Indigenous Prevalence Against Extractives in Costa Rica: The Case of The Hydroelectric Diquís Project

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Abstract

The rise in ecological concerns and degradation motivates the pursuit of renewable energy production in tackling climate change. Despite the sustainable framing of hydroelectric projects, they often constitute a source of conflict and resistance for marginalized communities. However, the success of anti-dam movements and resistance does not often prevail. This study explains how the Térraba community's resistance prevailed in indefinitely suspending the hydroelectric Diquís Project in Costa Rica. Political Ecology serves to uncover the power relations between the State and the indigenous by analyzing the discursive clash on development projects. A discourse analysis reveals opposing perspectives on development between the State and the indigenous and its relative power in suspending the largest dam project in Central America. The findings illustrate how the State adopts a national interest and economic-driven discourse to legitimize the Diquís project and ensure financial benefits. However, the Téraba's legal discursive framing of the project resonated with the international community in ensuring the protection of their rights, resulting in their successful discursive and legal resistance.

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Introduction

"We are defending ourselves and we don't want anyone to bother us or destroy our natural resources. We will be firm and we will defend our territories, not what the government says"; a statement voiced by Vinicio Navas, representing the Association for the Defense of the Residents of the Indigenous Culture of Terraba (Schertow, 2008, July). This statement portrays how some indigenous groups have a conservationist perception of nature, contrasting with economically driven portrayals of development projects (Campregher, 2010). In 2008, the Costa Rican State launched the Diquís Project, the construction of a dam aiming to cover 6002 ha of land, displacing various indigenous groups in the South of Costa Rica, mainly the Térraba in Puntaneras (Anaya, 2011).

Costa Rica has praised success in providing electricity through renewable energies, promising effective results in addressing climate change degradation (Feoli, 2018). Among various types of renewable energies, 75 per cent comes from hydroelectric sources, illustrating Costa Rica's dependence on land and water to sustain 'green' policies (Feoli, 2018). According to the Costa Rican State, the Diquís project promises economic growth, employment increase, infrastructure construction and sustainable energy use, justifying the project as being of 'national interest' (Poder Ejecutivo, 2008; Campregher, 2010). Furthermore, the World Commission on Dams (2001) argued that the 'end of any dam project must be the sustainable improvement of human welfare. This means a significant advance of human development, on a basis that is economically viable, socially equitable, and environmentally sustainable.' (cited in Kazi, 2013, p.2).

However, Bebbington et al. (2018) have demonstrated the growing emergence of social movements and collective action in Central America against hydroelectric projects. In Central

America and globally, there has been a shift in the promotion and perception of dam construction in environmental discourse due to the media coverage of anti-dam struggles, breaking the modernization perception of dams (Fletcher, 2010, p.3). Indeed, in 2000, the World Commission on Dams (2000) wrote that dam construction had declined worldwide, partially justified by activism. The Térraba community in Southern Costa Rica demonstrate a similar contesting response against the Diquís project. An indigenous leader justified his discontent and resistance by viewing development as including culture, equal access to land, education, cooperation and indigenous autonomy(Campregher, 2010, p.792). Overall, a duality exists between the economic and renewable energy benefits of hydroelectric dams and the contestations underlining the environmental and social consequences of dam projects, such as displacement, flooding or violent repression of activists across the globe (Scheidel et al., 2017; Conde, & Le Billon, 2017; Anderson et al., 2006).

Resistance against extractivism is not unusual, but the prevalence of such resistance remains a minority of cases (Kirchherr, 2018). Although significant research exists in conducting a cost-benefit analysis of hydroelectric projects and the resistance these projects trigger (Wiejaczka et al., 2019; Udayakumara & Gunawardena, 2018; Aguilar-Støen & Hirsch, 2017), little research examines how conflict and resistance can transform unsustainable policies (Scheidel et al., 2017; Kirchherr, 2018). Indeed Scheidel et al. (2017, p.590) argue that 'conflicts hold tremendous power for change by mobilizing social forces that can contest, politicize and transform such unsustainabilities'. Thus, this study aims at answering the following question: What explains the prevalence of the Térraba resistance against the Hydroelectric Diquís Project in Costa Rica? Thus, the Térribe community provide an intriguing case to analyze how a marginalized group successfully contested a harmful project.

This research's political and societal relevance is motivated by the perpetuation of inequalities and exclusion of marginalized groups (Schulz et al., 2020). Recent news headlines include the marginalization, violent repression, and forced displacement of minority groups due to extractivist projects (Vélez Zuazo & Romo, 2022; Kerswell, 2015). In fact, 'indigenous people make up a third of the total number of environmental defenders killed across the globe' (Arellano & Sierra Praeli, 2022, June 1). As such, this thesis hopes to shed light on the (few) yet important instances where indigenous resistance prevailed, as in the case of Costa Rica.

This paper will be divided into four parts; the first examines the current scholarship on the theme of this study, namely, indigenous prevalence. More specifically, the literature review will comprise a section on development projects, modes of resistance, and the various explanations of conflicting discourses. This review illustrates what researchers have written regarding the core theme of this study, but also how the Diquís case provides clarity and answers to what constitutes a successful resistance movement. Secondly, political ecology is a lens to examine power relationships within human/environment relations, applicable to the Costa Rican case (Karlsson,2015). From a political ecology perspective, this paper argues that the discursive contestations of the Térraba community resonated with the international community, allowing the Térraba to challenge the dominating State discourses and extractivist project enforced by the Costa Rican State. This theory examines different narratives surrounding human/environment interactions and the influential power of the discourse of resisting groups in changing political decisions (Rodríguez-Labajos, & Martínez-Alier, 2015).

Thirdly, to illustrate the discursive clash between these two groups, a discourse analysis method will help categorize the perspectives and meanings behind actors' relation with the environment and its justifications for the endorsement and refusal of the Diquís Project. As discourse analysis aims to uncover the meanings and power of language, it contributes to

explaining the study's outcome, namely, successful indigenous resistance. Lastly, the analysis will be divided into two sections; the first illustrates the findings of discourse analysis on the State's and the Térraba's perspectives and narratives on the Diquís project through a political ecology lens. The second part explains how the Térraba's legal and environmental discourse appealed to the United Nation's intervention, resulting in the suspension of the Diquís project. Lastly, the study will include a conclusion illustrating the study's main findings, the suggested policy implications and recommendations for further research.

Literature Review: An Overview of Resistance Towards Development Projects

This section will elaborate on the existing academic findings of the study's theme, namely, indigenous prevalence against development projects. The review will be composed of three sections; the first provides an assessment of the scholarship on development projects, more specifically, hydroelectric development projects and their impediments. The second section reviews indigenous resistance and its manifestations and justifies how the Térraba's case fills the academic gap on successful resistance. The last section provides an overview of the causes and manifestations of conflictive discourses to understand current academic debates on a central theme of this thesis.

Development Projects: The Importance of Hydroelectricity

Development projects have been central in providing mitigation and adaptation processes in addressing growing climate change consequences (Ayers & Dodman, 2010). In addition to addressing environmental degradation, the growing population increased energy demands, explaining the growth in hydroelectric construction, especially in the Global South (Kazi,

2013). However, since the 1970s, those affected by development plans formed powerful anti-dam coalitions (with environmental groups, indigenous and peasant communities, international organizations, and human rights activists) as a means of resistance (McCully, 2001). Nevertheless, in its majority, anti-dam resistance has not prevailed in preventing dam implementation (Kirchherr, 2018)

Indeed, hydroelectric projects present two sides of a coin; one promoting economic development, sustainable energy use, water supply, and employment (Kazi, 2013). The other threatens eco-systems, displacements, impoverishment, and loss of land and cultural sites (Acosta, 2013). Hydroelectric projects have existed for the past century and have contributed to global economic models (Richter et al., 2010). In addition, they have reduced flood hazards, created reservoirs in cases of droughts, mitigated environmental disasters and provided support for agriculture and human needs (Poff & Hart, 2002). Hydroelectric development projects are often celebrated for sustainably using renewable energy, thus satisfying International Climate Agreements in reducing carbon emissions (Hite, 2018).

However, local communities have often suffered displacement and environmental consequences, constituting the contested aspect of development projects (Acosta, 2013). 'Consider: on this blue planet, less than 2.5% of our water is fresh, less than 33% of fresh water is fluid, less than 1.7% of fluid water runs in streams […] We dammed half our world's rivers at unprecedented rates of one per hour, and at unprecedented scales of over 45 000 dams more than four storeys high.' (World Commission on Dams, 2001: i). The World Commission on Dams' statement illustrates the rapid growth of dam construction and the increasing water shortages. Although not homogenously, local communities have often contested and resisted

the implementation of such development projects, questioning the benefits of hydropower and the various forms of resistance (Del Bene et al., 2018).

A Plethora of Resisting Strategies: Art, Culture and Language

Resistance is a recurring observable response to development projects, especially extractivist ones (Gobby et al., 2022; Rusansky, 2021; Zhouri, 2015). In Rusansky's study (2021), she analyzed how resistance in Brazil is not solely a reaction to extractivist projects, where everyday resistance forms exist. Indeed, she articulates how artistic forms of women's resistance, namely embroidering, allow the sharing of women's experiences and emotions (2021). Through a feminist lens, she sheds light on the gender-based distributions of harmful hydroelectric projects (political exclusion, environmental degradation, violence), arguing how artistic forms of resistance convey emotion and their social struggle as a political tool (Rusansky, 2021). Although her study highlights the gender disparities of development projects and the artistic forms resistance can take, it lacks an explanation of the impact of dam implementation projects.

In a similar line, Meissner (2020) illustrates forms of indigenous resistance outside the political realm, where culture revitalization shapes resistance. More specifically, Messner (2020) mentions how indigenous communities refuse to communicate in the language of the political actors engaged in extractivist projects. In other words, revitalizing indigenous language illustrates how resistance is manoeuvred outside the legal and political system (Meissner, 2020). Similarly, Sium & Ritskes (2013) expand on the importance of language when examining resistance as a form of 'storytelling'.

Sium & Ritskes consider indigenous peoples' storytelling as politicizing acts of sharing, creating forms of rebellion and survival (2013). As such, indigenous resistance through storytelling consists of challenging the dominant narrative, a recurring theme in the case of the Térraba community. Indeed, a Térraba individual expressed that 'There are issues that are non-negotiable, because of our cosmovision and our cultures. So, it will be necessary to tell you [the government] which issues we do not want to negotiate: not today, not tomorrow, not ever' (Cerdas, 2016, October 31). Costa Rica's case illustrates forms of 'story telling' through language. Although Sium & Ritskes' (2013) work draw on storytelling as a form of resistance, they do not trace the mechanisms or empirical implications resulting in development project cancelation.

However, Kirchherr (2018) analyzes what contributed to the successful suspension of two dam projects in Myanmar and Thailand, emphasizing the importance of identity and storytelling. By incorporating framing theory, he concluded that a helpful tool utilized by anti-dam social movements was framing the project as a threat to Myanmar's cultural heritage (Kirchherr, 2018). Indeed, the use of framing helped unify a country that is divided along ethnic lines (Kirchherr, 2018). This study sheds light on the importance of identity and its obstacles in building a unified anti-dam social movement. Although the role of framing allowed Myanmar's ethnic groups to unify, this appears to be an insufficient explanation in the case of Costa Rica. Costa Rica also presents tensions between indigenous and non-indigenous individuals residing on indigenous land (Fletcher, 2010). However, social and ethnic divisions did not impede the successful cancellation of the Diquís Project. Building on Kirchherr's (2018) and Sium & Ritskes's (2013) studies, they illustrate the importance of narratives and discourses within resisting movements, underlining the role of conflicting discourses.

The Trends and Explanations of Discursive Conflicts

Conflicting discourses arise from multiple actors and for multiple reasons. Shin & Cho (2020) analyze how the discursive conflict in Korean news media illustrates competition over coverage and pursuit of hegemonic discourse. Indeed, they describe how media discourse can trigger the public's resisting reactions, challenging the implementation of an actor's ideology or proposed policy through discourse (2020). They examined how elites or political actors utilize certain media outlets over others, depending on a media's political orientation (2020). In Korea's case of conflicting discourse regarding language test policies, they conclude that the conflict over discourse laid roots in the motivation for pushing neoliberal policies (Korea Shin & Cho, 2020). Michel & Bruggmann (2019) observe similar motivations in Switzerland in analyzing conflicting discourses between the State and local communities over the rejected implementation of a National Park Project.

Michel & Bruggmann (2019) analyze why local communities did not grant their vote in support of the implementation of the project, concluding that the lack of trust and discursive coherence from proponents of the projects influenced their choice (Michel & Bruggmann, 2019). Moreover, they analyzed how promoters of the project did not adopt a language and narrative that mirrored local communities' perspectives and their 'emotion-led discourses (Michel & Bruggmann, 2019, p. 34). In this case, conflicting discourses hindered favourable electoral participation in implementing Switzerland's project. Their study portrays conflicting discourses regarding the upcoming electoral vote. This study portrays the engaging dynamics of the use of political discourse to win electoral votes. However, the electoral context of their study does not fit Costa Rica's situation, as it did not partake in any democratic or electoral procedures regarding the implementation of the Diquís project. Furthermore, Ockwell & Rydin (2006) elaborate on the importance of knowledge claims in supporting or refuting anthropogenic

burning in Australia. They argue that if a group's claims are supported and endorsed by 'knowledge holders' or institutions, the group gains influence in defending their view in policy making (2006). As such, discourses characterized by 'rational, institutionalized, scientific language and their appeal to inter-connected storylines' have higher chances of accessing policy-making opportunities and 'winning' the conflict of discourses (Ockwell & Rydin, 2006, p.394).

In conclusion, the literature on conflicting discourses clarifies the forms and reasons for promoting or refuting development projects or policies, illustrating divergent ideologies and perspectives. However, the present literature on conflicting discourses does not foster plausible answers on how the Diquís project got suspended in the case of Costa Rica. The literature describes modes of resistance and the reasons behind conflicting discourses as to the benefits and repercussions of the development program. However, it fails to address explanatory mechanisms resembling the Térraba's social and political situation. In analyzing the prevalence of the Térraba community, this thesis academically contributes by explicitly focusing on indigenous resistance and the impact of discourse in resulting in the Diquís suspension. This research offers a theoretical perspective that did not prevail in the literature on successful resistance, namely, political ecology.

Theoretical Approach to Political Ecology

The theoretical section engages with the meaning and purpose of political ecology to analyze the cancellation of the Hydroelectric Diquís Project. Political ecology aims at understanding power dynamics regarding human-environment relations. Karlsson (2015) considers that human environmental intervention creates social conflict and discontent. Indeed, an indigenous

Térraba individual expressed discontent: 'There are issues that are non-negotiable, because of our cosmovision and our cultures. So, it will be necessary to tell you [the government] which issues we do not want to negotiate: not today, not tomorrow, not ever' (Cerdas, 2016, October 31), opposing the State's claim that the Diquís Project is of 'national interest' (Poder Ejecutivo, 2008). Thus, political ecology helps to illustrate the discursive tensions between the State and the Térraba community over the use of the environment (Feoli, 2018). First, this section will provide the core definitions of indigenous resistance and development projects. Then, the Ecological Distribution Conflict framework developed by Martinez Alier et al. (2010) will be included to understand the successful resistance.

Firstly, although indigenous resistance is a contested concept, Picq (2017, p.2) writes that ‘resistance ranges from legal struggles to language revitalization, it is place-based yet engages in international diplomacy. It takes the form of public mobilizations or invisible intimacies.’ Moreover, development can be defined as ’a process that creates growth, progress, positive change or the addition of physical, economic, environmental, social and demographic components. The purpose of development is a rise in the level and quality of life of the population, and the creation or expansion of local regional income and employment opportunities, without damaging the resources of the environment’ (Society for International Development, 2021). As such, development projects include the set of activities implemented to reach development goals.

Power Disparities in Human/Nature Relations

Political Ecology has 'focused in particular on the manner in which power relations may be reflected in conflicting perceptions, discourses and knowledge claims about development and ecological processes' (Bryant, 1998, 87). This approach underlines the interests, actions, roles

and power dynamics behind actors' access and control of natural resources (Simsik, 2002). Scheidel et al. (2017, p.586) argue that resisting actors to extractivism become critical actors 'by pushing public debates on the use of the environment, and also through formal means of contestation, and through direct and disruptive actions to stop unsustainabilities'. Moreover, Escobar understands resistance and contestation as 'the sites of important counter discourses' (1998; p. 56). Hajer (1995) argues that discourses frame the power relations that legitimize or delegitimize institutions and projects. Political and economic elites can use discourse to justify an unequal usage of the environment "in terms of `the greater social good'" (Bryant, 1998, p.87). Political ecology values language as a medium to shape political institutions and development plans, similarly to the study's aim (Leff, 2015).

Furthermore, Tetreault asserts that during the resistance against extractivist policies, 'language is used by affected populations and their allies' (2019, p.92). More specifically, political ecology 'is the field where discourses, behaviors and actions embedded in the concept of nature are contested' (Leff, 2015, p.47). Foucault (1980) identifies power as existing in discourse and its ability to be translated into policies. Thus, 'Power mobilizes desire to emancipate from, and to produce new forms of knowledge (Leff, 2015, 33). Paulson et al., (2003, p.577) argue that 'power is conceptualized as a social relation built on asymmetrical distribution of resources and risks'. The asymmetrical distribution of risks can entail pollution, contamination, displacement, and encroachment of legal rights of those affected by unstainable projects (Temper et al., 2018, p.577).

Tetreault (2019, p.91) writes that languages of valuation are 'derived from cultural factors and the interactive relations that communities have with the ecosystems and human-made environments that they historically shape'. As such, the languages of valuation illustrate power in discourse, aiming at challenging one's conception of natural resources and the set of

activities that fit the conception (Martinez-Alier et al., 2010). For example, a commodity-based valuation of natural resources highlights the economic benefits of extractivism, where 'the dominant utilitarian approach is to assign a single monetary standard of valuation' (Martinez-Alier et al., 2010, p.157). A monetary standard of valuation is illustrated by elites incentivizing economic tradeoffs for environmental damages, such as compensations or conducting and promoting cost-benefit reports on extractivist projects (Temper et al., 2018). Similarly, Escobar (2006, p. 8) elaborates on 'environmental economics', arguing that 'It assumes that the valuation of natural resources is only subject to economic conditions, and that all natural aspects can be entirely reduced to (actual or fictitious) market prices'.

The empirical practice of this discourse contrasts with the cultural and social language valuation where the environment is understood in non-economic ways such as nature holding symbolic importance, cultural practices, indigenous territorial rights or sacredness (Tetreault, 2019, p.92; Temper et al., 2018, p.575). By promoting a social-environmental language valuation, groups' contestation of extractivist projects is manifested by 'writing letters and petitions to the authorities, popular assemblies, land or road occupations and blockades, strikes, street protests and parades, legislative initiatives, court cases' to name a few (Temper et al., 2018, p.574). The opposing discourses on language valuations illustrate power disparities when implemented through harmful extractivist projects, distributing its unsustainability disproportionally onto marginalized communities. In addition to language valuation, this study incorporates Martinez Alier et al. (2010) understanding of Ecological Distribution Conflict to examine the suspension of the Diquís project.

Ecological Distribution Conflict

Ecological Distribution Conflict (EDC) refers to the 'struggles over the burdens of pollution or the sacrifices made to extract resources' (Martinez-Alier et al., 2010, p.154). It incorporates the core objectives of power struggles and Foucault's elaboration of power as a means of change (Leff, 2015). Thus, power in discourse allows actors or institutions to legitimize or refute perspectives. Martinez-Alier et al. (2010) argue that this unequal distribution results in social conflicts defined as 'a clash of interests, values and norms among individuals or groups that leads to antagonism and a struggle for power' (Scheidel, 2017, p.587). This framework finds empirical manifestations in the case of Costa Rica between the State and the Térraba community. Indeed, an individual from Térraba expressed that 'We want a development that can ensure us to be here for at least a 100 years longer, with our culture and the environment intact. What is special for us is that we have always been here, and we wish to continue living here.' (Vaage, 2011: 63). In addition, Svarstad et al. argue that 'Power resources may be political or symbolic and consist of means to influence policy-making and governance. These power resources are possessed and activated by actors, but at the same time they have structural aspects.' (Svarstad et al., 2018, p.353). In this sense, the discursive and structural power components pertain to political ecology's aim of examining their influence on policy-making.

Generally, Ecological Distribution Conflict ‘refers to power conflicts involved in the social strategies for survival’ (Leff, 2015, p.46). This framework serves to locate power relations within discourse through language valuation between the Costa Rican State and Térraba community. Therefore, by incorporating the political ecology conception of power for laying in discourse and its influence in practice, the analysis will illustrate the processes of successful indigenous resistance. To conclude, this framework sheds theoretical explanations on the discursive conflict in Costa Rica and the processes leading to the cancellation of the Diquís

Project. Finally, the next section will explain the importance of the Diquís case study and the methodology adopted for the analysis.

Methodology

With the growing implementation of hydroelectric development projects across the globe, protests and resistance have also increased; however, not all are successful (Kirchherr, 2018). Nevertheless, the resistance against the Diquís Project has reached national and international attention and intervention, emphasizing the relevance of such contestation (Anaya, 2011). To examine the prevalence of indigenous resistance, a single case study on Costa Rica allows an in-depth examination of indigenous resistance's mechanisms, characteristics, and discursive implications for the project's suspension. By using qualitative methods, this study will implement a discourse analysis method.

The first step in examining the prevalence of indigenous resistance is analyzing the State and the indigenous discourses to situate why there is a discursive conflict and the central arguments in justifying their support or discontent. As Bixler et al. (2015, p.169) argued, political ecology focuses on the importance of language and its transformative power. Thus, implementing a discourse analysis method follows the theoretical understanding of 'power' within language. Discourse analysis can shed light on how discourse may include or exclude marginalized communities and how it illustrates indigenous resistance (Van Dijk, 1993). Indeed, discourses are a central means of framing projects and ideologies; thus, this method can unravel how language construction is critical in configuring and implementing State projects. Similarly to the political ecology's aim of uncovering power dynamics, a discourse analysis method can illustrate how language constructs and promotes power structures.

This method will primarily focus on the newspaper 'La Nación' as it includes quotations and perspectives from both the State and indigenous communities. In addition, La Nación has allowed state actors to personally write and publish their views on the evolution of the Diquís Project, allowing some publications to be primary data for the discourse analysis. Furthermore, published interviews in secondary sources are also utilized to locate the discourses, specifically those of the Térraba community. Although the online newspaper 'The Cultural Survival' provided recurrent insight on the Térraba's claims and narratives, its sources are mainly based on La Nación's publication, justifying the incorporation of la Nación for the analysis. Lastly, the recording and publication on Youtube of a 2008 press conference by the Frente de Defensa de los Derechos Indígenas, an organization of the Térraba community, illustrates their claims and perspectives on the Diquís project.

On the other hand, official reports from the ICE retrieved through their website, governmental reports retrieved through the Costa Rican Legal Information System, interview transcripts and governmental speeches on this project will comprise the State's and the Costa Rican Electricity Institute's (ICE) discourse. The selected time frame is from 2011 to 2018, the period over which the project was suspended and where the resistance and discourses took place. Thus, the data collection will be read and analyzed in Spanish and English and translated into English for language consistency within the analysis. As a whole, the data collected is primary data in the spoken language of the actors (Spanish) to allow a direct analysis of the content and avoid possible translation errors. After gathering the discourses online, the creation of themes will allow for comparing and contrasting the findings according to each actor, namely, the State and ICE compared to the Térraba community. To empirically situate and follow the evolution of discursive perspectives from both the State and the indigenous, the creation and

incorporation of a timeline based on primary and secondary data will be included in the Appendix to illustrate the essential steps achieved between 2008 and 2018.

To answer the research question, this study will comprise contextual grounds to situate the characteristics of the Diquís Projects and a brief overview of the main actors (ICE and the Térraba). Secondly, the analysis will first incorporate, compare and contrast the data collected according to each perspective following the theoretical framework. Lastly, the final part of the analysis will discuss the results of the discourse analysis and how it led to the cancellation of the Hydroelectric Diquís Project.

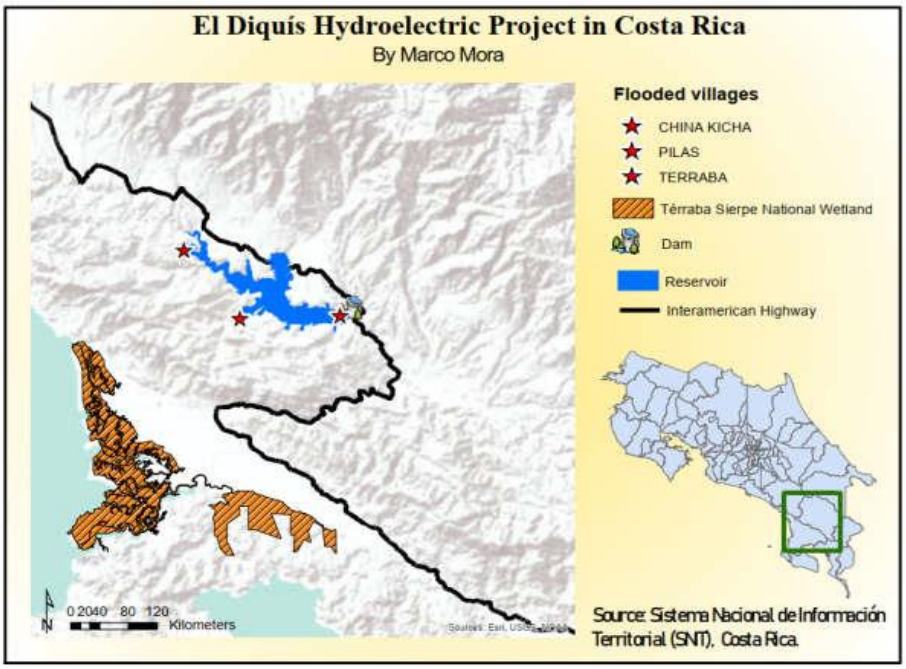
Discourse Analysis: A Political Ecology Lens on Resistance in Costa Rica

I. Contextualizing the Hydroelectric Diquís Project

With Costa Rica's growing electricity demand, the Costa Rican Institute of Electricity (Instituto Costarricense de Eléctricidad, ICE) has promoted hydroelectric projects to meet such needs. ICE proposed the Hydroelectric Diquís project, aiming to provide electricity for more than a million individuals yearly (Hunter et al., 2010, p.13). The construction of this $2-3 billion worth project would produce 630 megawatts of power, justifying ICE's eagerness to pursue its development plans (Vaage, 2011; Umaña Quesada, 2013). The implementation of the project is estimated to create 3,500 jobs and attract tourism around the reservoir, benefitting local communities (Umaña Quesada, 2013, p.3).

However, constructing the largest dam in Central America would flood 650 hectares of Térraba land, directly impacting the Térraba community and downstream villages (Hunter et al., 2010,

p.15; Terribe Indigenous Cultural Association, n.d.). The Diquís construction would include the degradation and removal of vegetal biomass and using explosives to create roads (Umaña Quesada, 2013). The contextualization of this project illustrates two sides to the Hydroelectric Diquís project: ICE's expected economic benefits and the environmental and social repercussions for indigenous communities. Thus, an overview of ICE's and the Térraba's characteristics and histories allows situating the context in which the discourses lay. Furthermore, the following map illustrates the proximity between the location of the Diquís dam and the indigenous groups (Mora, 2019, p.26).



Source: Mora, M. (2019, p.26). "Sacrifices for Development or Thirst for Capital Accumulation? Case Study on the "El Diquís Hydroelectric Dam" in Costa Rica." *International Development, Community and Environment (IDCE)*. 234.

First, the Costa Rican Institute for Electricity (ICE) was created in 1949 to provide electric services to nationals to expand and modernize industrial and agricultural sectors (Mora, 2019; ICE, 2021; Jiménez Gómez, 2010). They mainly produce energy from hydroelectric dams; 78,2 per cent of electricity generated came from water, justifying ICE's persistence in the Diquís project (Jiménez Gómez, 2010, p.207).

Secondly, the Térraba people comprise one of the eight indigenous groups in Costa Rica, located in the South (IWGIA, 2022). Costa Rica drafted its 1977 Indigenous Law recognizing these associations as 'decision-making entities regarding development and natural resource governance within their territories (Wallbott et al., 2018, p.503). Importantly, Costa Rica is one of the signatories of the United Nation's ILO Convention No. 169, created in 1989, which 'covers indigenous peoples' rights to development, customary laws, lands, territories and resources, employment, education and health' (United Nations, 2013, p.9). Lastly, a timeline illustrating the key moments and events that comprise the Diquís project from 2006 to 2018 can be found in Appendix I.

Upon examining the narratives from ICE and State officials from 2008 to 2018, a shift in discourse was observed and categorized into three themes. The first reflects Costa Rica's development plan as of National Pride and Interest. Secondly, ICE officials emphasized the environmental benefits and the necessity El Diquís would provide for the country, adopting an economic environmentalist discourse. Lastly, they adopted a legitimizing and delegitimizing discourse to advance their development goals. In the case of the Térraba community, their discourses appeared more consistent through time; the first prevailing theme was a discourse on legal participation, which clashed with ICE's National interest discourse. Secondly, they frequently adopted a socio-environmentalist discourse to emphasize the consequences of the Diquís project.

II. Costa Rican Institute of Electricity: National Pride, (de) Legitimization and Economic Environmentalism

The Diquís Project as the 'Development Engine'[1]: Discourse on National Interest and Pride

One of the pillars that contributed to the contestation of the Térraba community was Decree No. 34312-MP-MINAE on National and Public Interest, fostered by President Óscar Arias in 2008 (Poder Ejecutivo, 2008). This Decree allowed ICE to start construction on Térraba land without consulting indigenous communities or conducting environmental impact studies (Lara, 2018, May 24). Thus, the discourse was endorsed by feelings of pride for the Costa Rican energy matrix and its capability to provide for the country. Indeed, the Director of Electricity Planning and Development of ICE proclaimed that 'Costa Rica is a country recognized for having consolidated a unique electricity model in the world, characterized by its quality, sustainability and diversity' (Orozco, 2017, July 13). The director utilizes the opportunity to write a piece in La Nación to embellish ICE's contested image by focusing on its successes, disregarding the unfulfilled legal obligations to the indigenous community (Hunter et al., 2010, p.39).

Although ICE was involved in legal procedures initiated by the Téraba (Appendix I), Javier Orozco argues that the Diquís Project is 'an economically attractive source of generation and an engine of development for the southern part of the country' (Orozco, 2017, July 13). This statement illustrates the utilitarian language valuation through the State's emphasis on this project's economic incentives and benefits (Temper et al., 2018). As Martinez-Alier et al. (2010) argue, using a commodity-based language valuation highlights the financial benefits of

[1] Orozco, J. (2017, July 13). *Embalses sustentan diversidad de matriz eléctrica*. La Nación. https://www.nacion.com/opinion/foros/embalses-sustentan-diversidad-de-matriz-electrica/UXZWD34XTNHXBFANYYYWXSQRVE/story/

extractivism rather than addressing the socio-cultural consequences of the Diquís project. The State's and ICE's statements rarely include the Téraba's numerous claims that ICE's development model does not benefit indigenous needs, positing itself as the dominant discourse (Lopez, 2008, February 26; Martinez-Alier et al., 2010). A discourse on national interest and the nationwide utility of the Diquís project reflects political ecologists (Bryant, 1998, p.87) articulation that economically beneficial development goals are promoted through a 'great social good' rhetoric.

However, under the discursive umbrella of National Interest, ICE pushes for the Diquís Project without fulfilling its legal obligations toward indigenous communities (Hunter et al., 2010). In ICE's 2017 report, the institute persistently justified the Diquís Project as being essential for development, arguing that it 'provides optimal economic and environmental results in any demand scenario, also allowing a projection of the country in the Central American Region in the second half of the period 2020-2030' (ICE, 2017, p.2). Following Svarstad et al. (2018) understanding of power for being political or symbolic, ICE's national interest framing illustrates the symbolic aspect of the Diquís project, namely, the continuity of Costa Rica's admirable energy matrix, while disregarding the destructive flooding of the Térraba territory, as for their displacement (Hunter et al., 2010).

Legitimizing and Delegitimizing Discourse

A second recurring theme was the strategic legitimizing and delegitimizing discourse that the State and ICE held. Indeed, Teófilo de la Torre, the 2013 executive president of the ICE, explained the absence of indigenous consultation because "The indigenous populations must have an organization, and they don't. We are waiting for that to happen.' (Agüero, 2013, January 4). Again in July 2017, the Director of Electricity Planning and Development at ICE (Javier

Orozco) wrote a piece in La Nación contesting the claims and negative narratives about ICE and its project (Orozco, 2017). In response to a study published in La Nación recommending 'caution in expanding hydroelectric capacity and proposes resorting to other sources', Orozco responded that their study 'contains erroneous statements and a series of inaccuracies' (Orozco, 2017, July 13). He emphasized that ICE's studies achieved different results; however, it is worth noting that the majority of the environmental, social or economic studies are done by ICE, speculating the study's biases (La Nación, 2012, November 3).

As Ecological Distribution Conflict contends, the State's legitimizing narrative illustrates the struggle in safeguarding the dominant discourse, where elites and indigenous peoples enter 'the sites of important counter discourses' (Escobar, 1998; p. 56). By framing his journalistic piece in direct opposition to contesting indigenous narratives, he demonstrates the struggle for discursive power (Hajer, 1995). Orozco demonstrates. More explicitly, in 2017, ICE stated that the "'media, political and institutional pressure" aimed at "dismantling Costa Rica's successful electricity model"' (cited in Feoli, 2018, p.93) In addition to the legal battles the company faced, a struggle over legitimizing narratives becomes a means to justify ICE's development goals by delegitimize those who oppose or challenge it (Feoli, 2018, p. 93).

Economic Environmentalist Discourse

Although ICE officials have repeatedly referred to the project as 'clean', 'renewable' and 'sustainable' for addressing climate change, it consistently quantifies and commodifies the project's environmental benefits (Orozco, 2017, July 13; Murillo, 2014, October 6). ICE states 'This body of water could have new purposes in the future, such as irrigation and supply for human consumption' (Lara, 2017, July 22). ICE objectifies the meanings of water, arguing that the Diquís is a 'development engine', can 'add new functions', and can become a 'large battery' (Lara, 2017, July 22). According to Escobar's (2006, p.8) elaboration of 'environmental

economics', the portrayal of water and the construction of a dam reflects the economic and quantifiable value they assign to the Térraba's environment, contrasting with the Térraba's cultural association to nature (Lopez, 2008). The lack of incorporation of indigenous perspectives on water and land draws a clear contrast in perspectives of natural resources and development.

In 2012, ICE suggested selling the created electricity to neighbouring countries (Lara, 2018, April 20). Similar to Simsik's (2002) argument that controlling natural resources entails hidden and opposing interests, ICE's shifting discourse from national interest to employment opportunities or even environmental benefits implies that economic interests prevail over social or environmental ones. Compared to the Térraba's claims, the State's discourse illustrates an opposite perspective on development and who is included in the 'National interest'.

III. 'No al Diquís'[2]: Térraba Perspectives on Legal Participation and Social Environmentalism

National and International Legal Rights and Participation

'We are against the project and we are against the decree the state has promulgated'[3]

One of the pillars that triggered indigenous resistance is a legal matter; Térraba individuals and organizations voiced the necessity for the State to grant the indigenous their right to consultation. While Teófilo de la Torre, executive president of ICE, claimed that he is attempting to adopt the consultation processes, Geini Gutiérrez, chair of ADI, stated that he

[2] Translated by author. Lopez, J. (2008, February 26). *No al Proyecto Hidroeléctrico Diquis. Conferencia de prensa.* [Video]. YouTube. https://www.youtube.com/watch?v=jIXacVgcYbA
[3] Translated by author. Lopez, J. (2008, February 26). *No al Proyecto Hidroeléctrico Diquis. Conferencia de prensa.* [Video]. YouTube. https://www.youtube.com/watch?v=jIXacVgcYbA

had not received a request to commence consultation procedures (La Nación, 2014, July 16). The delegitimizing discourses the State endorsed in framing the indigenous as unorganized are challenged when the Térraba share their narratives; as such, both actors enter spaces of counter-discourses (Agüero, 2013, January 4; Escobar, 2006).

A member of the Térraba community, Jonathan Espinoza, argued that the State and ICE are 'violating the statutes and our laws' creating a feeling that 'We indigenous people have been left behind because non-indigenous people decide for us' (La Nación, 2014, July 16). Indeed, Jonathan's statement illustrates the discursive power and legal authority the State practices upon marginalized communities. The lack of democratic participation has left Enrique Rivera, a member of the Frente de Defensa de los Derechos Indígenas, to claim that there is a lack of 'trust' and 'good faith' from the State (La Nación, 2012, March 27).

The Térraba community contest not only the legal and practical procedures the State has adopted but also the claims and promises the Diquís project is supposed to grant. Indeed, the Térraba community leader, Jehry Rivera, firmly stated that he 'does not believe in the promises of employment for indigenous peoples' and that 'indigenous peoples are only used to break rocks' (Lopez, 2008). Although the State demonstrates a lack of initiative to commence a dialogue with the community, the Térraba's claims illustrate an abstract conversation nonetheless. It seems that newspaper agencies, or external actors investigating the Térraba conflict, provide a discursive medium for a clash of development ideas.

After enumerating both national and international laws that Costa Rica has agreed to sign, Manuel Villanueva, member of the Association for the Defense of Indigenous Rights of Térraba, stated that Costa Rica is: 'a country that does not discriminate or exclude and that is

democratic and participatory' (Lopez, 2008). He then claims that if the State does not hold its national and international legal duties, he will 'make demands to the international community' (Lopez, 2008). They emphasized their right to know the benefits and damages of Diquís and the right to be consulted prior to any construction (Lopez, 2008).

Socio-Cultural Environmentalism

'We have lost our culture for centuries, we are salvaging a little of what we have left'[4]

During the press conference, Cristino Lázaro Rojas uses a language valuation that includes the social, cultural and spiritual components in portraying their environment, describing their territory and archaeological sites as 'sacred' and 'mother earth' (Lopez, 2008). While the State describes water and dams as a potential' development engine', Rojas claims that they are 'fighting for that precious liquid, for mother earth'. The dialectic between a cultural and economic valuation of water is illustrated when Lázaro says that 'mother earth is to be traded', exemplifying how the State has rendered their 'precious' water into a commodity (Lopez, 2008). Moreover, Jerhy Rivera claims that 'the state has made us believe that being indigenous is synonymous with poverty' and that 'we oppose development' (Lopez, 2008). However, they disputed that idea by arguing that they welcome a development that would promote and support indigenous culture, not 'eliminate us completely' (Lopez, 2008).

In parallel to political ecology, the enumeration of social, spiritual, cultural and environmental consequences the Térraba face illustrate the unequal risk distribution of unsustainable practices

[4] Translated by author. Lopez, J. (2008, February 26). *No al Proyecto Hidroeléctrico Diquis. Conferencia de prensa.* [Video]. YouTube. https://www.youtube.com/watch?v=jIXacVgcYbA

(Temper et al., 2018). Indeed, they mention the loss of 800 hectares of land and cultural identity due to the displacement of the community (Lopez, 2008). Similar to what Temper et al. (2018) argue, the State's use of employment benefits to convince indigenous peoples to settle for an agreement on the project is being challenged; the Térraba claim that once the Diquís construction is over, the community 'will be left with no land and no employment' (Lopez, 2008).

Similar to Tetreault's (2019, p.91) definition of language valuation as the environment being historically rooted in human/environment interactions, Jerhy Rivera addresses the historic power imbalances that have resulted in historical grievances and suffering for indigenous communities through the continuity of state extractivist development plans (Lopez, 2008). Cristino Lázaro Rojas and Vinicio Navas Nájera have contested the 'National Interest' discourse, articulating that 'It is a lie that the people need energy for national consumption, it's to sell it to big businesses and not to the poor' (Lopez, 2008). The press conference allows the discursive creation of the environment by contesting the State's claims and adopting a social-cultural language valuation of the environment. The Térraba posit themselves outside the 'national interest' narrative, claiming that 'Today and always, the indigenous people will take their power, make their decision. Not from the capital to the countryside, but from the countryside to the capital.' illustrating how resistance from the bottom-up will continuously challenge the states' imposition of incompatible development plans.

IV. Discussion: The Path Towards Successful Indigenous Resistance

This analysis has illustrated the clashing of the economic versus cultural valuation of the Térraba's environment and the struggle for power in promoting each actor's stance and perspective on development. Both sides engaged in a discursive process of truth-seeking and

truth-making: the Térraba's resistance consisted of dismantling the 'benefits' of dominant economic development discourse. On the other hand, the State utilized the collective identity of the 'Nation' and climate change as justifications for financial pursuits. By analyzing the Térraba's perspectives on development, it is clear that a predominantly economic and commodity-based narrative on water and dams does not convince or fit the Térraba's relation to their land. As a result, the continuous counter discourses due to the clash of interest were portrayed and shared to the international community. During the press conference, the Térraba listed the national and international laws Costa Rica is obligated to respect, namely, prior consultation before commencing any development project (Lopez, 2008).

However, due to the Decree on National Interest, the Diquís construction was made possible without consultation (Lara, 2018). This Decree illustrates discursive and legal contradictions to indigenous rights and perspectives, as the Térraba press conference revealed (Lopez, 2008). Similarly to Leff's (2015, p.46) understanding of Ecological Distribution Conflict as a social survival strategy, the Térraba's adoption of a discursive legal framework resonated with international law, more specifically, with the United Nations (Anaya, 2011; Habtom, 2015). Because the Diquís project commenced on illegal grounds, the Térraba community often endorsed a cultural valuation of their land according to international law, namely, ILO 169. Indeed, two months after the 2008 press conference, the Térraba filed a Constitutional complaint against Diquís (Appendix I), followed by a series of legal procedures to push the government to respect and address the violation of their rights. According to Picq's (2017, p.2) concept of resistance, the Térraba engaged in legal and direct action, using language to shape their development views.

From 2010 onwards, local contestations were translated to higher officials, resulting in the United Nations expressing concern to the Costa Rican State regarding bypassing indigenous law (La Nación, 2014, July 16). Following Manuel Villanueva's claim that Costa Rica is a country that, by law, 'does not discriminate', they pushed this discourse into the legal and international arena. Accordingly, the Térraba filed a claim to the UN Committee on the Elimination of Racial Discrimination to further their resistance to the project (Forest Peoples Programme, 2011; Habtom, 2015). Furthermore, the report published by the Inter-American Commission on Human Rights (2020, July, p.2) efficiently illustrates the successful influence of indigenous discourse in shifting policy; the report writes that the Diquís project affects 'a great number of sacred, cultural and archeological sites, fundamental to their identity, cultural integrity and religious spiritual liberty seen as the pillars of the Térraba existence and identity'.

The series of interventions, recommendations, letters and reports by the United Nations, the Association of American States, and the Térraba community influenced the prevalence of indigenous discourse. Not only did the Téraba succeed in promoting and shifting their discourse onto the international arena, but they influenced national policy-making with the creation of a Technical Unit for Indigenous Consultation (UTCI) in 2018, attached to the Ministry of Justice and Peace (Appendix I): a legal mechanism that would ensure the consultation of indigenous peoples for future prospects. Finally, after legal battles with the Costa Rican Supreme Court and with the support of international agencies, the President of ICE, Irene Cañas, delivered a speech in November 2018 announcing the suspension of the hydroelectric Diquís project.

Following Foucault's (198) articulation that discourse influence policy and pushes the desire for mobilization (Leff, 2015), the Téraba community have demonstrated the effectiveness of

discursive contestation regarding the meaning of the environment. Their discourse bridged the gap between indigenous identity and their legal rights, which called attention to international organizations to enforce power on the Costa Rican State to abide by its national laws. They emphasized the spiritual and cultural infringement of the Diquís by endorsing a series of discourses and narratives that superseded national concerns. This research portrays how the illegality of the project demonstrates the relative power of ICE and the underestimated discursive and strategic power of the Téraba community in pushing the Diquís from a local issue to an international one. A political ecology lens has allowed the examination of power through the contestation of land use, both in discourse and practice. The Téraba consistently incorporated the State's claims in their discourse to refute their modernist views of development and push for the incorporation of indigenous views and rights.

Conclusion

To conclude, this study examined *What explains the prevalence of the Térraba resistance against the Hydroelectric Diquís Project in Costa Rica.* By utilizing a discourse analysis method, the meanings behind State and indigenous perspectives and rhetorics regarding development uncovered the hidden interests and motivations in opposing or supporting the hydroelectric Diquís project. By implementing a political ecology framework, namely, language valuation and economic distribution conflict, this study demonstrates the conflictual relationship between nature's economic and cultural valuation. Moreover, the analysis demonstrates how the State predominantly held nationalist and economic rhetorics regarding development. On the other hand, the Téraba's use of cultural valuation language, echoing international indigenous law, allowed the involvement of higher authorities in pushing the Costa Rican State to respect indigenous laws. The clash of discourse and interests demonstrated

the 'sites of counter discourses' (Escobar, 1998, p.56) and how resistance against the Diquís project illustrated how 'discourse, behaviors and actions embedded in the concept of nature are contested' (Leff, 2015, p.47). Thus, this study revealed the means of resistance, from discourse to practice, and the favourable implications it granted to the Térraba community. As this study did not focus on the present internal division within indigenous territories, further research can examine its potentially significant effect on policy-making and discursive rhetoric. Although political ecology bridges the gap between discourse, power and means of resistance, a focus on political opportunity structure may complement the findings of this study. From a policy standpoint, the encouraged abidance of prior consultation and the creation of units to foment dialogue can appease both development protagonists and involved communities. The lack of dialogue and transparency illustrates central triggers in this study, advising leading development project actors to emphasize this crucial step in development plans. Furthermore, anti-extractivist responses examined in Costa Rica can also be found in other countries; however, Costa Rica's results may preferably apply to Latin American countries for sharing similar histories.

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Appendix

Appendix I. Timeline from the Beginning to the Suspension of the Diquís Project

2006	Proposed Diquís Project by ICE in Río Grande de Térraba
06/02/2008	National and Public Interest Decree by President Oscar
04/04/2008	ADI files Constitutional Complaint against Diquís
08/10/2010	UN expresses concern to the Costa Rican Government about the Diquís project
2010	Térraba Community filed a claim with the UN Committee on the Elimination of Racial Discrimination
2011	Intervention of the UN Special Rapporteur (James Anaya) on the Rights of Indigenous Peoples to conduct fieldwork
Oct. 2010	Constitutional Chamber of the Costa Rican Supreme Court orders a 6-month deadline for ICE to consult indigenous peoples
22/09/2014	Secretary General of the United Nations World Conference and Indigenous People recognizes abuse of indigenous rights by the Diquís Project
Nov. 2014	Council of Elders of the Térraba sent a note to the Executive President of ICE 'requesting detailed information about the Diquís Project.[5]
14/07/2015	UN Report on the Grave and Persistent Violation of Indigenous Peoples' Rights in Costa Rica
Nov. 2016	Costa Rican Supreme Court ruled that the Diquís Project must stop for not consulting with indigenous people

[5] Habtom, (2015, July, p.18). *Report on the Grave and Persistent Violation of Indigenous Peoples' Rights in Costa Rica*. United Nations Committee on the Elimination of Racial Discrimination. https://www.forestpeoples.org/sites/default/files/publication/2015/07/cerd-report-final-eng.pdf

11/05/2017 Discussion on draft mechanism for consultation with the country's indigenous peoples.

Jan. 2018 Technical Unit for Indigenous Consultation (UTCI) attached to the Ministry of Justice and Peace.

Feb. 2018 Ratification of General Mechanism For Consultation with Indigenous Peoples

Nov. 2018 ICE's Indefinite Suspension of Diquís Project

Sources Used: Anaya, (2011); Habtom (2015) ; Hunter, Jenkins & Orton, (2010) and ICE, (2016, June); Lara, (2018, April 20); McPhaul, (2017, January); (Times, 2011, October 4)