

# Globalization and Indigenous Empowerment in Amazonian Ecuador

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## INTRODUCTION

### I. OPENING ARGUMENTS

Since World War II, the world has become increasingly globalized. Men and women are connecting with their peers across the globe, and companies have found international communication and marketing to be keys to empirical success in the growing world market. Even the most remote indigenous groups find their lives intertwined with—both the positive and negative aspect of—the global culture which is increasingly interested in them, their way of life, and tampering with the fragility of their circumstance. The governments that rule over the world's many indigenous peoples, despite democratization and a supposed plurinational approach to governance, struggle for or are indifferent to reaching the minimal needs of the social strata living on the periphery. In the post cold war era, the abstract goal of modernization in government has found itself taking the role of the enabler for neoliberalism to hold down the lower strata social classes. These classes do not have themselves what the rest of the world takes for granted, such as communication, technology, education, or even potable water. In addition, they find themselves without a voice to express their concerns or a way in which to force their governments to care or act on their deplorable situations. “The extreme social disparities existing in most Latin American countries... have led to very unequal levels of access to the fruits of modernization for the several social strata...scarce transformations have yet taken place in patterns of income distribution, more equal access to basic services, more respect and guarantee for citizenship and

other civil rights for marginal groups and ethnic minorities” (Gwynne 51). Coupled with the idea of economic globalization, it has been argued that the sovereignty of developing states such as Ecuador has been compromised. Some political science theorists claim that states such as Ecuador operate under what can be perceived as “Dependency Theory”, or the premise that the less developed world is economically destitute because the supplementary money it produces is commandeered by multinational corporations and other countries with more advanced economies (Microsoft Corporation 1). While the Ecuadorian government operates under this external colonialism of the west, it also enables its own internal colonization of its subjugated classes through enabling multinationals to operate immorally, auctioning off its jungle and people to the whims of foreign oil companies bent on higher profits. This type of globalization of business greatly affects the Ecuadorians of the Oriente.

With the goal of increased power in indigenous representation within their countries or in the world, more and more indigenous groups find themselves reaching out to international organizations and western practices in order to gain a voice for their rights and a respected indigenous political identity. It is my contention that globalization has enabled this paradoxical possibility, allowing the spread of multinational companies and their business practices, as well as the spread of human rights organizations and political groups which fund projects aimed to help the lower class citizens of other countries. In this way, it only takes the interest of one person from abroad to take an idea to an aid group or NGO interested in the cause. This alternative side of globalization, defined as the increasing ability to communicate and do business with a

world-wide audience, is a positive aspect of globalization for these indigenous groups attempting to create support networks for their causes.

The indigenous groups of the Amazon region of Ecuador operate under an umbrella indigenous organization named CONFENIAE. Using this indigenous grouping as a case study, I will show that while globalization negatively affects the indigenous nationalities in CONFENIAE, it has simultaneously uplifted the indigenous cause and changed their world identity through the globalization of their struggles. In 1994, indigenous leaders from the Shuar and Cofán tribes, which had never left their territory, appeared in front of a New York Court in full traditional apparel. This powerful image would never have happened without the forces of globalization working their magic through various non-governmental organizations. The spheres of powers which exist through Western-government-sponsored neoliberalism are being broken down and reshaped due to the changing identities of the people who originally inhabited the Oriente region. From these changes and influence of international-based organizations, they have seen a new frontier of progress towards autonomy and true influence in their region and with their government. This partnership of the indigenous movement and similarly aligned non-governmentals shows great promise for success abroad and has begun to be implemented in regions outside Latin America such as Nigeria, receiving much international attention and support. Yet in Ecuador's Amazon, the powerful team of indigenous peoples and American human rights and environmental organizations has been shown to be truly formidable in the face of the indígenas' presiding Ecuadorian government.

## II. REGIONAL INFORMATION



(Virtual Americas)

Ecuador is a small country which lies on the west coast of the South American continent, lying directly over the equatorial line. Historically Ecuador was part of Gran Colombia, which was liberated from the Spanish Empire by Simon Bolívar in 1819. In the year 1830, Ecuador seceded from Gran Colombia to form The Republic of Ecuador. The country of Ecuador is separated into three distinctive areas of geographical and cultural diversity. These areas include the Sierra (the Andes), the Costa (the Coast) and the Oriente (the Amazon basin). Historically, the indigenous people of the Sierra

and the Costa regions operated under a Hacienda system implemented by the Spanish Crown after the Conquista. The Hacienda system was still deeply engrained after independence and was continued by the land-owning class. This lifestyle seemed to stifle the beginnings of an indigenous movement in the highlands of the country.

The Oriente, which encompasses roughly one half of Ecuador's land mass, was largely untouched except by missionaries in the earlier years of Ecuador's independence and history due to its inhospitable jungle terrain. The region begins on the eastern side of the Andes, and continues to the eastern border. This mass of land is broken into 6 provinces by the government of Ecuador: Sucumbios, Napo, Orellana, Pastaza, Morona Santiago, and Zamora Chinchipe. The once-isolated region contains major river tributaries to the Amazon River, which begins over the border in Peru. The following rivers feed the people and animals of one of the most biodiverse forests on the planet, and are of extreme importance to the indigenous peoples living there. They are the Putumayo, San Miguel, Aguarico, Coca, Pastaza, and Santiago rivers.

The people who were originally dependent on the rivers belong to 8 distinct major ethnic groups which are represented by CONFENIAE. These groups are the Cofán, Secoya, Siona, Huaorani, Achuar, Záparo, Shuar, and Lowland Quichua. For much of the 20<sup>th</sup> century, the Oriente was mostly associated with only the 2<sup>nd</sup> largest group, the Shuar [or Jívaros, to outsiders] (Gerlach 4). In the 1960's, the Amazon and its inhabitants were exposed to the first serious influx of outsiders and companies, who took advantage of the new oil roads and jobs which opened up the Amazon to more settlement and influx of capital. The indigenous population of the Oriente is 3.5% of the total population of Ecuador. The total percentage of indigenous people in Ecuador is

thought to be anywhere from the government estimate of 25% to estimates of up to 40% (Comisión Económica para América Latina y el Caribe 1). Since the openings of the oil roads in the region, the total population of the Oriente has risen sharply. In 1974, early in oil operations in the Amazon, there only existed 1.3 people per square kilometer. By 1990, the number had nearly tripled to 2.9, and in rural areas such as the City of Lago Agrio, the growth was much more extreme. (Bilsborrow 74) The small indigenous groups who originally inhabited the area were all extremely dependent on the natural resources surrounding them. The lifestyle of small indigenous groups already hurt by foreign disease caused merely by human contact made them inherently vulnerable to the destruction of those resources. Many dependent on fishing, river water, and the hunting of game for their livelihoods, the destruction of the environment lead to a direct hit to the assets off of which these people base their independent livelihoods. Contaminants such as oil and the results of deforestation can quickly affect all aspects of indigenous life when there is limited mobility and alternative resources upon which to base their livelihoods. These first tastes of the direct effect of globalization and the realization of the true powerlessness of their situation in relation to the government's policies encouraged a great mobilization of the indigenous nations of the Oriente under the name and founding of CONFENIAE.

## **DOUBLE COLONIZATION & THE STRUGGLE FOR INDIGENOUS AUTONOMY**

### **I. THE BIRTH OF CONFENIAE**

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Well known historically for the spearing of anyone who came near their villages or settlements, indigenous people became synonymous with cannibal and savage killers to the early European missionaries who first made contact with one of these elusive family groups. When the state of Ecuador was first established, in 1830, the native communities had already had hundreds of years of practice (and failure) at surviving foreign conquerors and influence. These communities are now facing some of the most intense waves of globalization that their ancestors could not even dream of. In a 2002 BBC special, one group, the Huaorani, were dubbed “The Last People,” with some groups still isolated and trying desperately to keep themselves that way. This group, who has a long history of confrontation with European and Ecuadorian authorities, is perfect to focus on for a study on how globalization can ultimately affect the success of indigenous peoples in maintaining their own identity and rights when facing the reality of living under the laws of a national government. Europe’s history of interaction with its indigenous groups in the Amazon basin through the creation of the state of Ecuador has been extreme in its hardships. Maintaining identity, land, and human rights has been a struggle. The indigenous people of the Oriente have been helped and hurt while trying to adapt to a globalized world.

Many native nations started off as multiple tight-knit communities which did not have a lot of interaction between separate groups. They were groups which survived off subsistence farmers and a semi-nomadic lifestyle in the Napo river basin. Before study, they were involved in much inter-group violence and revenge killings. In the early 1940’s, the indigenous peoples were suddenly jolted into the modern Western world.

Said to have been “discovered” along with the oil that lies below their lands, the oil companies who first experienced the resistance of Ecuador’s Amazonian tribes would soon run away out of fear of the intensity of the aggression they faced in the indigenous population (Waddington, 1). Indigenous groups in the Amazon have had a record of being extremely important in the realization of the indigenous movement in Ecuador due to their short history of contact and colonization.

Some of the first contacts between indigenous Amazonians in Ecuador and outsiders were not even government representatives, or even from the South American continent. Some of the first non-indigenous peoples to meet the Huaorani and others were oil men from the Dutch company Shell, looking for the crude petroleum which lies beneath Ecuador’s lowland soil. There were in this time multiple reports of spearings of Shell employees who were perceived by the indigenous peoples as trespassers (Waddington, 1). These first contacts were a strange foreshadowing of things to come. Large-scale indigenous resistance in Ecuador very much started aimed toward the Ecuadorian government. CONAIE, *The Confederation of Indigenous Nationalities of Ecuador*, was first founded in 1986, but gained greater prestige when indigenous peoples marched on the capital in demand of land rights from the standing government of Pt. Durán Ballén in 1992. They gained one of the largest concessions of land rights ever given by a Latin American government. CONAIE would soon give birth to its affiliated organization as well, CONFENIAE (*The Confederation of the Indigenous People of the Ecuadorian Amazon*). The protests occurred on Columbus Day, were attended by 20,000 indígenas from all corners of the country and supported Huaorani resistance against oil companies’ entrance into their territory. CONAIE even developed

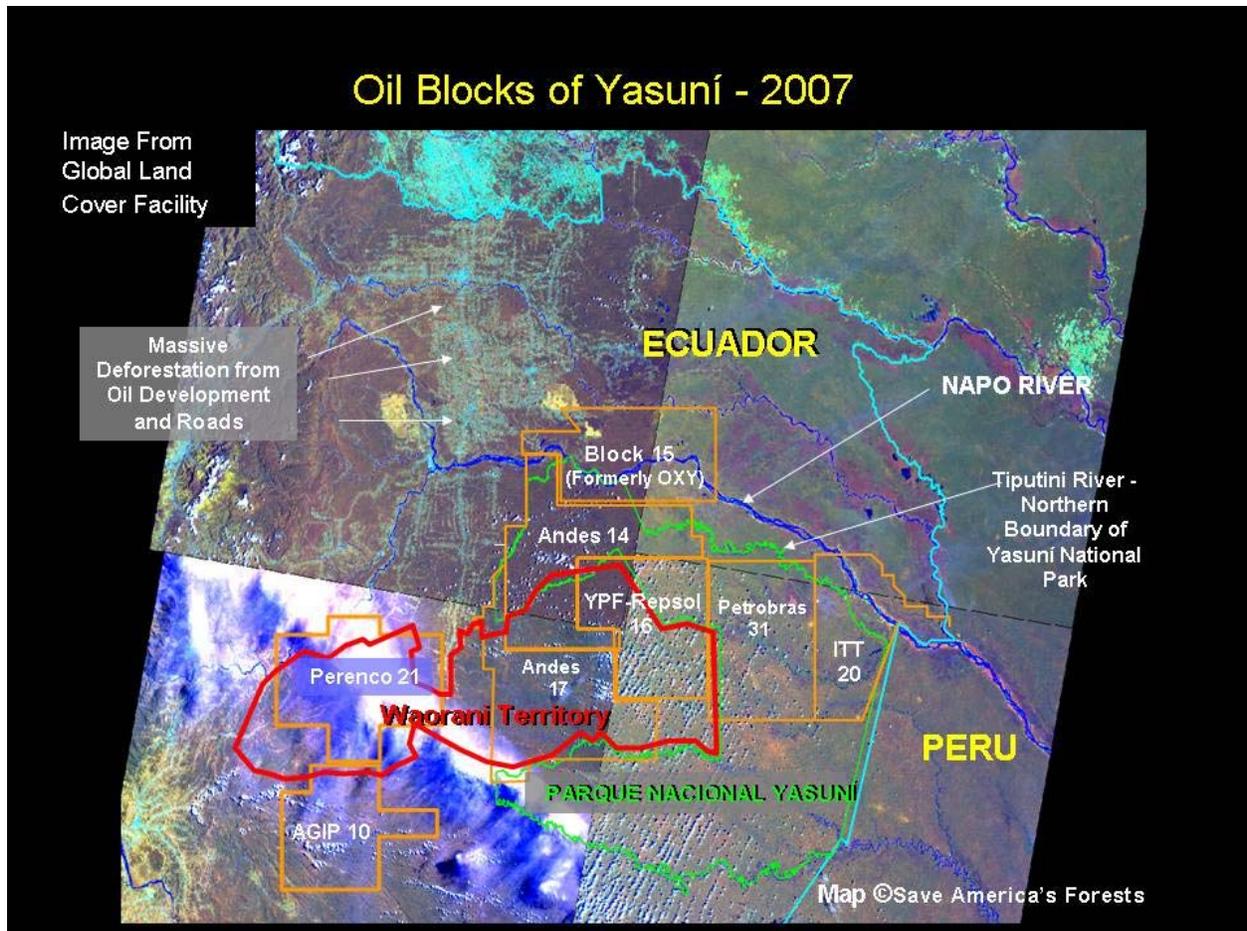
a slate of 6 demands of the country and the oil companies involved in the Oriente (Gerlach). Unfortunately while the land rights were a great victory, not much changed after negotiations with President Durán Ballén. Even with their new land rights, what the indigenous people did not see was the law tactically buried in the Ecuadorian bureaucracy which stated that all natural resources in Ecuador actually belong legally to the government, and they have the right to extract them. With the go-ahead of the government and with the laws as stated, the company Texaco and its successors in Amazon drilling were able to continue to operate their businesses in indigenous land.

The organization CONFENIAE consists of 850 separate communities of native peoples in the Oriente region. As it is explained in the newspaper *El Pais*, “They survived the arrival of Colon, the sicknesses of Europe, the dictators, the United Fruit Company, and rubber fever. But the oil prospection, the timber companies, and soy cultivation not only has frightened off big game, but has also frightened themselves off: entire villages of natives obligated to live each time farther away from where they once were” (Peregil 1). The organization was created in order to increase indigenous participation and communication with the Ecuadorian government in order to further the causes that are important to the CONFENIAE people. These causes include territorial integrity and “the protection of Mother Nature and its cultures from the Destructive Forces of globalization” (CONFENIAE,1). This indigenous organization encourages NGO help. The group states the following on their website: “We ask our friends in the International Community, especially the NGO’s and Universities to come and work with us and to help us PROTECT OUR CULTURES AND MOTHER EARTH WHO GIVES US LIFE. WITHOUT OUTSIDE HELP, IT IS NEARLY IMPOSSIBLE TO MAINTAIN

COMUNICATION WITH OUR 850 MEMBER COMMUNITIES, which for the most part are isolated by the entire Amazonian region of Ecuador.” (CONFENIAE,1)

## **II. THE DETERRENCE OF WESTERN INFLUENCE AND POWER**

CONFENIAE has employed many strategies to fight globalization and the corporations who have gained such a choke-hold on much of their territory. The Ecuadorian government’s incentives are clear, especially when Ecuador’s oil extraction and mining industries comprise a whopping 26% of the GDP of the entire country. The vast majority of Ecuadorian oil fields are contracted directly in the middle of and surrounding indigenous territory, as shown in the following figure:



(Save America's Forests)

CONFENIAE has exhibited multiple reactions in order to counteract the perceived threat of globalization and oil companies to the health and vitality of their indigenous populations. After the protests in the capital in 1992, indigenous groups began to find varying ways by which they might turn their communities well-being around by finding alternatives to their current sources of wages—oil work, livestock, and farming. When the oil companies began resettling the Oriente in the 70's, they changed the dependency structure of the indigenous communities who were living there.

Originally only dependent on the resources that were available around them and the knowledge they had of the forest, through much work the indigenous people had all of their necessary food and shelter from the unlimited resources around them. The presence of oil companies and colonization jolted the Oriente population from a barter economy into a capitalist economy or an economy of taxes, wages, and imported goods. All of these things made the Oriente's people dependent on the available jobs which would feed the new economic system. The only way a native person could improve their family or group's economic situation was through schooling, and the only schooling available came from the Ecuadorian government: in Spanish. CONFENIAE has worked to promote bilingual education, but those children without this drop out of school early and young people find themselves again working for oil companies with little other options to feed their families.

Western culture was dropped like an anvil onto the people of CONFENIAE long before the organization was created, in an effort by Western missionaries to 'save' the indigenous peoples from conflicts with oil men. Missionaries were encouraged into the Oriente after numerous spearings of oil men in the 60's through the 80's. Indigenous peoples were herded into the old model of settlements, where they could be controlled and taught western practices. "Once the natives were assembled, their traditional practices were to be replaced with...schools, churches, farms, and a market economy" (Gerlach). According to Gerlach, author of A Recent History of Ecuador, an introduction to western foods, tools, clothes, and especially Spanish language religious schooling "led to an estrangement from their traditional forest life of hunting, gather, and slash-and-burn agriculture" (58).

One alternative way the indigenous community has tried to make itself raise its independence has been through gaining control of the resources which are being extracted under their land, according to CONFENIAE's website. The alternative option, which has hit an especially intense chord with the international community and garnering much more outside support, has been the opportunity for indigenous-based ecotourism.

The Ecuadorian Amazon is known as a Pleistocene refuge, the epicenter of the Amazon, which repopulated the entire basin following the extreme climactic changes which occurred during this geological period. Yasuní National Park, which is located in the heart of the Oriente, has one of the highest concentrations of biological diversity in the world and in the Amazon Basin (SOS Yasuni 1). As a way for self-determination, ecotourism has proven successful in a small group setting, according to the recommendations of a recent study (Azevedo Luínda 26). On the other hand, it has emerged as an effective means of attracting NGO interest, not only from groups interested in indigenous rights and communication such as *Amazon Alliance*, but also from other group interested in environmentalism as well. According to its mission statement another organization, "*Amazon Watch* works to protect the rainforest and advance the rights of indigenous peoples in the Amazon Basin. We partner with indigenous and environmental organizations in campaigns for human rights, corporate accountability and the preservation of the Amazon's ecological systems" (Amazon Watch,1). The marriage of indigenous resistance and environmentalism has opened the door for many issues to be addressed with the backing of international support groups. In 1994, the years in which complaints started to be filed against many companies

extracting natural resources from the Oriente, the president of Ecuador's national indigenous organization CONAIE, Luis Macas, said the following:

In the Amazon region, there is a crisis caused by the presence of oil and mining companies and their violations of indigenous peoples' rights. The displacement of people from their homes has made it impossible for indigenous people to meet basic living conditions. The oil companies have not only caused the decomposition of our communities and the decomposition of our culture but also the destruction of the ecology. The fight for land is thus extended to the struggle for maintaining the ecology...Besides provoking a disappearance of species, there has also been a decomposition of communities in the Amazon. Texaco poisoned the places where people lived and worked and threw away its wastes in a totally irresponsible way...What we are really talking about is the extinction of a people.

(Gerlach, 59-60)

In this way, the indigenous organizations were able to tie together both plights, in an effort to strengthen their support. This was shown to be a smart political move when organizations from abroad started to line up to work with the indigenous people under the guise of environmentalist *and* indigenous human rights, resulting (as the CONFENIAE website stated) in help with communication, travel, and organization. This allowed the Amazonian indigenous movement in Ecuador to flourish with western NGO's and their money backing them. Many marketing companies as well have recognized the profitability of funding ecotourism projects in the Ecuadorian Amazon.

In the Pastaza province, situated in the southern part of the Oriente, a tourism company called Canodros S.A. invested in the Achuar indigenous community in order to

build an eco-tourism lodge in 1993. With construction completed and debts repaid, the lodge has been named one of the top 50 eco-lodges in the world and was turned over fully to the Achuar indigenous organization in 2007. This turnover has been highly successful. Through training provided by Canodros, the Achuar people now run nearly one hundred percent of the business, with Canodros only keeping control of the marketing for the lodge. Now 50 % of the money goes back to the community involved in the lodge's upkeep, and the other 50% goes toward political lobbying for the Achuar people. This lobbying has turned out to be an extremely important to the Achuar in protecting and defending its way of life against intrusion by the Ecuadorian Government. While the community is situated in an oil block controlled by ConocoPhillips, representatives of the oil giant have assured the Achuar community that without full support, oil operations will be indefinitely postponed in that concession. While ecotourism may not be a great alternative for the government's oil-centric economy, it may be effective to dissuade the oil companies themselves from perpetrating abuses on the affected indigenous peoples.

### **III. LOS AFECTADOS (THE AFFECTED ONES)**

CONFENIAE and its people in untouched parts of the basin have found themselves making great strides in achieving autonomy rather than being dependent on outside jobs and companies. Despite these positive steps, CONFENIAE is also painfully aware of the large mass of people who call themselves *Los Afectados*, or "The Affected Ones."<sup>1</sup> While methods which are meant to increase autonomy and dissuade

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<sup>1</sup> Those indigenous and migrant people in the Oriente who have found their livelihood negatively affected by the presence of oil companies

outside influence are realities for the parts of the country whose land is as of yet unaffected by outsiders, those groups of indigenous Ecuadorians which have already found themselves stuck in a situation of dependence and forced removal from their original way of life find it harder to dream up alternatives. Perhaps the most effective way in which the Afectados have attempted to alter or improve their situation has been by transforming the power structure that exists between them and the government, who supports resource extraction and the methods of doing so. This way they assure that their voice is heard, and that future generations may conceivably live in a fairer situation with more opportunities for upward mobility. This requires a change of representation in their own nation, and the support of outside pressure on a government which tends to profit from the subjugation of its lower classes.

## **REPRESENTATION IN THE ORIENTE**

### **I. HISTORICAL REPRESENTATIONS OF ORIENTE INDÍGENAS**

These ideals of changed representation are general themes which float throughout the rhetoric of the indigenous groups' protest and wishes. After a history of colonization and continued racism, the people of the Oriente have long struggled against the popular image of "indios" as lesser, savage, and in need of saving. In the Ecuadorian Presidential Palace, there is a famous mosaic displayed prominently by the Ecuadorian painter Guayasamin. Above the images of Spanish Conquistadores and bloodied indigenous people, there are the words "El sacrificio de tres mil aborígenes

glorifica la presencia del Ecuador en el rio de las Amazonas” (Sawyer, 40) [or “The sacrifice of three thousand aborigines glorifies the presence of Ecuador on the Amazon River”]. Another famous saying in Ecuador, “Muestre su patria, mate un indio” [or Show your patriotism, kill an Indian] is another indicator of the kind of society these indigenous groups are fighting against. Although the country is 40 percent indigenous, holders of government offices are mostly of European and mestizo background. Racism in Ecuador is structuralized, which works well for a neoliberal model of business who could foreseeably take advantage of groups of landowners with little enforced rights within the state. According to academics studying these power relationships, stereotyping in Ecuador could be considered “part of the maintenance of social and symbolic order. It sets up a symbolic frontier between the ‘normal’ and the ‘deviant’, and the ‘pathological’, the ‘acceptable’, and the ‘unacceptable’, what ‘belongs’ and what does not or is ‘Other’...” (Hall, 259). According to this evidence, in the early 1990s until now, the indigenous peoples of the Oriente are looked down upon by the government in a classic display of internal colonialism in close resemblance of the external colonialist practices of companies that operate there. In the words of an unnamed Chevron Lobbyist, quoted in *Newsweek* on July 26<sup>th</sup>, 2008 in reference to a lawsuit by indigenous peoples against them in an Amazonian court room, “The ultimate issue here is Ecuador has mistreated a U.S. company...We can't let little countries screw around with big companies like this—companies that have made big investments around the world” (Isikoff 1).

## II. LIMITATIONS BY GOVERNMENT

Groups such as CONFENIAE who have been fighting an uphill battle to maintain a balance of power between indigenous people and the government have been working hard to figure out how they will prevail over being “condenados a la pobreza extrema como consecuencia de las políticas colonialistas externas en internas de [sus] territorios” (CONFENIAE) [or condemned to extreme poverty as a consequence of the colonialist foreign and domestic policies in [their] territories]. The view that these outside occidental politics are inherently bad initially could be seen to have stunted the growth of the indigenous movement. At the outset, the indigenous people did not stray outside their own cultural moors when attempting to obtain recognition in the Ecuadorian political sphere. Finding a common ground among ethnic groups and improving communication enabled the different peoples of Amazonia to come together and fight for land rights, but when in the same talks the Huaorani attempted to engage in discourse with President Durán Ballén about the presence of oil companies in their land “little changed...Ecuador’s expenditures exceeded revenues year after year, the price of oil was stagnant after a major decline in 1986, and, like those presidents who came before him and after him...Ballén deemed it essential to encourage oilmen to develop all of the oil fields they could find” (Gerlach 75).

According to CONFENIAE, they are inspired by their pasts, and by the animals of the forest and the land from which they came to bring peace and respect between all human beings. The values which are possible to pull from CONFENIAE’s documents on their website all encourage plurinationalism, peaceful relations, and a demanding of respect. They are attempting to represent themselves as powerful and worthy of respect even while continuing to uphold traditional beliefs.

Spanish-language schooling by the government or by government-funded missionaries, and later in schools provided by oil companies had a profound effect on the way indígenas saw themselves. During the beginnings of fossil fuel extraction in the Amazon, indigenous people had difficulties mobilizing themselves, if they even wanted to do it in the first place. As explained by a study done on the subject of oil-driven urbanization in indigenous areas, “The communities had no assistance from government or from NGO’s. They were politically marginalized and had no representation in the national government. Under these circumstances, they were largely dependent on ARCO<sup>2</sup> for information and training as well as for services” (Haley, 201-202). Because of this, indigenous groups rapidly accept the ideals of the oil companies which, through the use of their money, educate the pueblos in the most appropriate way for their personal goals. This creates a mirror of identity through which the oilmen can force stereotypes on the indígenas. For example, a man from the village of Pueblo, which is occupied by ARCO and SHELL, claims that the reason he doesn’t want to listen to indigenous organizations is this: “We in Panduque, we want to work for a living...If [an indigenous organization] has its way, we would be naked and barefoot” (Sawyer 79). Even CONIAE, the most highly respected indigenous organization in Ecuador, has problems with gaining the trust of the people it is said to represent in the Amazon. The money that CONIAE uses isn’t always visible materially while the oil companies construct houses, offices, and release money the residents can touch and feel.

As can be seen in the example of the Pueblo man, western colonialist practices can have an effect on the self-assertiveness of a group of indigenous people. While

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<sup>2</sup> The Atlanta Richfield Company, a multinational oil company headquartered in La Palma, California.

CONIAE encourages bilingual education, a concept the plurinationalist indigenous movement have been fighting for over 20 years and a symbol of their victories, the company ARCO has been shown to encourage indigenous organizations who receive money from them to reject bilingual schools and only engage in education funded by the companies in Spanish (Sawyer 127). The World Bank lists three things which are important for Ecuador's indigenous communities. These are bilingual education, social services, and medical assistance.

The CONFENIAIE indigenous groups have long been weighing the balance that must be struck between maintaining their own ideals and self-identity and achieving political power in an Ecuadorian state-led society. As was explained, initially this power relationship was only altered through massive protests of the indigenous populations, with the help of even the Andean Quechua and Aymara. After this, the indigenous movement in Amazonia was at a momentary standstill while the government passed further rounds of oil concessions in the basin. For the indigenous people, the cloud of neoliberalism was thickening above the Oriente. An idea started to gain momentum among CONFENIAIE and CONIAE. A class of western-educated indigenous people was emerging, who understood well how the current state system was marginalizing, through laws and economics, the indigenous peoples of the Oriente. It became clear to people such as Pablo Fajardo, a night school educated man from the city of Lago Agrio with a recent law degree, that a possible way in which the Amazon peoples might fight the oil company's trail of disrepair and poverty would be fighting it through their own western system.

### III. EMPOWERMENT THROUGH GLOBAL INTEREST

Until this point in the history of CONFENIAE, globalization had been a largely dark figure in the lives of the indigenous peoples. It had brought disease and loss of land, culture and standing. It had created a system in which the indigenous people were lamentable throw-aways, necessary martyrs for the cause of 'modernization.' The world began to see a change in the representation of indigenous peoples during the early 1990s starting of course with the mass demonstrations, but what can be argued as the largest change in representation has come as a consequence of legal actions taken abroad and in Ecuador against oil companies directly. This direct resistance has come in the form of one lawsuit which has changed the course of the indigenous/occidental confrontation in the Oriente and abroad forever. The representation of the *afectados* has changed as a result. This change has caused widespread support internationally and nationally as well, while lowering the international standing of the corporate practices which were formerly deemed a loftier goal than the livelihood of the indigenous and colono (mestizo migrants to the Amazonian region) communities.

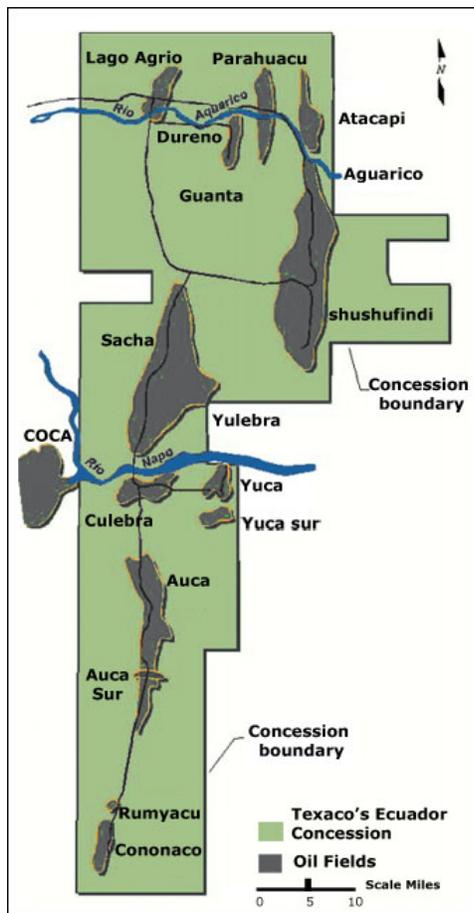
Adopting the use of western culture to maintain their own culture can easily be seen to have positive and negative effects on the campaign. While the people are fighting to maintain autonomy in their territories and an ability to choose their own fates and paths of life, encouraging the adoption of imposition of western ways of life leaves the floodgates open to the cultural moors which the indigenous people themselves speak so strongly against. A conflict of interest arises. According to CONFENIAE, "recently we have realized that we require help and solidarity from many sisters and brothers from other places, in order to win our battles and continue

educating the outside world about the urgency of protecting Mother Earth and its millenary cultures from the destructive forces of globalization” (CONFENIAE, 1).

Oil companies such as Chevron have also tried to encourage good representation abroad for their companies in the wake of international pressure to adhere to environmental standards during oil operations. It is shown through their campaign efforts, for which there is a lot of money invested, that international representation is extremely important to the welfare of the company and its shareholders. Its 15 million dollar campaign, “Are You With Us?”, and its “the power of human energy” campaign touts environmental responsibility in their business practices and demands others to follow them. In 2006 they developed a highly publicized Human Rights statement in the wake of international stirrings against Chevron’s business in parts of the world.

The campaigns of the indigenous organizations and the campaigns of the oil companies (largely supported by the Ecuadorian government through its oil concessions to these companies) are a battle for power that has long existed in Latin America. It is the battle to gain the power of representation in society; laissez faire and corporate capitalism versus the leaders of the indigenous fringe. The seeming culmination of these tensions, and perhaps the most groundbreaking legal case ever taken in the defense of the environment and human rights, was a legal case filed in the New York Federal Court, on behalf of 30,000 indigenous and colono people from the city of Lago Agrio, against the oil giant ChevronTexaco. This case, along with attracting a wide range of international NGOs to the case, is an excellent example to study the relationship a globalized world plays in the representation and indigenous

empowerment in Amazonian Ecuador. One can begin to understand, through the analysis of this microcosm of relationships between government, company, and the CONFENIAE indigenous communities in the Oriente, how the regimes of representation of each side impact the empowerment of the communities involved.



(Chevron Toxic)



**Top Left:** Añangu Shaman working in Ecotourism  
**Top Right:** Two indigenous girls attend school in the oil boom town of Coca, Napo Region  
**Bottom Left:** Eco-tourism guide from Añangu Lowland Quichua Community  
**Bottom Right:** Yasuni National Park on the Napo River, also Indigenous Ancestral lands of the Huaorani and lowland Quichua

## **THE CASE: AGUILAR VS. TEXACO**

### **I. THE ALLEGATIONS**

Not unlike many oil boom-towns in the American West, the city of Lago Agrio, Ecuador, is practically unrecognizable from its original state when founded in the year 1960 by oil giant Texaco. Now overrun by colonos generally from the area of Loja (hence its alternative name Nueva Loja), FARC drug runners, mass poverty and disease, the city is known as a cesspool of criminal activity and bad human condition. Of the indigenous people who once and still inhabited the area, one group has literally been decimated and disappeared, while the others that survive struggle to make ends meet.

The roads that now lead to Lago from the nearby port town of Quito, built by Texaco for ease of access, have opened the entire area to immigration and the outside western world. It is a common story in the Oriente, but one which has exploded onto an international sensation and poster-child for those who look to reign in the practices of powerful multi-national companies. Now indigenous groups are greatly resisting the building of roads into the Amazon's interior, because of the land degradation that ensues after an area of land is opened up for companies or colonization. Many colonos moved into the Amazon for farming purposes and to work with the oil companies. In Ecuador where the minimum wage is 40 dollars a month, and where 40% of the population lies below the poverty line (Central Intelligence Agency 1), colonos raced to the seemingly fertile rainforest soil to create farms, work for

companies, or overall start a new life with their families. This impact on the local indigenous communities and cultures, along with the irresponsible business practices of Texaco concerning oil/gas/crude spills were all extreme. None of the impact was as severe, though, as the effect on the Tetete, a group which resided in the oil concession when Texaco arrived, and later completely died out as a culture, a language, and a people with the deaths of all group members.

As the oil wells were drilled and the city of Lago Agrio grew up around them, the indígenas of the region saw their lands converted into drilling platforms. Before they knew it, according to the plaintiffs in the case Aguilar and others versus Chevron Texaco, the oilmen had decimated their populations with oil residual, cancer, and poverty. In order to fight against these North American oilmen, the indígenas have had to change their identities and their representation in front of a global audience. On the other side, as stated before, the oil companies have implemented a process of categorizing their efforts as a way to “civilize” the savage population of the Amazons. Although these types of confrontations are ordinary in the undeveloped world, Chevron and the indígenas of the Oriente have found themselves in the middle of what could end up being the most lucrative and public environmental class action lawsuits in the world. In order to save face, each side has pushed to manipulate their own representation and the representation of the other group in order to end up as the final winner in the eyes of the judge and of the world population. On the side of the indígenas, they have had to wrestle years of marginality in the system, and for the oilmen, it has been necessary to maintain their high position in the global and class hierarchy to uphold the appearance of corporate responsibility.

When Texaco entered the Amazon region of Ecuador, they exchanged seemingly harmless gifts for peace and the ability to drill for oil. Without warning, Texaco flew to the middle of the forested area, previously only seen by missionaries. The Texaco company viewed the Oriente as only a new mine for the profitable black gold. These oil camps, established after the signing of an oil concession with the government of Ecuador in 1964, are perfect examples of the feelings of the companies toward the indígenas. In a position of power, they treated the indígenas as ignorant savages that did not have any real legal power. Unfortunately, they did not have this power in any case at this pre-indigenous empowerment date in the eyes of the Ecuadorian government.

As Stuart Hall describes in “The Spectacle of the Other”: “Stereotyping tends to occur where there are gross inequalities of power...One aspect of this power...is ethnocentrism- ‘the application of the norms of one’s own culture to that of others’...Between binary oppositions like us/them we are not dealing with peaceful coexistence...but rather with a violent hierarchy. One of the two terms governs...The other has the upper hand” (Hall, 259). Like the mosaic in the Presidential Palace by Guayasamín, the oilmen have not changed their attitudes toward the people of the Amazon. According to Pablo Fajardo, the head lawyer in Aguilar vs Chevron, these attitudes are confirmed when the defendants claim that “the only cause of illnesses in the people [of Lago Agrio] is a bacteria that exists in the water. That it is not because of the oil. By God, how can they cover up their crimes by blaming the people themselves for their health problems? This is what [Chevron] has claimed in the last writing submitted to the Court on June 14<sup>th</sup>, 2007” (Pablo Fajardo, Justicia Now).

In 1972, the oil began to flow in the city of Lago Agrio. In this year, a man was born that would change these spheres of power forever. After growing up in Lago Agrio, the city that has seen the worst of what could happen after oil concessions in an area, Pablo Fajardo signed himself up for law school and returned after graduation to take the position of leader of the colonos and indígenas with a new idea. In order to fight against the USA, you must fight following the rules of the mestiza and European social classes. Through the use of occidental fighting tactics and the backing of the westerners themselves, the indígenas began to establish another representation of themselves in the eyes of the outside world. It was a representation of power and voice. They began a class action lawsuit against Chevron which fanned the flames of their outcry. In this way, the indígenas began to mobilize themselves and face the forasteros, or outsiders, eye to eye, erasing the social distances and differences between them in a very short amount of time (at least in the eyes of the law).

In 1990, Texaco abandoned its wells in the Lago Agrio region, leaving the Ecuadorian company PetroEcuador to run its operations. During the operations, Texaco has been charged with dumping wastes containing toxins at extremely high levels into the Ecuadorian jungle around its sights. According to the plaintiffs, the rainforest that belonged to Texaco's 17,000 square miles of oil concessions was sullied by 18.5 billion tons of toxic produced water disposed into the pristine environment that existed before. Along with this, Texaco also left 900 supposedly remediated yet unlined and open-air waste pits of crude oil in its concession land before leaving, with pipes allowing run-off to travel to local rivers and streams. Along with these allegations, Texaco is said to have spilled an estimated 17 million gallons of crude oil from its

pipelines during its time of operations. All the spills or deliberate dumping have amounted to 30 times the crude spilled by the Alaskan Exxon Valdez in 1989 (Amazon Defense Coalition 1) .

According to the plaintiffs, these environmental concerns have had a widespread and deadly impact on the people living in the vicinity to the Lago Agrio Texaco concession. According to *Frente de Defensa de la Amazonia* (Amazon Defense Coalition), “Numerous independent, peer-reviewed academic studies have found cancer rates were anywhere from 1.7 to four times greater for people living in the area where Texaco operated than for people living outside of the area. One study found that the risk for spontaneous miscarriage was 2.3 times higher among women living near contamination; another found alarming rates of childhood leukemia. Chevron blames the health problems in the region on feces in water and poor personal hygiene...Coliforms, which generally exist in the water supply throughout rural Latin America, do not cause cancer” (Amazon Defense Coalition 1).

In 1993 the original court case was filed with the New York Supreme court. The case was litigated for ten years, before Chevron winning a victory by convincing the judges that New York was not the proper court system for the case, and that the trial should be filed in Ecuador because of jurisdictional issues in the year 2002. In order for this to happen, Chevron filed 10 affidavits praising the fairness of Ecuador’s court system (Gallegos 1). Thinking that the plaintiffs would drop the case, the oil giant was surprised when the following year, the lawyers filed suit in the Superior Court of Nueva Loja. In this year, the expected remediation expense totaled at more than 6 million dollars in environmental reparation costs. In the years and numerous studies that

followed, the most recent number has risen extremely sharply. In April of 2008 an Ecuadorian court appointed expert, Cabrera, and a team of 15 independent scientists asserted that the total cost of remediation probably would cost up to 16 billion dollars. While for Chevron-Texaco this number could be considered small, the amount of money on the line has made the case into what could be the largest environmental class-action lawsuit ever. The importance of the case to the plaintiffs and many other indigenous communities affected by similar neoliberal practices on the lower classes of society is immense. According to the *Amazon Defense Coalition*, “the case is historic for three primary reasons; a) it is the first time indigenous people from the rainforest have succeeded in forcing an American oil company to accept jurisdiction in their own courts; b) it concerns what experts believe to be the most extensive oil-related contamination on the planet; and c) the amount of damages—estimated by a court appointed special master to be as high as 16.3 billion dollars- could lead to the largest civil judgment in history” (Amazon Defense Coalition 1).

## II. PLAYERS ON A GLOBAL STAGE

Behind the plaintiff’s side and overseeing the process are numerous non-governmental organizations (NGO’s) who have shown an enormous impact on the public PR campaign and funding for the case. Perhaps the largest players which can be considered behind the plaintiffs are groups such as *Amazon Watch* and the *Amazon Defense Coalition*. Overseeing the process are respected foundations who also have made a wide impact on the global audience’s perception of the case. These organizations include but are not limited to the United Nations, Amnesty International,

The Pulitzer Center, and multiple environmental prize groups. Chevron, although not affiliated with any of the NGO's, has large international reach as well. It operates in over 100 countries and has admitted its large international influence as a company. While the plaintiffs employ NGO help, Chevron's world contacts (including many governmental officials) and a limitless budget make it a very serious opponent for any impoverished people to fight. Because of the normal lack of monetary support in the abuse of a power situation in the third world, these people would normally have no chance in court against the likes of Chevron. In the words of a New York Times article, "Disasters of this kind, involving poor people in remote areas of foreign countries, tend to stay low on the level of awareness of the American news media. The suffering tends to go unnoticed by the outside world" (Herbert 1). Because of the globalized nature of this fight, the indigenous communities have had the chance of a lifetime to prove that their sufferings cannot go unanswered.

While the legal battle continues its tit for tat 15 year (and counting) encounter in the Ecuadorian courts, how the globalized nature of this legal battle has affected both sides of this fight can be analyzed to show how this trial actually has had a spectacular impact on the issues at hand due to its worldwide forum. Each side's arguments and publicity stunts are all tactics to garner the world's opinion, which is increasingly showing to be intensely important in battles between free capitalism and human rights of indigenous peoples.

Letting aside these caveats, the growth in political influence of indigenous groups over the last three decades has been enormous. Environmentalists, human rights activists, anti-poverty campaigners, and countless other nongovernmental organizations (NGOs)

are now able to recruit, raise funds, and operate internationally faster and farther than ever before. While technology has facilitated travel and communication among these latter-day Good Samaritans, the global spread of democracy has also produced other trends that highlight the plight of indigenous populations, thus boosting their political weight...Global and local activism have transformed intolerance for human rights violations, for ecological abuses, and for discrimination of any kind into increasingly universal standards among governments, multilateral bodies, NGOs, and the international media. During the 1980s, for example, the United Nations spurred the internationalization of the indigenous-rights movement by launching an initiative to establish a universal declaration of indigenous rights. ...The increased reach and influence of the environmental movement and the equally intense increase in the activities of multinational corporations around the globe have converged to boost the political fortunes of indigenous groups. As the geographical scope of corporations involved ... oil, and other natural resources have expanded, their operations have increasingly encroached on indigenous lands. Environmentalists and indigenous populations are thus obvious political allies. Environmentalists bring resources, the experience to organize political campaigns, and the ability to mobilize the support of governments and the media in rich countries. Indigenous groups bring their claims to lands on which they and their ancestors have always lived. And when idle land suddenly becomes a prized corporate asset, the political and financial appeal of the struggle increases significantly. (Naim 95-96)

By analyzing the public campaigns and dialogue between the plaintiff and defense in this rainforest case, it is possible to begin to see whether the main methods of persuasion on both sides of courtroom have actually had a global effect on the case. Then, one can tell if these global players have really made a difference. I would argue that with more support comes more funding, more studies, more scientists, and more

activists pressuring either side and pressuring the government and courts to give a verdict to one side or the other. This can be more effective on a global scale, especially for marginalized groups thirsty for support. Through their arguments the defense and the accusers are trying desperately to fight for their own international representation as the responsible and correct party.

### **III. THE CHEVRON STORY**

Chevron has attempted to frustrate and hinder the lawsuit through the use of multiple strategies. These include taking advantage of their deep pockets in order to create biased media, spread positive ads about the company, attack the credibility of the Ecuadorian lawyers, and use their power for political leverage in world politics. When one googles any topic, first the sponsored results show up, which companies have paid to have placed before any other outcomes. After googling Chevron in Ecuador, ads sponsored by Chevron are the first to vie for attention and take you directly to one of two websites set up by the company about the legal battle in Nueva Loja. The first entry, called Chevron in Ecuador, has a video which, without explaining any of the plaintiff's arguments, attempts to make the accusations of the prosecution sound insignificant and ridiculous. It is "reported" on by Gene Randall. One such quote from the movie states in an outraged and sarcastic voice "Even the plaintiffs' lead Ecuadorian attorney, Pablo Fajardo, told an interviewer: 'It is true Petroecuador has caused an environmental disaster, but that's the matter of another lawsuit.' In fact, when Petroecuador made some moves toward remediation, Fajardo demanded it stop, saying it was interfering with his lawsuit. Why, then, does Chevron face the possibility

of civil damages in the billions?” (Chevron). The claim against Fajardo is not cited, but even the larger tone of voice used by the “reporter” in the video is very degrading. Along with these and other statements there is a large link forwarding the interested party to another website called Texaco in Ecuador, a very extensive site available to the public for the purpose of refuting the claims made against ChevronTexaco in Ecuador’s courts. Encouraging the reader that what they are reading is empowering them with the truth, the Texaco site claims “Citizens of Ecuador, as well as the international community, deserve to know that the government of Ecuador and Petroecuador are responsible for what is happening in the Oriente. The health of its people and the environment are too important for the dishonesty to continue” (Texaco 1).

Discrediting the lawyers of the Indigenous side of the campaign has seemed to be a large bulk of the offensive by Chevron against the Plaintiffs. Although he is no longer relevant to the case, Chevron has repeatedly attacked the head attorney of the plaintiffs in the original case in New York, Cristobal Bonifaz, attempting to discredit him with statements such as

“In September 2007, here in San Francisco, the last of nine cancer allegations against Chevron were dismissed, and a U.S. district court judge issued a stinging rebuke to the attorneys who brought the claims, which he termed ‘baseless.’ Their ‘inquiry,’ he said, ‘was so minimal, as to be unreasonable and incompetent.’ The lead attorney was sanctioned. That attorney was Cristobal Bonifaz, the man who filed the original suit against Texaco back in 1993... So why doesn’t Chevron offer a settlement and get all this trouble behind it? ‘If Chevron were to settle this case in the context of what has occurred, which are unethical trial tactics, unethical NGO [nongovernmental organization] smear campaigns based on false evidence, the message that it would be sending to the litigation community is that Chevron will

settle cases based on those tactics and not based on the rule of law and admissible evidence”  
(Chevron 1).

Every section of this quote uses inflammatory language, made to discredit the current campaign through discrediting a lawyer on an unrelated case who was the plaintiff’s attorney in the original New York lawsuit. While the original case was headed by Bonifaz, the new case filed in Nueva Loja was taken up under an entirely new legal team. It makes itself sound noble by not letting what it has deemed as smear tactics and gold digging to win a lawsuit and effect the rule of law in the future.

Similarly Chevron has made much effort to discredit the head lawyer in Ecuador, Pablo Fajardo, as well. After Fajardo won the Goldman Environmental Prize Award for his work on the case, Chevron ran an ad meant to discredit him and his law practices. Before the ad was run, Fajardo was called out by Chevron Spokesman, Don Campbell, saying "We feel [Fajardo and Yanza] are nothing but con men" (Associated Press 1). Chevron has repeatedly launched personal attacks on Fajardo, despite him not being the only lawyer involved in the case. He is, however, the only Ecuadorian attorney. The ad which was run created Pablo into a villain-figure, supposedly “purposely [ignoring] the real polluters, Petroecuador...Chevron employees are angered and offended by their fabricated story.” They go on to say that Fajardo and his colleague Yanza had deceived the public, the press, and the Goldman family (Reuters 1).

Despite the attack ads and negative campaigning Chevron has paid much for over the course of the 15 year lawsuit, they also now have implemented a newly refurbished environmentalist campaign. The slogan which was originally “Will You Join Us”, now has become “The Power of Human Energy.” The company runs numerous TV

ads in the United States touting environmental responsibility, green alternatives, and global awareness. Along with this, they now host a highly publicized environmental awards ceremony which celebrates the achievements of people engaging in “green” efforts and also shows off its own “green image” to the global public who are now wary of oil companies and their bad reputations. In the year 2006, Chevron also voted to include in their business a human rights clause, which was officially enacted in 2008. The ad which was run against Yanza and Fajardo actually was done days after their environmental awards ceremony. Chevron’s wealth of resources for PR campaigns has been put to the highest possible use by the company. Because of the extremes to which a natural resource-extracting company would want to put so much money into a global ad campaign on environmental awareness, one must accept the fact that global opinion and reputation (representation) are extremely important to companies such as Chevron.

A darker side of Chevron tactics in the lawsuit, which have been publicized by numerous documentaries and articles, is less provable. Amnesty International has published five separate documents pleading with the Ecuadorian government to protect the lives of the Ecuadorian legal team in the lawsuit against Chevron, due to multiple death threats and break-ins which are meant to intimidate and target the legal team, especially Pablo Fajardo (Amnesty International 1). Fajardo’s brother has been murdered in a related incident as well as Fajardo himself is forced to change his nightly sleeping patterns lodging on a rotating basis. Whether or not elements of the Chevron company are behind this, people who are involved in the oil companies interests most definitely are—and these tactics have been an obvious attempt to shut down the

Ecuadorian case because all targeted members in Ecuador have been members of the legal team.

The last tactic of Chevron is perhaps the most telling when talking about the importance of global representation. With the case on the eve of being judged against Chevron, the company began to lobby in Washington DC, hiring such big names as Trent Lott and others in order to lobby the United States government into taking away trade preferences for Ecuador if the state won't drop the case. While President George W Bush showed some interest, President Barack Obama has clearly stated that he would like to allow the case due process. This, though, has not stopped the lobbying which continues to the present day. Chevron is trying to use its political and monetary might in order to shut down the case at all costs. This shows that the typical power relationship which exists between powerful multinationals and developing countries is extremely important to such giants. The lobbying, based upon a document which only released Texaco of liability under certain circumstances and which has no influence over the current lawsuit, is an attempt to strong-arm the case into history.

Chevrons' actions in the public sphere belie the importance of its representation globally. They pointedly attempt to classify the plaintiffs as a set of stereotypes in order to create a perception of the 30,000 people involved as people who do not understand their own ailments, health, and who are inept at anything but assigning blame on the party who can give them the biggest payoff. Working hard toward this depiction of the indigenous community and their representatives is furthered by the impact that it might have if these global issues, so far removed from its headquarters in San Ramon, California, are seen as harmful or wrong. This case has now given birth to one of

Chevron's fears that its shareholders will start to question Chevron's tactics and human rights. A week ago, Chevron shareholders have written a letter to the Chevron board of Directors demanding that the company do in-depth research into suspected environmental human rights abuses. While Chevron wrote a letter asking that the request be thrown out, the US Securities and Exchange Commission has requested that they go forward with the demand from its shareholders (Hinton 1). This signifies that Chevron's global identity is faltering as a responsible company, and the oil company is now pouring money into a PR campaign to revive its struggling image.

While Chevron readily admits that there has been a catastrophe of toxic waste dumping in the area where it operated, it persists in blaming the problems on the government oil group PetroEcuador, on the own peoples lack of hygiene, on the bad science of its lawyers, on the corrupt Ecuadorian justice system, and on the greediness of the prosecution. Chevron, though having trained, equipped, built all the facilities for, and directed the process for PetroEcuador in the years that it operated, still maintains that the un-remediated pits are not its fault. This could perhaps be explained by what Stuart Hall would call "matter out of place": "[This] unsettles culture – the breaking of our unwritten rules and codes...Dirt in the garden is fine, but dirt in one's bedroom is 'matter out of place' – a sign of pollution, of symbolic boundaries being transgressed, of taboos broken. What we do with 'matter out of place' is to sweep it up, through it out, restore the place to order, bring back the normal state of affairs. The retreat of many cultures towards 'closure' against foreigners, intruders, aliens and 'others' is part of the same process of purification" (Hall 236). Perhaps the culture of neoliberalism and western colonialism is often based on the use and abuse of the disadvantaged people in other

parts of the world. For Chevron it is possible that this lawsuit represents a change in the system of global hierarchy. The reactions Chevron takes in order to maintain the current representations of the world's indigenous people as dirty, ignorant, child-like, and violent can also be an example of how "culture depends on giving things meaning by assigning them to different positions within a classificatory system. The marking of 'difference' is thus the basis of that symbolic order" (Hall, 236).

#### IV. THE PLAINTIFFS' CAUSE

According to the prosecution, "The principal issue in this case is that corporations have to stop looking at the rest of the world as a frontier like the old Wild West...the point is that real people live in these countries, and US corporations have an obligation to use the same care there as they do at home. That is what this lawsuit is ultimately about" (Press 5). The lawyers and campaigners for the Ecuadorian side of the lawsuit have been trying to press this point home a number of ways. First and foremost, they have enlisted the help of numerous NGO's to do their work for them. As a country with a large amount of people making less than 40 dollars a month, the Ecuadorian leaders and the indigenous people they represent cannot afford to do the work on their own. Therefore, groups which are practiced at environmental campaigning have stepped to in to take this role. The most influential organizations in the trial include firstly the group that originally sponsored the lawsuit, the *Amazon Defense Coalition*. The much higher-profile organization that seems to do the majority of the media work, *Amazon Watch*, is headquartered out of San Francisco, California (ironically close to the headquarters of Chevron in San Ramon.)

The most powerful ally of the NGOs who are fronting the propaganda campaign against Chevron's own party line is what can be described as empathy. Recently, there has been a growing global norm in the line of thought that human rights are one of the most important things a government can protect for its people. So when a country who takes human rights very seriously has a company which seemingly abuses those rights, it leaves the door wide open for a barrage of the media by these groups. *Amazon Watch* by itself has sponsored documentaries, public demonstrations, has flown indigenous leaders to California for demonstrations, has issued numerous press releases and has been almost personally responsible for rebuttals of all of Chevron's PR campaigns and claims. The Ecuadorian liaison in Quito for *Amazon Watch* described funding for projects there as money that went mostly toward indigenous leaders so they could travel to meet under particular circumstances. It was easy to get the impression that they would fund indigenous leaders to go to meetings that the NGO would deem important. This slight compromise in their goals has not kept the indigenous groups from continuing to take money from the organizations.

The media campaign carried out by *Amazon Watch* has been very powerful due to its ability focus specifically on the issue of the trial, as opposed to Chevron who would rather keep the specific issue quieter so as not bring too much attention to the allegations against the company. The media allows visual imagery and compelling arguments to be broadcast to the general public with a specific meaning and purpose. Outreach to media outlets and producers who would be interested in broadcasting human interest stories is one of the most commonly used methods by which the NGOs support the prosecution. Visual media can be showcased in documentaries or self-

made news pieces. Keeping the international public fixated on the trial and caring about the outcome is the main and most powerful way in which any NGO can help the 30,000 plaintiffs.

*Amazon Watch* promotes an animated short which mocks Chevron's "Power of Human Energy" campaign, using caricatures of Chevron CEO Bill Riley. It uses powerful language to turn the campaign slogan into "The Power of Corporate Energy...The Power of Toxic Energy...The Power of High-Priced Lawyer Energy...The Power of Silence, or darkness, or whatever its you don't need to know about, just keep the money rolling in and keep your nose out of it!" (ChevronToxico). Visual images of the Chevron logo bleeding oil and Riley's maniacal laughing are just a few ways that *Amazon Watch* tries to turn the power tables. In tactically turning the company into an immoral money-machine, they gain more sympathy and world audience. These types of aggressive ad tactics are also sistered with their media used more delicately to gain empathy.

A prime example of a visual media piece made to promote empathy is a piece run by *Amazon Watch* called "Chevron: The Real Human Story in Ecuador." It is a five minute short-film where a Secoya indigenous person describes how his people think of nature, the earth, and its influence on the lives and culture of the Secoya. The Man, Hunberto Piaguaje, claims "Now we have contamination, instead of security for human life." He also claims "many thanks for those who are helping us. Who aren't in the middle of this but feel in their hearts as if they are losing their own children, like they are losing their own grandparents, like they are losing their own parents. It's a power that inspires me to keep fighting for my own people" (ChevronToxico). These arguments

encourage an empathetic approach to the plight of the Secoya. It encourages westerners to connect the indígenas and their families' struggle for life to their own by relating the loss of indigenous people to the pain of loss of western family members. This also symbolically gives people who would support the indigenous communities through *Amazon Watch* a great "power." As it is meant in the video, it is the power to encourage the people to keep fighting there and the power to take away the pain which these people seem to be experiencing in the short video, in order to return them to the idealized lifestyle they lived prior to the oil company's drilling practices.

Along with both types of visual media, the print press is highly utilized by *Amazon Watch*. An especially prevalent public figure in letters to the editor and articles written for the sympathetic *San Francisco Chronicle* is *Amazon Watch* leader Atossa Soltani. Her original articles and rebuttals to Chevron have had an impact on the San Francisco community, where the Chevron debate finds its epicenter. She continuously rehashes points to the public such as "The truth will win out. Shareholder unrest, a tainted brand and growing criticism of the squandered millions on a losing legal strategy are now catching up with Chevron, as is the slow but painstaking progress of a historic lawsuit in a modest courtroom in Ecuador's isolated northern Amazon" (Soltani 1). Chevron's letters and ads also aimed at the San Francisco population are very frequently found in the *Chronicle* as well, and *Amazon Watch* finds it necessary to continue its journalistic efforts in the paper in order to keep the balance.

## V. WATCHDOG GROUPS & GLOBAL OPINION

Both the side's campaigns have been going to the extremes of their two different outlooks on PR campaigning about this case. Each side hopes that their campaigns have been the strongest and that they are affecting the most listeners. One way by which to tell how efficient the two entities have been at affecting global opinion on the issue is through the numerous trusted watchdog organizations which monitor social movements and human rights abuses around the world. One such organization, which is held in very high regard by numerous countries and their people, is called *Amnesty International*. *Amnesty* says "is a worldwide movement of people who campaign for internationally recognized human rights for all. Our supporters are outraged by human rights abuses but inspired by hope for a better world - so we work to improve human rights through campaigning and international solidarity" (Amnesty International 1). On their website, Amnesty claims that the involvement of ChevronTexaco in the Oriente is seen as "serious human rights abuses against the people living in the area where Texaco operated. As set forth in the International Covenant on Economic, Social and Cultural Rights, their rights to the highest attainable standard of health, to an adequate standard of living and to water and sanitation, have been and are still being violated...Corporate inaction ignores the fact that human rights responsibilities extend beyond states. Since 1948, the Universal Declaration of Human Rights has provided a common standard of achievement, which means that every individual and every organ of society bears responsibility for the universal and effective recognition and observance of the rights and freedoms in the Declaration. In 2003 the UN Norms on the responsibilities of transnational corporations and other business enterprises with regard to human rights were adopted by the UN Sub-Commission on the Promotion and

Protection of Human Rights and transferred for discussion to the UN Commission on Human Rights. The preamble to the UN Norms notes that “transnational corporations and other business enterprises, their officers and persons working for them are also obligated to respect generally recognized responsibilities and norms contained in United Nations treaties and other international instruments. While the UN Norms do not yet have legal status as law, they reflect the emerging consensus view, recognizing that if international obligations can be placed on individuals and states, then corporations too have character under international law” (Amnesty International 1).

Along with Amnesty International, the UN has also found itself involved in the Chevron case in Lago Agrio. The United Nations, in 2005, sent a mandate to the President of Ecuador at the time. In the letter, the UN asked the government to protect the lawyers and leaders in the lawsuit from the violent threats that they have received from “whatever person could be responsible for the alleged violations. I would like you yourself take the effective measures in order to avoid that these instances ever happen again” (Hilani 1). Declarations like this affirm a change of face in the image of Chevron. The consensus seems to be that the company Chevron has suffered a season of bad reputation, despite the billions of dollars that continue to flow into their public relations campaigns which indicate responsibility of the environment.

The indigenous people, on the other hand, also have “suffered” a change of face. The general community supports the efforts of Fajardo and his people. The 2008 Goldman Environmental prize and the BENNY Awards have been awarded to Luis Yanzo and Pablo Fajardo. These public recognitions also have taken away from Chevron and its defense. The representation, identity, and powerful images that the

indigenous fight has projected are changing the beliefs of all the indigenous people of the world. Groups in Nigeria, Peru, Colombia, and other parts of Ecuador have followed the example of the Amazonian groups to the fight against multinational companies and the globalized neoliberal society which impedes the recognition of their rights.

Marginalized society has seen a 180 degree turn and a transference of power that has inspired many people. As the lawsuit against Chevron Ends, the estimated money which could be won nears 16 billion dollars for the involved indigenous groups.

Indigenous people have also seen small changes coming from the Ecuadorian state. Current President Rafael Correa has recently declared his support of the indigenous communities and their rights while the case continues.

While indigenous groups have seen much support and money for their movement stemming from the case, Chevron has also seen the lawsuit's repercussions. The company's profits are currently the highest they've been in years, yet they have also seen many negative effects start to creep up on them. Despite their efforts to shut down the request, Chevron's shareholders have requested and are enforcing an extensive report be done on the multinational's human rights and environmental integrity in the areas of the world where it operates. "We believe that Chevron's record to date demonstrates a gap between its international environmental aspirations and its performance, which would be narrowed by a commitment to apply the highest environmental standards wherever the company operates. The requested report would play a role in illuminating and addressing the factors accounting for this gap" (Doherty 3). This belies a mistrust growing among shareholder groups, especially after the company requested to the government that the call for an investigation be ignored.

Along with shareholder uneasiness, the protests which happen often on the streets of Nueva Loja now are being brought to the steps of Chevron's corporate headquarters and shareholder meetings, during which pamphlets are handed out to company officials and affiliates about the allegations being made on Chevron. According to Soltani, "no wonder the entire oil industry is following this case" (Soltani, Chevron Risks Lives and Reputation in Ecuador 1).

### **CONCLUDING ARGUMENTS**

Globalization, free movement, and better communication technology have all furthered the reach of most of the transnational NGOs of the world. Increased travel has shipped out billions of dollars and just as many people who now have the opportunity to spread their causes and encourage change around all the continents on the globe. The new reaches of special interest groups has allowed the indigenous community to profit off of their own lamentable situation and ask others for help to support them in their fight for a better life. After hearing the opinions of the numerous world Watchdog organizations, the way multinational companies and the Ecuadorian government have changed traditional mentalities toward the indigenous people, and how those changes are supported internationally, belie the fact that the power relationship is changing at least slightly in favor of indigenous empowerment within the state of Ecuador.

When speaking about government, at least in the Ecuadorian case, even the top official who only a few years ago would have looked down upon the indigenous community as another roadblock to westernizing and modernizing the country now recognizes the population as a politically important entity. The current president, Rafael Correa, recently has expressed total support for the indigenous communities involved in the lawsuit, calling them brave. “The president of Ecuador, Rafael Correa, said Tuesday that he will endorse the actions of natives and farmers, who have made demands of the American oil company ChevronTexaco presumed to cause environmental damages in the Amazonian region between 1972 and 1992. “The government endorses the actions of the assembly of the people affected by Texaco”. “We will allow no more degradation, neither of our atmosphere nor of our people, the government mandate assured, aimed toward a group of representatives of the people assumed to be affected” (Reuters 1). Now even Chevron has cited the President’s support of the Afectados as a reason the Ecuadorian trial is biased. This support, though, is exactly what the indigenous communities were looking for in the first place. While these ovations of support from the government offices may be abusing these types of situation for political gain, the fact that the government is at all recognizing to the public that the indigenous communities of the Amazon are important players is enough sign that large, real changes have been happening.

While the government is the enabler of oil companies which are allowed to drill in the Oriente, these companies themselves have been forced to change their practices and promises in order to gain the rights to do so. Companies such as ConocoPhillips have made statements such as “Ecuador is no longer part of our strategy. The Achuar

tribe is not on board and we don't want to go ahead without their support" (Sturdley, 1).

The environmental campaigns which have now begun to even adopt human rights clauses into their company are more telling signs that the balances of power are shifting in favor of organizations such as CONFENIAE. The indigenous peoples are feeling more comfortable in their right to say "no" to companies who previously could overpower them politically. This in turn has also had an empowerment effect on the people who are most powerless traditionally, the women. In a recent letter addressed to the President of Ecuador, the Huaorani women have issued a decree against oil blocs and their problems.

Look at this paper Mr. President, it contains our words, the words of the Waorani women. We want to live in a large territory, our culture is based on a large territory, it is ours, not because the State decided so, but because God gave it to us, therefore we talk of our land, our children, our language. As our ancestors told us: without land, we cannot live. We do not want that they continue to enter and continue to contaminate our land. The companies must leave our territory in peace, here lived our grandfathers and we want everything to be clean again like before. Before, oil companies entered our land without us being aware, they provoked many problems and diseases, this cannot continue...If oil exploitation is not stopped, the companies will continue to destroy our territory...We want the government to tell these companies of foreign countries to stay away. We don't want oil companies to enter in our territory, never again. We want to live in peace and in good health. Oil companies shouldn't come here, negotiations with them should be stopped. You, as the government, should recognize our territory and you shouldn't allow oil companies to enter in our territory. We don't want oil, nor wood exploitation in the whole of the Waorani territory. We aren't a "Bloc" or oil concession, we are a territory where we live and where our grandfathers have lived...For a long time, the Tagaeris and Taromenanes have had to live hidden from wood loggers, who have entered to steal the cedar. These people have asked our husbands to go into the forest with them to kill our own people, to kill our own race. The loggers want the Tagaeris and Taromenanes dead, so they can enter and steal the wood, because the Tagaeris defend their territories with their spears, like did our grandfathers. We want them to live in peace, nobody should bother them, nobody should want to kill them, no lumber companies should be allowed to enter our house. Many... negotiate with companies the things which the government should provide, the government should understand this. Many times, leaders meet with companies to negotiate while the community is not aware of that. The government should help the Waoranis to take care of their territory, they shouldn't help the companies to destroy it. (Huaorani Women)

The change in how the women express themselves to the west from the times when men speared their supposed invaders is severe. The Huaorani women are

asserting themselves in the face of their government, demanding the protection of their lands and territories from the harmful practices companies are inflicting on the indigenous group. The ability to almost chastise the government and expect results in a letter written in Spanish, and to have that letter spread around the world by international organizations belies a political influence not before available to the women of the Huaorani territories. Speaking in Spanish, utilizing international groups, gaining worldwide support through the simple act of writing a letter and giving it to the correct western organization, or staging a protest and making sure that the proper photographers and journalists are there, is a giant transformation in how the indigenous people have altered their representation. These strategies have shown the indígenas' new western-savvy tactics in fighting off western influence on their livelihoods. Politically, this new representation revealed to their government has forced public figures to concede on more than one occasion. Huaorani women having the power to move mountains in the indigenous political world is a new and—for the indigenous communities of the Amazon—exciting development in indigenous power and representation.

This political influence has been a recent gain and still can be considered shallow in a government which still is run by Europeanized mestizos which run a state oil company who also creates many atrocities in indigenous territory. Yet, the fact that groups messages such as this one are able to be broadcast on American websites and receive donations from Italian environmentalists, and feel comfortable while doing it, are important reminders of the scope of the effectiveness of a globalised indigenous movement campaign.

Undeniably, the indigenous people in Ecuador have seen at least one way by which to get a truly positive result associated with globalization. The interested parties, deep pockets, experience, and political backing have found them in the rainforests of Ecuador. While bad experiences associated with the spread of multinational corporations intent on the extracting of the natural resources present in their territories, indigenous people can find solace in the fact that with the help of global interest groups whose sole purpose is to fight abuses by such companies, where the abuses spread, so will the help. In some cases, the help and empowerment may be more powerful than the harm. Those on the side of indigenous rights can hope that with more such alliances, the opportunities to assert themselves politically will become more and more commonplace among the conquered peoples of the world.

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