

The Criminalization of Social Protest against Extractivism in Latin America



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A rapid inquiry into the issues.

An indigenous community member trying to prevent the flooding of his ancestral land by a mega-dam and then classed as being ‘backward’ or ‘against development’. A smallholder farmer refusing to give up her land to a mining company, and being physically and verbally harassed for it. An indigenous woman charged under anti-terrorist legislation for protesting against fracking. A rural community leader assassinated for organizing against a mega-mining project.

All of these scenarios are [common across Latin America](#). And it’s now common to hear the repression that activists face referred to as the criminalization of social protest. But what exactly is criminalization?

People who resist extractivist projects and land-grabbing face [a range of repressive tactics](#): police brutality and indiscriminate arrests at marches and demonstrations; the use of physical force by private security companies protecting corporate interests; intimidation in the form of threatening phone calls and text messages; in-situ and online surveillance; stigmatization and defamation in the media; destruction and theft of crops and livestock; dispossession and expropriation of land and other common goods such as water; infiltration and division of social and activist organizations, often by bribing leaders; physical attacks, kidnappings and beatings; sexual violence and rape, especially for women; persecution in criminal courts for protesting, sometimes under charges disproportionate to the protest actions, with lengthy jail terms; and murder.

Many of these are just new forms of tactics used historically to undermine dissent, nonetheless, their impact on activists and affected communities can be devastating. And of course, how those impacts play out differs depending on people's circumstances.

Some of those who analyze the criminalization of social protest see it as referring specifically to prosecution in criminal courts. Others say it includes surveillance by the state and corporations, stigmatization, and legal prosecution. And yet others say that the entire range of repressive tactics is part of the machinery of criminalization. (For more on this, see [this article](#).)

For example, stigmatization and defamation can be stepping stones towards achieving a false characterization of activists as criminals in a way that then helps 'legitimize' legal prosecution – e.g. by labeling activists as 'enemies of development' or as 'environmental terrorists'.

[Women face](#) particularly insidious stigmatization if they become active in social organizations as they are criticized for supposedly neglecting the well-being and safety of their families, or accused of cheating on their husbands. This stigmatization can happen both inside and outside their communities. On top of that, women face other, particular threats when they go up against powerful actors like corporations and the state, among them rape.

It is the labeling of protestors, protectors and community members as 'criminals' which legitimizes the inhumane and degrading treatment they receive at the hands of the authorities, and even legitimizes their deaths.

These tactics of criminalization have a chilling effect on social protest. The menace of expensive legal battles and possible jail time, and the very real threat of physical and/or sexual violence, are designed to intimidate people into staying silent.

It's not a new phenomenon. The struggles of historically oppressed groups, particularly indigenous and Afro-descendent communities in Latin America, have been systematically attacked and undermined by the state and other powerful actors for generations. Powerful sectors use criminalization tactics to push back against those making claims for sovereignty over their territories and resources that would imply significant shifts in power.

[A number of actors](#) are involved in creating and sustaining this repressive regime – the state, especially through law enforcement and the judicial system, transnational corporations, private security firms, and those in control of the hidden economy of the drug trade, the trade in illegally extracted timber and minerals, and human trafficking.

These powerful actors benefit from the expropriation of land, the exploitation of natural resources and people, and the destruction of indigenous and rural communities.

While people defending their territories and their lives are criminalized, those who attack them – and those behind those attacks – enjoy impunity.