, this could even led authorities to censor useful means, like censorship of websites during the Arab Spring and the temporarily deactivation of the Twitter hashtag #ows.²³ In 2011, the Sudanese regime showed that power can adapt to new means and used the Internet against the activists themselves, creating false anti-regime pages on social media and arresting who answer to their call.²⁴ However, social media remain important tools because in the spirit of new media everyone can be a journalist, which means that if official media are pretending not to see or listen, or if they downplayed or scoffed at the protest, the movement can have its first-person voice. This was the reason behind the creation of the label "Writers for the 99%" by some enthusiastic activists, or the creation of an OWS app that not only aggregated news, but gave access to social media, offering up-to-dated counterpoint to the mainstream media.²⁵ OWS that at first had created websites and social accounts on YouTube, Tumblr, Facebook and Twitter, targeted at its own activists to coordinate and organize actions, later actually used them to spread information about the movement,²⁶ since official channels ignored them or were uncomfortable in dealing with a group without leaders and a manifesto. It was the case of "DiceyTroop", a Twitter profile of a 27-year-old who reported live chronicle of the evening GAs and that later created a "Twitter Team"

²² Manuel Castells (2008) The New Public Sphere: Global Civil Society, Communication Networks, and Global Governance, *The Annals of the American Academy of Political and Social Science*, Vol. 616: 78-93, March 2008

²³ Scrittori per il 99% (2012) Occupy Wall Street, Ed Feltrinelli, March 2012, pp. 20, 33

²⁴ Carne Ross (2011) The Leaderless Revolution, Penguin, USA, pp.97-98

²⁵ Danny Schechter (2011) Occupy: Dissecting Occupy Wall Street, NewsDissector.org, Dec. 2011, p.66

²⁶ Ibid., p.80

that posted under the name “LibertySquareGA”, providing live information.²⁷ Also the network of websites supporting the indigenous protest at Belo Monte site used its own channels for spreading counter-information, such as the 348-page report, *Tenotá-Mô*, published by the International Rivers Network with the aim of promoting informed debate regarding potential benefits and impacts of the Belo Monte Dam. The chief difference between the two cases is the ability of attracting attention. OWS, although it was ignored and addressed with open hostility by local media such as the New York Post at first,²⁸ later managed to gain rapidly national and international attention. For instance, it even had to build up a working group for managing the relations with the press, as representatives of the main information agencies of the world gathered in Zuccotti park, including Al Jazeera and South Africa Broadcasting Corporation.²⁹ The resistance against Belo Monte instead, that relied mostly on more traditional media, like websites, than to social media, had greater difficulties in gaining attention. As a matter of fact, Belo Monte hit the headlines of the mainstream press only in April 2016, when began to emerge a bribery scheme worth 150 million Reais involving hydropower.³⁰ The saddest thing, is that it only happened because a supposed implication of the ruling class. For instance, the bribery scheme still needed to be proven, instead human rights violations and environmental destruction produced by hydropower were widely documented. According to the Folha de S. Paulo, the money would have been delivered by contractors involved in the plant's work in the form of donations to election campaigns of 2010, 2012 and 2014. Basically, money laundering via campaign finance. That could explain the dramatic change of course in Lula attitude and Dilma Rousseff position on the issue, as well as her appointment as Lula's successor. As a matter of fact, Dilma Rousseff strongly opposed to the Belo Monte Project when she was Minister of Mines and Energy in 2004, but later turned her back to the social movements, just as Lula previously did. So basically, part of the earning proceeding from Belo Monte construction is not financial, but political. These are the limits of official media, controlled from the top down, that only pay attention when it is worthy for getting a good audience share or when the top 1% is addressed. For this reason the new social media constitute a revolution in the communication field. OWS even created its own Free University, offering courses on different topics with the purpose of analysing how they are influenced by large political and economic forces. Moreover, several Occupy groups created new media

²⁷ Scrittori per il 99%, 2012, *Occupy Wall Street*, Ed Feltrinelli, March 2012, pp.95-97

²⁸ Ethan Earle (2012) *A Brief History of Occupy Wall Street*, Rosa Luxemburg Stiftung, New York, p.6

²⁹ Scrittori per il 99% (2012) *Occupy Wall Street*, Ed Feltrinelli, March 2012, pp.92-97

³⁰ Eliane Brum, 2016, “Lo que Belo Monte delata sobre todos los lados”, *El País*, 12nd April 2016
http://brasil.elpais.com/brasil/2016/04/11/opinion/1460390361_909016.html?id_externo_rsoc=TW_TX

sources such as *The Occupied Wall Street Journal*, *The Occupied Oakland Tribune*, *The Boston Occupier* and even a Spanish-language journal, *Indig-Nación*, within many others.³¹

The usage of Internet as a mean for civil disobedience has brought to the introduction of a new term, “hacktivism”, which describes the electronic version of CD carried out by individuals who consider themselves a mix of computerized activist and politicized hacker.³² They usually organize “online sit-ins” to overload Web sites, preventing other to access, or hijack, post messages or re-design pages of corporates or institutions. Mass media and the Internet could deliver a great service to emerging social movements, however, the gathering of opinions and the enlarged communication must be followed by *action* to be effective. For instance, the mere pushing “like” button on Facebook, or signing petitions, do not cause a change in the society, neither they challenge the established system. They could be complementary tools, such as in the case studies here reported, but alone they probably would have been ineffective. These form of “inaction” are called “clicktivism” for the gesture of clicking online or “slacktivism” for the laziness of those who want to show support without getting out of their couch.³³ The problem is not only that the WWW is controlled by the providers’ oligopoly, and social media can be monitored and abused by the power, but users themselves are accomplices of the mechanism which distance them from a sane confrontation of ideas. As a matter of fact, on the Internet we tend to choose what confirms our opinion, causing the polarisation of interests and reinforcing extremist positions. What is needed instead is communication oriented towards deliberation. For this reason, the “revolution” cannot happen online, but it has to be taken to the streets, where people can meet and feel real compassion, solidarity and engagement. Better said, where they can feel agency.

4.4 The Evolution of Politics

The word “Politics”, of Greek origins, identifies “the art or science of governing”, thus implies one or more rulers and the ruled. Nowadays has become evident also in democracies what has always been so in autocratic systems: the powerful monopolize the power, while the rest have lost agency and are passive. Conventional representative democracy, which is the hegemonic model and privileges clientelism over meaningful

³¹ Knuckey, Glenn and MacLean (2012) Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street, NYU School of Law and Fordham Law School, pp.11, 13

³² Andrew Calabrese, “Virtual nonviolence? Civil disobedience and political violence in the information age”, Vol. 6 (5) 2004: 326-338

³³ Christopher Boulton, “In Defense of “Slacktivism”: How KONY 2012 Got the Whole World to Watch”, *Debates for the Digital Age*, pp.321-329

participation, is founded on a pact between rulers and ruled which can be summarised as “we vote, they act”,³⁴ and the ruled agree to give away their sovereignty in exchange for safety, economic stability and just arbitration of common affairs, that are therefore supposed to be granted. Unfortunately what was suitable in other eras, it could not be in this Global Era. For instance, the pact is broken, as governments cannot manage global problems and financial institutions that should monitor and detect risks are uncomfortable with current financial products, as the financial crisis highlighted. The very presence of such institutions, as well as government’s assurances, lowers our sensitivity to risk instead of protecting us.³⁵ The same assumption can be made in relation to our commitment to face climate change, an issue that most of the people delegate to government without even keep themselves informed about effectiveness and enforcement of the decisions reached. Governments have used blunt methods to manage global problems. They cannot stop nor predict economic volatility, terrorist attacks or disasters related to climate change. Sometimes the adopted measures are insufficient, or even counterproductive. Politicians claim for more power to solve such problems, but by looking closer the truth is unveiled: they cannot fight global problems and, somehow, we know it. Profit-driven capitalism and representative democracy are masking the fact that our power has been taken away by the 1%. As a matter of fact, frustration with politics is on the rise everywhere. Therefore, a new politics is required, in which people came back to be protagonists in the political space that is now occupied by the wealthy and big businesses. The mankind has always led dramatic and revolutionary changes to find creative solutions to the problem that it had to face. We have witnessed improvements in technology, finance and culture, but old habits and customs remain in the political field. If technology could be useful for the emerging movements and the involvement of grassroots sectors of society, it cannot be the solution, but only a mean. The solution is people taking action, being the motor of change. ‘Clicktivism’, as well as mere voting, are not enough. Even NGOs and non-profits are not sheltered from criticism, as they lacks democratic legitimacy and there is, at least in the U.S., an increasing number of non-profits that are turning political activity into a business, thus they collect subscribers and small fees in exchange of influence upon politics.³⁶ These are all types of inaction in which most of people are paralysed. According to scholars, there is a more efficient form of politics that entails consensus, mutual understanding and

³⁴ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p. 43

³⁵ Ibid., p. 73

³⁶ Ibid., pp.55-56

respect, i.e. “deliberative democracy”, which include direct on site participation.³⁷ Some experiments such as the “Community Congresses” after Hurricane Katrina to shape the new city’s plan and the Porto Alegre experiments for the improvement of the cities facilities, proved the validity of participatory democracy in which people take decisions without intermediaries. When this happen, there is higher degree of respect for other positions, consensus, commitment to decisions made and a deeper consideration of facts over opinions.³⁸ Even in the debate about development, grassroots participation and the rights that allow it have been acknowledged as essential. Since the first debates about development, much time has passed and the concept has been freed from the growth-based logic that drove it at the beginning. The contribution by Amartya Sen has been essential for acknowledgement of the multidimensionality of development, after the failure of the Structural Adjustment Policies of the 1980’s, which were irrespective of domestic participation and disempowered civil society. Sen recognised the importance of getting local people involved in shaping their future and, above all, underlines the strong connection between freedoms and development. According to him: “Development consists of the removal of various types of unfreedoms that leave people with little choice and little opportunity for exercising their reasoned agency”(qtd. in UNDP and RBAS)³⁹. These words are the starting point to see democratic participation as a key feature of development process. Not only because people should be asked about their needs, but also because they must have the opportunity to participate in first line in decision-making processes. In addition, the Inter-American Commission on Human Rights has recognized that public protests, in which expression and assembly rights are exercised, are essential to consolidate social democratic life.⁴⁰ Moreover, for people without media access, like most indigenous tribes in the Amazon, for instance, taking part in assemblies and protest is the only way to communicate their ideas. At the national level, both the Belo Monte protesters and Occupiers were demanding the enhancement of participation, even if in different ways. They claim the protection of their right to participate in decision-making procedures that affect their territories and livelihood. “Occupiers” instead went beyond institutionalised politics, that eventually made OWS fearing co-optation by Democrats, who tried to use and manipulate their message for their own advantage during the political campaign before

³⁷ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, pp.101-103

³⁸ Ibid., p.106

³⁹ UNDP & RBAS (2002) *Arab Human Development Report 2002. Creating Opportunities for Future Generations*, New York, UNDP and RBAS, p.16

⁴⁰ Knuckey, Glenn and MacLean (2012) *Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street*, NYU School of Law and Fordham Law School, p.49

elections. However, OWS avoided to make specific requests to political parties, and to ask them for anything and the movement succeeded in remaining independent and anti-systemic.⁴¹ OWS did not have representatives and did not want any, as its aim was effectively “absolute” democracy. For this reason the occupation of Zuccotti Park was not only a way of calling the attention, but above all it was a new form of collective interaction, characterized by artistic expression and values in open opposition to those of the society outside. For this reason OWS has an ethical dimension, it is a collective behaviour, founded on heterogeneity and solidarity.

The rights of participation in peaceful protest and political assembly are protected under the major international and regional human rights treaties, including the ICCPR, which both Brazil and the US have ratified, which means that they have binding international legal obligations to respect, protect, promote and fulfil rights such as freedom of assembly and expression; freedoms of opinion and of association; freedom from arbitrary detention and torture, and from cruel, inhuman or degrading treatment or punishment.⁴² However, as we have said, at the global level, there are no enforcement structures to make countries comply with their commitments. For this reason, the growing presence of bottom-up activism is a relief for those who dream a more democratic world. Grassroots activism, as has been said, is getting more and more interested in global problems, and local initiatives are being coordinated as part of a greater global network. For instance, Occupy spread as a symbol of the fight against inequalities and market-oriented lifestyles, and indigenous resistance such as that occurred at Belo Monte embodies the fight for the survival of the planet and human rights defence. In a globalized world, local actions could have a global impact. Especially in the Global Era where constant flows of images, videos and contents can reach instantly each corner of the planet, galvanizing support and encouraging people to take action. The movements that have been studied in this work have actually managed to foster an international response to their actions, however, there is still the need of democratising the international system, and it means to ensure a real political representation and participation, which implies new institutions including global citizens, legitimated by GCS, that like national citizens would have rights and duties.⁴³

The change must proceed from the bottom, from individuals, because the revolution is not one against governments or international institutions, but it is mainly a revolution in our own attitudes. Power must come back to where it belongs, to people moved by their

⁴¹ Danny Schechter (2011) *Occupy: Dissecting Occupy Wall Street*, NewsDissector.org, Dec. 2011, p.43

⁴² Knuckey, Glenn and MacLean (2012) *Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street*, NYU School of Law and Fordham Law School, pp.45-46

⁴³ Mario Pianta (2001) *Globalizzazione dal basso. Economia mondiale e movimenti sociali*, Roma, 2001, p.76

convictions, organizing from the bottom up and gaining attention. In the economic field, cooperative methods have proven to be efficient. Cooperative companies, like Britain's retail chain John Lewis, whose employees are actually partners in business and share ownership and agency with the founder, are an emblematic example.⁴⁴ Also cooperative management of resources and health care have proved to be more efficient than both public and private systems.⁴⁵ As a matter of fact, highly privatized system, such as the health care in the U.S., are under the direct influence of private investments on politics that guarantees the stability of the status quo, thus the exclusion of a large part of population from health care. Public system as well have their downturns, as sometimes need to reduce arbitrarily some drugs provisions due to high costs. The third way, instead, entails cooperative strategies for pooling contributions of working families to get what the patients (not insurance companies or bureaucrats) need. This means that only with the third way, implying grassroots involvement, there is a direct answer to people's needs. According to Ross (2011), "soon politicians will start to refer to these new forums, then bow to them, and one day perhaps give way to them"⁴⁶, hence the change in our attitudes, from the economic to the social sphere, will make state-centred institutions appear obsolete. This will be possible, according to Ross (2011), because individuals have effective power in influencing their surroundings, and consequently collective action could influence global problems. Hannah Arendt (cit. in Mitchell et al.)⁴⁷ would say that individuals can cause a change because they are a "equipped for the logically paradoxical task of making a new beginning", as they are born and such capacity is "rooted in natality".

The movements that are emerging are considered and treated as a threat by the wealthy and the powerful. It is because they set an example and that is the first step to "start a wave". Giving the example is crucial also in the relationship between government and citizens. For instance, when the Britain government commissioned a research to find out how to persuade people to act more eco-friendly, the research concluded that distrust in government's intentions undermined its influence upon citizens, hence they would rather follow the example given by their neighbours.⁴⁸ Social experiments showed that norms are preferred over rules and that the action of other people have most influence on what a person does, even if it is considered illegal. Direct action, like starting a wave at a sports

⁴⁴ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, pp.169-171

⁴⁵ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p.175

⁴⁶ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p. xxv

⁴⁷ Mitchell, Harcourt and Taussig (2013) *Occupy. Three Inquiries in Disobedience*, University of Chicago Press, 2013, p. xi

⁴⁸ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, pp.33-35

stadium has some features, according to Ross: anyone can start it; the action *is* the effect; it can be easily imitated; and produces immediate change. Obviously the more is persuasive, the more easily people will imitate the action. For instance, most Nonviolent Direct Actions can be simply imitated by everyone, which makes the emerging grassroots movements be easily motors of a real social change. Such change has to be fostered through nonviolent methods, as will be discussed in the following paragraph, not only for an ideological challenge to the violent top down relations that have pervaded the reality, but also because nonviolence is more efficient than violence when the expected outcome has to be democratic.

4.5 Why Nonviolence?

One of the most meaningful acts of political protest in recent history is for sure Gandhi's Salt March, an act that directly addressed an injustice perpetrated by British and assured by their monopoly. The core principle of Gandhi's philosophy was *satyagraha*, that he described as a "force which is born of Truth and Love or nonviolence"⁴⁹. According to his philosophy, means and ends are intimately connected, hence using violent means can only produce a violent response. In following decades nonviolence has proved its efficiency, most of all during the civil rights campaigns in the United States. Erica Chenoweth and Maria J. Stephan⁵⁰ contributed to the recognition of the effectiveness of nonviolent means, providing concrete examples in which nonviolence has worked. Most importantly, they did it by taking into considerations only the campaigns with the lower success possibility, i.e. they excluded civil and political rights campaigns for focusing on cases traditionally linked with violent strategies, such as anti-regime, anti-occupation and secessionist campaigns. Even by doing so, they proved the validity of nonviolent means, even in non-democratic frameworks characterized by violent repressions. The reasons adduced by the two authors are relevant to this work, thus they will be briefly reported and related to the cases.

First of all, nonviolent campaigns have a 'participation advantage', as they can mobilize masses easier than violent campaigns. It is possible because moral, physical, informational and commitment barriers are lower in NV campaigns. Violence instead is likely to turn potential participants off or lead them to hesitate before getting involved. Carne Ross⁵¹ reported that surveys suggested that Al Qaeda's use of violence against civil targets alienated more followers than it attracted. Emerging grassroots movements are showed

⁴⁹ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p.160

⁵⁰ Erica Chenoweth and Maria Stephan (2008) *Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict*, Columbia University Press, New York, pp.1-82

⁵¹ Carne Ross (2011) *The Leaderless Revolution*, Penguin, USA, p.163

sensibility to the issue, committing to nonviolence and acting for preserving their nonviolent nature. For instance, during the Seattle battle, the DAN took control of Black Blocs that adopted provocative and violent tactics the first day, indulging in conscious vandalism against corporate symbols such as Starbucks and Nike stores.⁵² Even the EZLN had realised that the armed struggle was more symbolic than efficient and that it was more a struggle about words and ideas than about weapons.⁵³ OWS and the resistance against Belo Monte are two additional examples of such commitment to nonviolence, and probably they would have not been so successful in mobilizing people if they had used violent methods. In addition, Chenoweth and Stephan (2008) argue that not only quantity but also quality of mass participation, meaning the diversity of participants for gender, age, religion, ideology, socioeconomic status and profession, choices and ability to adapt, is an important source of success. Just think about OWS, that mobilized and supported a multitude of instances, which produce a multilateral attack to the status quo from a variety of different perspectives, each one putting the spotlight on a particular downturn produced by rising economic inequality. In a different way, also the resistance to Belo Monte gained strength from the multi-ethnic tribe alliance and the support of different riverine communities. Diversity maximizes resilience and leverage over adversaries. Leverage is defined as “the ability [...] to mobilize withdrawal of support from opponents or invoke pressure against them through the networks upon which opponents depend for power”⁵⁴. It means that the success of nonviolent campaigns depends on their ability to impose costs to the adversary, such as impeding government basic functions, its legitimacy or the normal social order. The authors in their analysis underlined how nonviolent campaigns, as well as violent, can have coercive power: nonviolent mass mobilization can actually coerce domestic and foreign support of the adversary. To report such concept to this work, just think about the protests organized at headquarters of foreign investors that were involved in the financing of Belo Monte dam or the cost increase caused by the stoppage of works due to occupations; as well as the open challenge to the status quo created by a cooperation-based society built in the middle of the financial district in Lower Manhattan. Nonviolent campaigns are more efficient than violent campaigns in producing a loyalty shift. The authors of “Why Civil Resistance Works” focused mainly on defection of security forces, which is obviously not the case for the two case studies, however, there were police officers who showed respect and kindness to Occupiers, people who supported the occupations

⁵² Joss Hands (2011) *@ is for Activism*, Pluto Press, London, p.149

⁵³ Ibid., p.144

⁵⁴ Chenoweth and Stephan (2008) *Why Civil Resistance Works*, Columbia University Press, New York, p.41

sending food, money or providing legal support. Also in the Belo Monte case, some judges, respectfully of main trend in the Brazilian judiciary, sided with the indigenous, putting in jeopardy their job as dam workers did. The support for nonviolent protesters can even be galvanized by the response of the adversary that backfires repressing the peaceful initiative, as happened to OWS thanks to viral video showing police officers harming vulnerable women and students. In addition, international sanctions and external support are more likely to be achieved by massive civilian mobilizations than by armed violent groups. Interestingly, Chenoweth and Stephan (2008) found that while nonviolent campaigns are likelier to get direct support from NGOs, IGOs and global civil society, violent campaigns attract easily support from States providing weapons that could foster accusations of corruption within the movement. This is an additional strength for grassroots nonviolent movements that, as a matter of fact, have in themselves their source of legitimacy.

Unfortunately, using nonviolent methods does not guarantee a nonviolent response. Activism can produce a backlash by those addressed. For instance, the cases in which authorities, governments or who represented them answered to nonviolent initiatives with violent measures are not rare. The two case studies discussed in this work provide some examples of both criminalization of protesters and arbitrary use of violent measures, as well as worrying signals about the state of human rights protection around the globe. The international legal framework protects the right to *peaceful* assemblies, and stresses that sporadic and isolated violence does not change the nature of a peaceful protest, thus it does not justify violent responses. Authors of criminal offences should be arrested, but not peaceful protesters, who should not be affected by unnecessary countermeasures or dispersal order and instead should be protected by governments in the attempt to facilitate spontaneous and nonviolent assemblies that are expression of a sane democracy.⁵⁵ Despite being protected by international and domestic legal framework (U.S. First Amendment), the suppression of Occupy protesters' rights and bad-treatment of journalists arise major concerns on the legality of police countermeasures and highlight the necessity of reaffirming the importance of basic civil rights, such as assembly and expression rights, even in a democratic regime. At the same time, the Global Witness Report of 2015⁵⁶ showed with empirical data how the defence of lands, rivers, forests by peaceful activists and local communities is emerging as a battleground for human rights. According to the report, 2015 was the worst year on record for killings, with Brazil being the most hit with

⁵⁵ Knuckey, Glenn and MacLean (2012) Suppressing Protest: Human Rights Violations in the U.S. Response to Occupy Wall Street, NYU School of Law and Fordham Law School, pp.45-46

⁵⁶ Global Witness (2016) On Dangerous Ground, Global Witness, June 20th 2016

50 killings. For instance Brazil has the highest rate of killings worldwide, considering data from 2010 to 2015, and the figures are expected to rise. In 2015, almost 40% of victims were indigenous, thus the report highlights the vulnerability of riverine and isolated indigenous communities, that actually are the best placed to preserve resources thanks to their traditional practices, but instead have to face mining, hydroelectric and logging companies, even illegal, that are reported to be key drivers of violence. However, despite the likelihood of a violent response, through the use of force, police interventions, arrests, criminalization and even death threats, non-violence will always be more efficient than violence. Gandhi's Salt March and the American civil rights movement confirmed what Hannah Arendt theorized⁵⁷: only the action, which is extrajudicial, can produce a change within the law. Thus, before there is the political action, a social change, and only later it is crystallized as a new law. It is the same thing to say that the norm precedes the law. And the greatest change that people can produce in the current power relations that rely on exploitation and marginalization is the rejection of the most extreme expression of power, i.e. violence.

⁵⁷ Hannah Arendt (1985) *La Disobbedienza Civile e altri saggi*, Ed. Giuffrè, Milano, pp.29-88

CONCLUSIONS

Can the Indigenous rebellion and Occupy Wall Street be considered examples of an effective nonviolent activism? If someone refrains from looking behind the surface, they would probably argue that the project of the Belo Monte Dam has not been abandoned and the majestic occupation that make all the world stare at Zuccotti Park for months failed to make it through the winter. Had the dam's project been abandoned and the Occupy campsite caused the permanent closure of Wall Street, maybe it would be easier to answer affirmatively to the question. But is efficiency only a matter of time? Can it be reduced to one single outcome? As a matter of fact, there are several reasons why the two case studies can be regarded as successful, and why nonviolent grassroots activism can be considered a valid choice to mobilize against the global challenges of this century. As we approach to the third decade of the twentieth-first century, it is clear that unfair policies imposed by the economic imperative of the global market through neoliberal strategies have undermined human development and caused the irreversible degradation of the environment. In the face of such dynamics, the emergence of nonviolent grassroots activism should be regarded as a precious resource. Even if numbers, composition, adversaries and geographical position differ, each group that is mobilizing to advocate for justice is part of a more complex and widespread phenomenon that entails new symbolic and physical spaces, unifying social movements in a greater common cause against global capitalism that entails the evolution of politics and the rescue of human dignity.

For instance, besides being a symbolic opposition to the violent policies driven by profit, the choice of nonviolence as calling card of the movements is the key to enhance great participation, mostly of those with less resources who, however, are those hit harder by the policies and processes of globalization. The fact of involving people at the grassroots, including the most marginalized, such as women and the youth, charges their activism of a great potential in the face of the challenges that the new century poses. As a matter of fact, just like the traditional knowledge of the Indigenous has been regarded as a meaningful resource for the preservation of the forests, so have to be the stories of ordinary people with respect to government policymakers, who appear getting ever less conscious of their representative role. The top 1% is being stormed indeed by a wave of discontent and distrust. And if the people cannot express their consent to the rulers through institutional channels, such as the vote, the only choice left is to resist against the top down decisions

that do not take into account their real needs and requests. Thus, grassroots activism is necessary to bring to light what is ignored by the distant policymakers, as well as to put forward initiatives and requests that aim at improving the general living conditions. For instance, the emerging social movements have proved to be aware of the global framework in which they act: the Indigenous in the Amazon recognise the global dimension of their struggle, as the preservation of the forests, as well as of other ecosystems, has consequences for the whole world; Occupy Wall Street is even more emblematic, as it encouraged the birth of fellow-movements all over the world, each one at the same time immersed in its peculiar context and responsive to global dynamics. Considering the challenges and the framework of the Global Era in which the social movements have to act, it is of greatest importance the contribution that grassroots social movements can provide. As a matter of fact, not only they have proved to be aware of global dynamics, but of the potentialities of the instruments, mostly technological, that the globalization makes available, i.e. social media and ICTs. These are, as pointed out in the two case studies, powerful vehicles for spreading information, inspiring solidarity and coordinating actions beyond national boundaries. Especially in the case of the most marginalized, as the Indigenous, they are inestimable means to give them a voice. These movements are indeed to praise as they are changing the visual forms of neoliberal domination, by making the invisibles, visible. They resist ‘invisibilization’ to which the system has doomed them, mainly through the seizure of public spaces, such as squares or roads, which is a physical and visual contestation of the dominant pattern of capital that pushes for the privatization of public spaces. Such feature of the era of globalization has a direct influence on interpersonal relations that are supposed to be reduced to economic transactions between disconnected individuals, ruled by their self-interests. These movements instead, are found on values, such as cooperation, solidarity and above all human dignity, which seem to have lost their role within a society in which every relation is addressed as an economic relation. Moreover, as demonstrated by the case studies, movements against socio-economic inequality and environmental degradation, i.e. issues with a global dimension, encourage links across socially stratified groups within a country, and forge connections across frontiers and continents. For example, Occupy Wall Street left in inheritance a network of cooperatives, and the struggle for the Xingu reinforced inter-ethnic alliances, affirming one of the characteristics of the postmodern movements, i.e. the strength of diversity. Even though the behaviour and mindset must change deeply before is produced a tangible change within the society, which can be assessed only in the long-term, maybe the greatest

success of nonviolent grassroots activism is the revival of moral questions that could break the ethics delivered by the economic imperative, while bring to the fore the corruption inherent in the structures of power even within the ‘successful’ model of the liberal democracy. For instance, the case studies have shown that there are severe deficiencies within ‘the system’; not only it has fallen short of expectations of prosperity for all, but corruption and lack of accountability make it unreliable. A situation that is stressed by the compliance of those who live off the profits produced by the system without questioning its mechanisms (the new ‘Eichmanns’), as well as by the control over information sources that aim at preventing people from discovering the truth instead of revealing it. As a matter of fact, the absence of reform and responses in front of a system which does not enforce the law when it is time of protecting citizens’ rights, being civil and political rights, or even human rights, is of greatest concern, as it undermines not only the public trust in the law, but also in those who are supposed to represent the democratic base. The cases that have been analysed, despite being so different, present these same problematics, and thus put a spotlight on the decreasing value given to laws in our societies and, consequently, to justice, which found themselves under the direct pressure of power. It is the failure of representative democracy, that is even more worrying on the global stage, where the reliability of the Global Governance is declining for its exclusive nature and its inadequate response to global challenges, such as climate change and the growing inequality at both national and international level. Moreover, the lack of a supranational enforcement mechanism (besides economic sanctions) to make States comply with their international commitments, wipe out decades of struggle for the recognition of rights, that are granted on paper, but not in reality. Thus, Nonviolent Grassroots Activism is indeed essential in the current circumstances also for its political value and for the urgent action that the situation requires. As a matter of fact, activism, in its several forms including marches, assemblies and occupations, is a school of democracy. By taking part in such activities, common people experience not representative, but absolute and direct democracy. By making decision by consensus they avoid the risk of consolidating majorities, while granting space to every request and pushing for the participation of everyone. That’s why simple online petitions and likes on Facebook alone are not enough: it is Direct Action to transform passive petitioners into active citizens and to make them aware of the real functioning of democratic processes. These movements develop in flows more than fixed structures, hence they are ever-changing and reactive to new instances. Activism for justice within a system based on unfairness and inequality empowers citizens who, by expressing

their willingness to take part in political processes of democratic accountability, provide a foundation for a renewed commitment to democracy. For instance, the ruled acknowledge to be the legitimate owner of the power that have transferred to the rulers, thus rediscovering their agency and responsibility. At the same time they understand to be entitled with the right to dissent, which encourages them to open the debate about issues close to their hearts and challenge the widespread amorality. Even if protesters have been targeted, criminalized, ignored and deceived by court decisions and police actions, their resistance has produced national and international wide-range debates. As a matter of fact, the protests of the Indigenous together with other affected riverine communities have contributed to foster the debate about socio-environmental consequences of large dams and the general reflexion on the sustainability of development, and the long occupation of Zuccotti Park have change the national and international debate about the malfunctioning of the financial system and its influence on politics. Hence, they have produced a change, in the way people take part in the democratic debate, inspiring them to speak up and to make collective decisions, without preventing anyone from participating, since Nonviolent Direct Action allows anyone to start the change. The all that is needed are the greatest weapons of mankind: reason, to see the injustice; humanity, to face the dominant values; and courage, not to fear the change.

ANNEXES

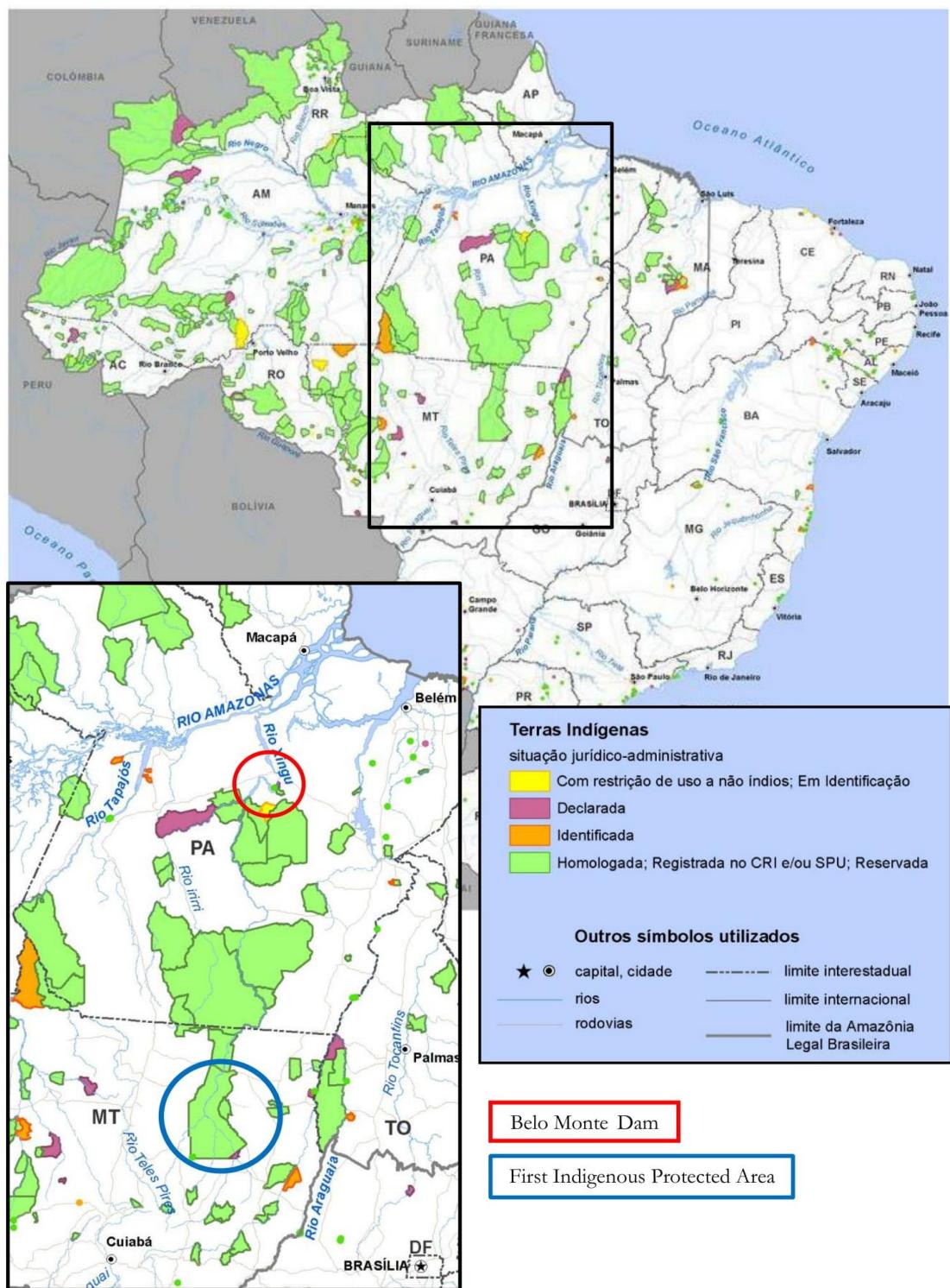
ANNEX 1: ECOLOGICAL CONFLICTS IN LATIN AMERICA



Source: Environmental Justice Atlas

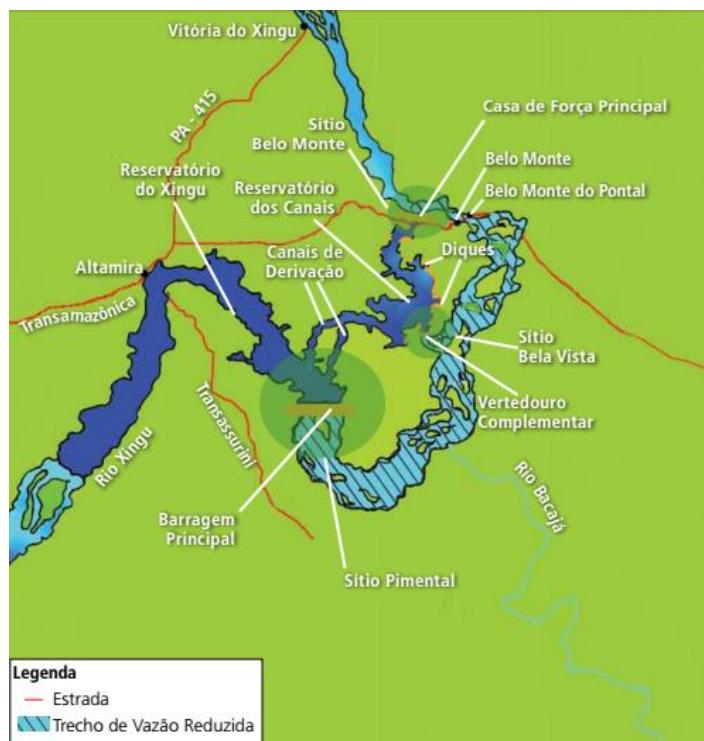
<http://www.ejatlas.org>

ANNEX 2: PROTECTED INDIGENOUS AREAS IN BRAZIL
 (focus on the Xingu Basin)



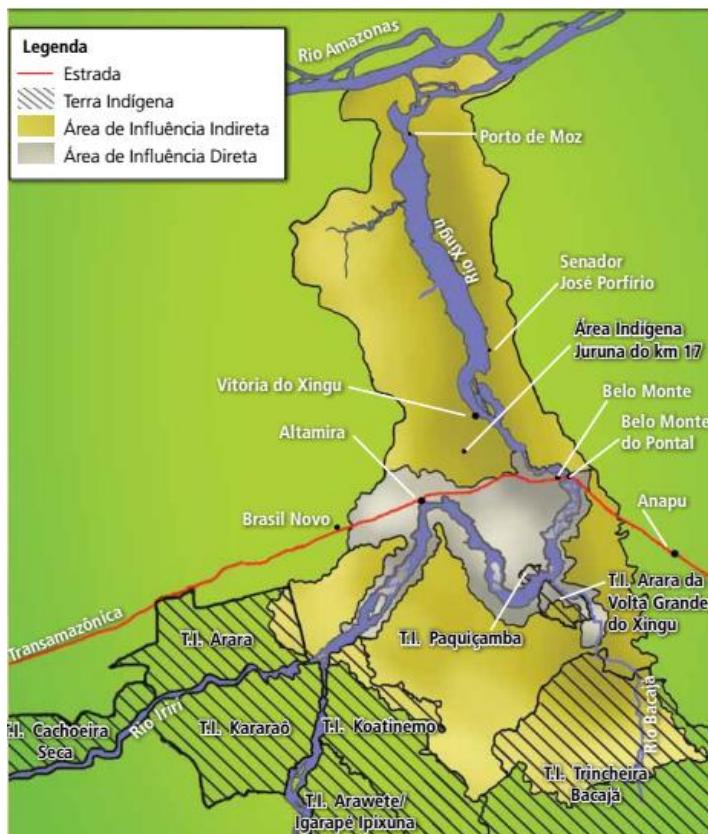
Source: ISA, 2015, Indigenous Lands: Location and Extension.
<https://pib.socioambiental.org/en/c/terras-indigenas/demarcacoes/localizacao-e-extensao-das-tis>

ANNEX 3: UHE BELO MONTE (2002) - Pimental, Bela Vista and Belo Monte sites



Source: Norte Energia (2011), RIMA: 21

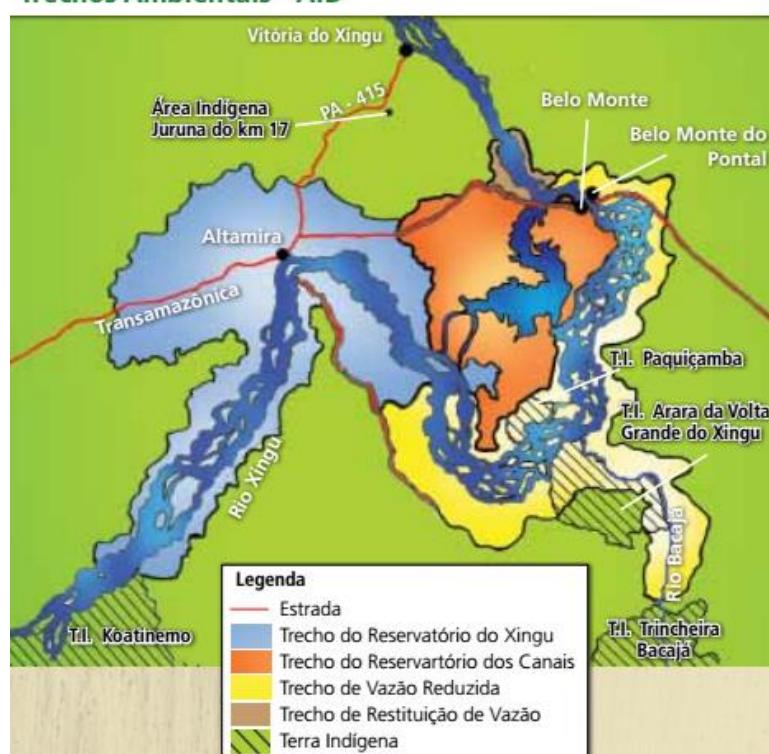
ANNEX 4: DIRECTLY AND INDIRECTLY AFFECTED AREAS



Source: Norte Energia (2011), RIMA

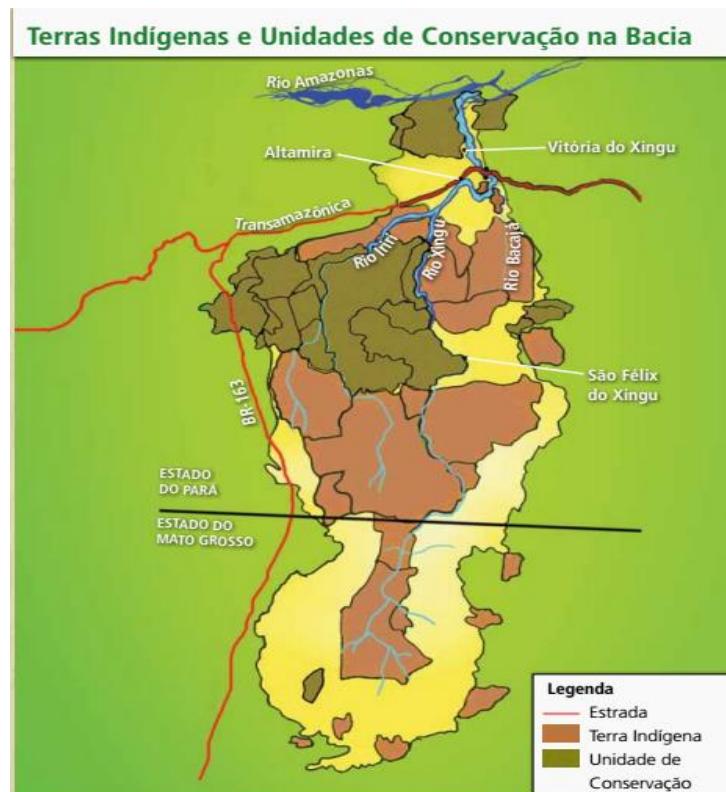
ANNEX 5: IMPACT OF THE BELO MONTE DAM (FOR AREAS)

Trechos Ambientais - AID



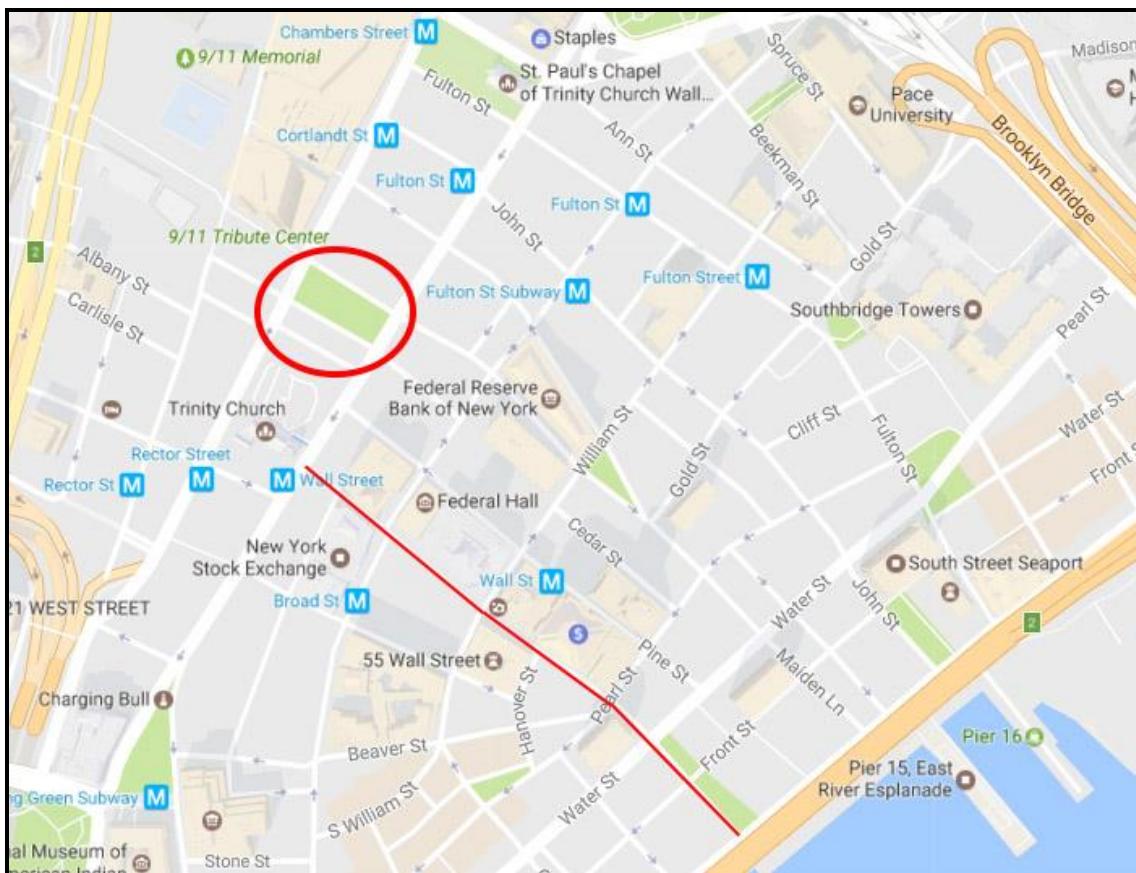
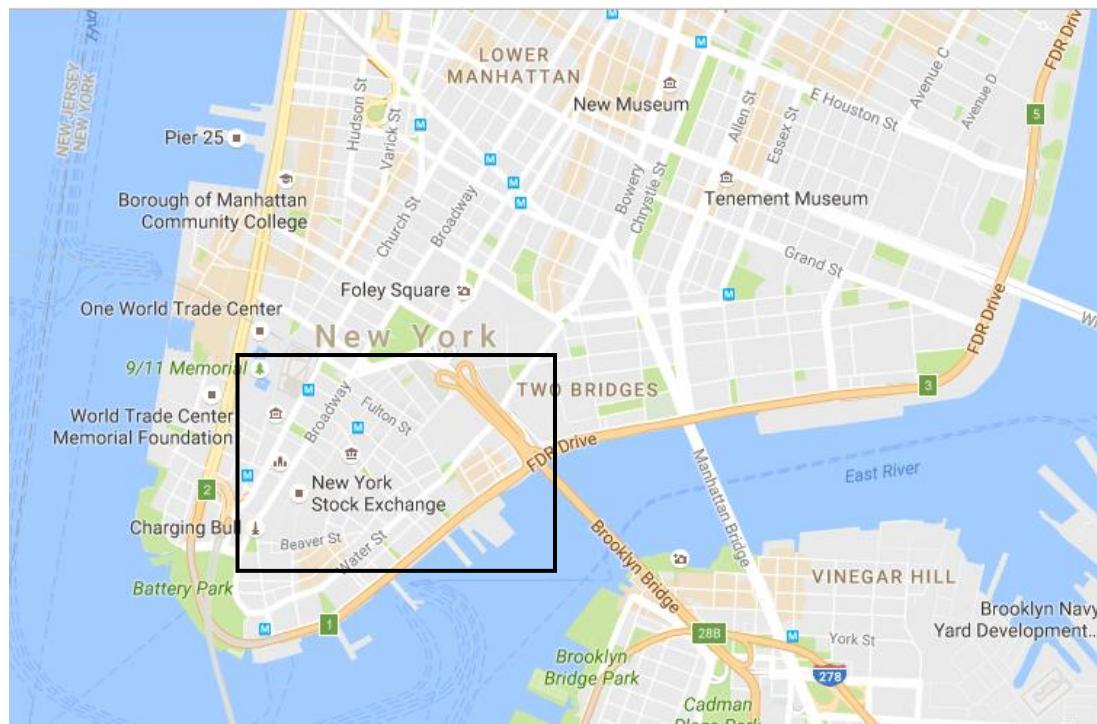
Source: Norte Energia (2011), RIMA: 63.

ANNEX 6: INDIGENOUS TERRITORIES AND CONSERVATION UNIONS



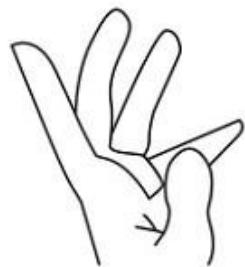
Source: Norte Energia (2011), RIMA: 29

ANNEX 7: ZUCCOTTI PARK AND WALL STREET LOCATION

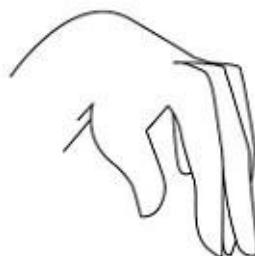


Source: Google Maps
<https://www.google.it/maps/@40.707677,-74.0091364,16.25z>

ANNEX 8: HAND GESTURES GUIDE



AGREE (twinkling)



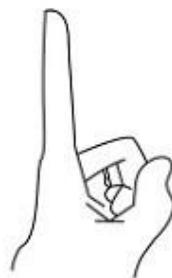
DISAGREE (twinkling)



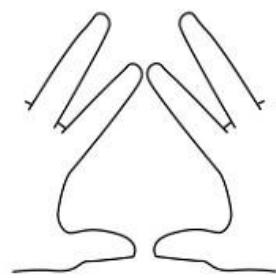
NEUTRAL (twinkling)



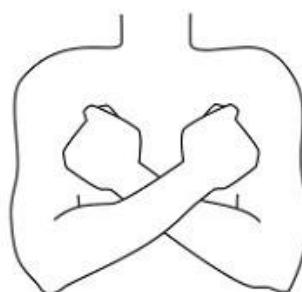
CLARIFICATION



INFORMATION



PROCESS



BLOCK

Source: Adrian Rocchio, General Assembly Guide: Hand Gestures Guide, Retrieved from NYC GA:
<http://www.nycga.net/resources/general-assembly-guide/>

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