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The Government of Nature: Post-Neoliberal Environmental Governance in Bolivia and Ecuador

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Introduction

In 2005 and 2006, anti-neoliberal coalitions won the elections in Bolivia and Ecuador, respectively. In both countries, this development put an end to the rules that had regulated the use of natural resources in hydrocarbon extraction during the latter part of the twentieth century (Hogenboom, 2014). The post-neoliberal governments constructed new institutions for the governance of extractive-industry activities. The new rules of the game have changed the way in which the Andean countries govern extractive industries. It has not put an end to their dependence on income generated from natural resources, but it has changed the way in which that income is distributed.

The process of change from neoliberalism to post-neoliberalism was fast, and fraught with confusion and abandoned experiments. This chapter describes that process. Two analytical objectives guide this description. First, I will identify the factors that guided the changes from neoliberalism to post-neoliberalism; and second, I will analyse the possibilities for the governance of mineral and hydrocarbon wealth and the creation of a “government of nature” that were opened up by the new regulatory framework.

Natural resources, rentier states, development and post-neoliberalism

The contemporary debate about development based on natural resources has existed since the 1990s. Numerous academic studies conducted in that decade called attention to the relationship between

income from natural resources and development, highlighting the negative impact of the former on the latter. In this century, however, the findings of those pioneering studies have been disputed by a growing body of literature primarily focused on political economy (Sachs and Warner, 1995; Karl, 2007; Whatchenkon, 1999; Auty and Gebb, 2001; Ross, 2001; Robinson, Tovik and Verdier, 2006; Acemoglu and Robinson, 2012).

The thesis of the “natural resources curse” questioned the policies advanced by international financial institutions and transnational companies. These stakeholders argued that the developing countries in the process of development could exploit their comparative advantages in the field of natural resources to accelerate their development (Bebbington et al., 2008). The neoliberal governments of the 1990s adopted this thesis. Critical studies developed in recent decades have examined the economic and social effects of those policies, stressing the effects of the rents from natural resources on the political and economic development of countries with an abundance of these resources.

The consequent debate failed to resolve the issue in the field of resource economics (Iimi, 2007; Collier, 2010), but not in the field of political institutions. In fact, political scientists and political economists who specialize in development have shown that an economy based on the extraction of natural resources actually has a negative impact on the development of political institutions that manage the appropriation and use of state income for these extractive activities (Bebbington et al., 2008; Collier, 2010). This adverse effect is mediated by a specifically political variable: the adoption of a rentier model of natural resource governance by the governmental decision-makers. The policy of the International Financial Institutions (IFIs) and transnational companies would instigate the governments of the developing countries to adopt some type of regulatory institution that would – in the medium and short term – guide the evolution towards a rentier state and very probably towards the creation of the conditions that produce an effect known as the “natural resource curse” (Bebbington et al., 2008).

Some Latin American scholars have criticized the idea of development based on natural resources in the thesis known as the “extractivist model”: to the negative impacts of income from natural resources would have to be added two specifically Latin American effects. On the one hand, resource-based growth would have impeded the Latin American countries from earning great international autonomy. On the other hand, extractivist revenues would have induced the formation of a state that, in addition to being rentier, was also predatory by nature. This

effect would be especially serious since that predation occurs in areas inhabited by indigenous peoples, thereby affecting particularly fragile ecosystems. Both effects thus imply a predatory and dependent capitalist social trajectory (Acosta, 2003; Acosta and Schuldt, 2009; Gudynas, 2012, 2009).

In recent years, various scholars have criticized the negative consensus on resource-based development. The criticisms have been focused on two major areas. First, the simple relationship between the abundance of natural resources and poor development does not hold. The evidence of countries rich in natural resources shows that – under certain conditions – they could achieve high income levels, relative equality, and a great degree of economic diversification, and that they are democracies. More importantly, these achievements have occurred among developed countries (Canada, the USA, the UK, Australia, Norway) as well as emerging countries (Brazil, Chile, South Africa, Indonesia) and developing countries (Botswana is typically the most cited example, but increasingly Bolivia and Ecuador are mentioned as well) (Dunning, 2008; Gylfason, 2012; Hujo, 2012; Thorp et al., 2012).

The second area of criticism has to do with the double directionality of the effects of rents from natural resources. A boom of natural resources can have a favourable effect on authoritarianism or on democracy; it can augment the interest of predatory elites who are in control of the state to preserve their control over the distribution of income (Acemoglu and Robinson, 2010); and it can simultaneously mitigate the redistribution of private income, thus increasing the appeal of democracy (Dunning, 2008). Similarly, it is possible that a natural resource boom would elevate the costs of economic diversification, but an active state could pay those costs from the tax revenue that it obtains from natural resource income (Bebbington, 2012; Thorp, 2012). By investing those fiscal resources in institutions that promote coordination between emerging economic sectors and the accumulation of human capital, the state would favour economic diversification (Dietsche, 2012; Ascher, 2012; Guajardo, 2012; Orihuela and Thorp, 2012).

This controversy can be resolved by distinguishing the rentier states from other types of state (Dunning, 2008). The key variable is not the abundance of resources but rather the abundance of rents that produces effects on the states. The exploitation of mineral resources, oil and gas generates revenues for the states and, given certain conditions, can transform them into rentier states. Why does this happen?

Rentier states support themselves on a set of regulations that govern the extractive industries. These rules determine the conditions of

access to natural resources: how and how much of the profits obtained by extractive industries will be appropriated by the states; and who intervenes in the key decisions to authorize extractive activities and in the decisions corresponding to the distribution of income. This set of rules constitutes the core of natural resource governance.

Recent discussions have stressed the point that the distribution of income is the primary source of conflict and debate in rentier states. In particular, the literature asserts that such income may be used by governments in two ways. It can lead to a concentration of economic and political power in the hands of the elite. On the other hand, governments can also choose to use the revenues to reduce dependence on natural resources, diversify the economy, and provide benefit to the majority of its citizens. Bebbington (2012) has indicated that, in the study of development in the Andes, special consideration should be given to conflicts surrounding the extractive industries since they “have great significance for national and subnational political economic change”. On the other hand, Gylfasson (2010) has argued that the investment of mineral incomes in social development is an integral strategy of economic growth. In particular, he states that “the level and composition of government expenditure should make a difference for growth”.

Taking advantage of studies advanced by ecological economics and political ecology, social movements, environmental organizations, and intellectuals from Latin America as well as from outside the region have looked at the extraction of natural resources as something more than just development. The common element in these diverse perspectives is that they value the sustainability of ecosystems and society in a way that is entirely different from the utilitarianism inherent in mainstream economic thought (Nelson, 1995).

A second common element is the double criticism of neoliberal capitalism and the idea of development itself (e.g. Acosta, 2003; Gudynas, 2009; Alimonda, 2011; Escobar, 2011). The main thesis of this criticism is that the expansion of capitalism constantly requires new sources of natural resources, whose exploitation exclusively benefits industrialized countries, and in the short and medium term it generates an “illusion of development” in Latin American countries. This illusion is characterized by cycles of rapid economic growth, with partial and fragmented modernization of societies. These cycles are illusory to the extent that they have historically proved to be unsustainable over time. The cyclical behaviour produces great costs for societies, particularly the destruction of highly diverse ecosystems and the destruction of human populations whose way of life has been radically altered by the presence of extractive

activities. These costs tend to crystallize in the political organization of Latin American societies, which aims to preserve and enhance social inequality and to keep the rural poor and indigenous populations out of political decisions.

The Latin American literature is very closely related to the arguments advanced by European and Anglo-Saxon ecological economists and ecological sociologists. The first have shown that the economic growth experienced by Latin American countries during natural resource booms has only been achieved on the basis of an unequal exchange of material flow (Vallejo, 2009; Martínez-Alier et al., 2010; Muradian et al., 2012). Similarly, Muradian et al. (2012) have noted that recent technological innovations in the extractive industries have made the exploitation of mineral and hydrocarbon deposits – located in remote areas inhabited by indigenous peoples (the Ecuadorian and Bolivian Amazon, for example) – economically profitable. The expansion of the “extractive frontier” implies the accelerated destruction of ecosystems that are essential for planetary survival, along with an increase in socioenvironmental conflicts that put the cohesion of Latin American, and especially Andean, societies at risk.

Environmental literature has made visible two innate elements of the rentier basis of the Bolivian and Ecuadorian states. First, the construction of rentier states represents a set of enormous environmental and social costs that are not only ignored by the literature of political economy and development economics but are also actively kept out of public discussion by academics, international financial institutions and the governments that have controlled these states. Second, the set of rules that govern the extractive industries in the rentier states is insufficient to achieve the objective of an environmental governance that ensures the sustainability of societies.

The set of debates that I have outlined allows me to present the central argument of this chapter in order to display and analyse in the next section the evidence offered by Bolivia and Ecuador on what I have called “post-neoliberal environmental governance”. Analytically, post-neoliberal environmental governance in Bolivia and Ecuador – and possibly in other Latin American rentier states – can be understood as a system of three layers. In the centre would be the rules of natural resources governance. These are the rules that govern the extraction of resources and the production of revenues for the states. At this level the number of actors is minimal since it only includes governmental elites, certain state agencies and the companies (public and/or private) that conduct mining activities.

A second layer would consist of the rules that govern the distribution of income, particularly that which is intended to be some type of compensation for populations especially affected by extractive activities. It also includes rules that establish monitoring capabilities for the environmental damage caused by extractive activities and the organizational responsibility for such damage. This layer includes high-level policy-makers and specialized state agencies – just as in the previous level – but also other stakeholders such as organized citizen groups and professional experts who act as consultants for the assessment, monitoring and determination of environmental damage (van Dijck, 2014).

Finally, the third layer would contain the general way in which the relationships between the state, society and nature (or environment) are regulated. Besides being the least formalized of all the layers, it is also that which supports the greatest number of actors, and is especially open to the participation of citizens who, for whatever reason, have some interest in the decisions to be adopted about nature and the use of resources in their society. Therefore this is the level where organizations of environmental activists, specialized citizen groups (e.g. academic communities) and other groups are active.

Bolivia and Ecuador: From the reconfiguration of rent-seeking to environmental governance

In order to function, the Bolivian and Ecuadorian states depend on the flow of rents to their treasuries. Both states capture this income directly from the activity of extractive industries of minerals and hydrocarbons, and these rents substitute other sources that are more politically expensive to obtain (e.g. taxes). Thanks to these rents, the states can carry out distributive policies that are less expensive than their alternatives (e.g. urban or rural property reforms). These characteristics interact to produce an overall effect of acceptance of the government in power and more generally of the state.

Beginning in the years from 2000 to 2002, approximately, Bolivia and Ecuador have regained significant economic growth rates; and this growth has been accompanied by significant reductions in poverty and inequality.¹ These trends are due to three main factors. First is the increase in world-market prices of the oil, gas and minerals exported by both countries.² Second, the Andean states have recovered their ability to capture the rents produced by the exploitation of natural resources. Third, the governments have invested in improving the state capacity to manage the rents, orienting them towards the broad distribution of the

benefits of economic growth, and – to a lesser extent – trying to induce a change in the relationships between the rentier sector and the production of their economies. These trends are interdependent and mutually reinforcing.³ The Bolivian and Ecuadorian states have improved their distributive capacities and therefore have contributed to improving the quality of life of their populations – especially the poorest – because they have the fiscal resources captured from extractive industry activities (Paredes, 2012). At the same time, the increased capacity of the Bolivian and Ecuadorian states to capture rents from natural resources has improved their tax bases.

The current situation in Bolivia and Ecuador contrasts sharply with that which dominated in the last decades of the twentieth century.⁴ During that time, both states significantly reduced their capacities to provide social services to the poor populations, such as health, education and money transfers. Low international prices of natural resources and the inability of the governments to increase state revenues prevented states from implementing distributive policies. Therefore, in the 1980s and 1990s, Bolivia and Ecuador experienced a continued deterioration of the living conditions of the population, increased poverty – particularly in rural areas – and growing inequality (Lefeber, 2003).

The current natural resources boom is not, however, the cause of the formation of Bolivia and Ecuador as rentier states but rather only of its reactivation and reconfiguration. The Revolution of 1952, in Bolivia, and the oil boom of the 1970s – for both countries – were key events that shaped the current rentier states, as will be discussed below.

Bolivia

During the boom period of tin (1910–1954) and before the nationalization of the mines in 1952, “the State’s attempts to capture more rent...implied a substantial redistributive dynamic...any capture of rent by the State for purposes of greater public spending would tend to redistribute income from the tin oligarchy to...the rest of the population” (Dunning, 2008: 235). In simplified terms, the pressure of the social groups excluded from mining revenues – particularly tin workers and reformist intellectual groups – generated attempts by the governments to capture mining revenues, which were answered by the mining oligarchy with coups d’état and repression. The state wanted to be rentier, but the property ownership and the economic and political power of the mining elite would not allow it. The Bolivian administrations during those years had a single resource to expand its fiscal base: to increase taxes on the non-mining sector of the economy,

which increased the discontent of the non-mining classes. Finally, this dynamic exploded with the Revolution of 1952.

The capture of the state by the Revolutionary Nationalist Movement (Movimiento Nacionalista Revolucionario (MNR)) and the Bolivian Workers' Union (Central Obrera Boliviana (COB)) in 1952 led to the nationalization of the mines in October of that same year and the formation of the state company Mining Corporation of Bolivia (Corporación Minera de Bolivia (COMIBOL)) (Paredes, 2012). Thanks to this direct control over mineral income, the mines became the main source of state income and the fuel for public spending in the rest of the economy. Between 1952 and 1964, when a military coup d'état put an end to the revolution, the Bolivian state used mining income to moderate the distributive conflict, to invest in the development of other sectors of the economy – particularly the manufacturing sector and the growth of the agricultural sector of eastern Bolivia – and to create a national citizenship (Klein, 2008; Soruco, 2010; Crabtree and Crabtree-Condor, 2012). However, domestic and international economic factors – primarily the prolonged and severe decline in the price of tin – conspired against this first attempt at the configuration of the Bolivian rentier state.

The decisive factor for the configuration of the current rentier state came with the oil boom of the 1970s. The administration of Hugo Bánzer approved a Hydrocarbon Law in 1972 that allowed for the opening of oil concessions, thus establishing new ways of capturing income. Oil exploitation throughout the 1970s expanded exponentially: in 1974, oil revenues allowed the state to balance its accounts, and in 1978, oil and natural gas exports represented 30% of Bolivian exports (Miranda, 2008). As Dunning notes, “by the end of the 1970s Bolivia had clearly witnessed an oil boom that . . . exerted a substantial impact on the coffers of the fisc” (Dunning, 2008: 244).

Although oil production and oil prices on the world market declined in the 1980s, oil revenues increased their share in the state treasury. In effect, the administration of Jaime Paz Zamora obligated the YPFB (Yacimientos Petroleros Fiscales de Bolivia) by law to transfer an increasing portion of its income to the central government, amounting to 60% of state revenues. In the 1990s the dependency of oil revenues tended to decline. This development initiated the neoliberal phase of the Bolivian state.

Confronted with serious macroeconomic imbalances, the government of Víctor Paz Estenssoro commissioned the minister of planning at the time – and future president – Gonzalo Sánchez de Losada to implement a reform of the oil sector. Inspired by neoliberal ideology, Sánchez de Losada pushed back the participation of the Bolivian state in oil

revenues from 50% to 18% (Dunning, 2008). The idea behind these cuts was to attract foreign investment for the exploration of new oil fields and to develop the exploitation of newly discovered deposits of natural gas. Tax revenues from oil income dropped dramatically, reaching a low of only 7% of total tax revenues (Dunning, 2008). On the other hand, although foreign investment actually flowed into gas exploitation – especially from 1997 onwards – Sánchez de Losada’s reforms prevented this development from contributing significantly to government revenues. Instead, Latin American companies (Petrobras, Pluspetrol) and transnational non-Latin American companies (Repsol, British Gas, Amoco-British Petroleum, Total ELF) benefited mainly from the exploitation of gas.

The growing opposition of popular sectors and of leftwing politicians to the effects of capitalization and the increased expectations of gas as the motor of a renewed national development finally exploded in 2003 in opposition to the government project of constructing a pipeline from the East to Chile. The Gas War put an end to the second administration of Sánchez de Losada. This led to an end of the political struggle for the capture of natural resource revenues by the Bolivian state, which caused a rapid turnover of governments between 2003 and 2005.

The neoliberal experiment of disarming the Bolivian rentier state came to an end with the election of Evo Morales as president. The Morales government nationalized the Bolivian oil and gas industry again in 2006, increasing the state’s share in the income of the sector to 82%, although the effective participation of the state was stabilized at 50% of revenues after 2007 (Miranda, 2008). Finally, in 2009, the state secured its control over non-renewable natural resources in a way that was favourable to the central government, and to the detriment of the grievances of the Media Luna departments (Santa Cruz, Tarija, El Beni) and of the claims of the organized indigenous peoples in the Indigenous Native Peasant Territories, where the hydrocarbon deposits were located (Humphreys-Bebington, 2012). The importance of these developments has been widely recognized and disseminated by the Bolivian Government, which in 2013 stated that the nationalization of hydrocarbons had “generated more than \$5 million USD for redistribution”, and that YPFB had become “the country’s largest business corporation” (President of the Republic, 2013).

Ecuador

More so than Bolivia, Ecuador benefited from the boom in oil prices in the 1970s. Along with the beginning of oil exploitation in the Ecuadorian Amazon, the military conducted a coup d’état and embraced

a programme of oil nationalization and development guided by the state. The military government of General Rodríguez Lara (1972–1976) explicitly followed a policy of “planting oil”. This consisted of the investment of fiscal oil revenue into infrastructure as well as industry loans and other policies that sought to diversify the country’s industrial foundation and to improve its productivity – and that of the agricultural sector. While there is still debate about the achievements of the Rodríguez Lara government (North, 1985; Conaghan, 1988), there is a consensus that this administration actually succeeded in institutionalizing a path of development that linked the country’s economic growth, maintenance and expansion of infrastructure and government capabilities with the provision of comprehensive tax revenue from oil exports.

The development towards a rentier state was completed in two phases. In the first phase (1972–1976) a progressive fraction of the military controlled the state and maintained nationalist and inclusive development policies, although without much support from weak popular sectors. The second phase (1976–1979) actually halted some of those policies and instead used oil revenues as collateral to obtain international loans that were used to pay a bloated state sector, and as a source of cheap loans channelled into a dominant rentier class (Acosta, 2003; Larrea, 2009; Oleas, 2013). In both instances, tax collection – except those obtained in customs – practically stopped to the point that, according to Acosta (2003), “the dictator himself, Guillermo Rodríguez Lara, boasted decades later that in his government taxes were not collected. Any fiscal emergency, when oil revenues were insufficient or declining due to economic reasons, was covered by foreign loans.”

In 1979 the military gave back the state government to elected civilian governments. The first civilian government (1979–1984) partially resumed the project of the progressive military government, using oil revenues to postpone adjustments to the economy and to increase social investment (Oleas, 2013). However, the impact of the international debt crisis in 1982 and the deterioration of international oil prices tested the ability of these civilian governments to handle the problems that they had inherited from the rentier state: a mostly inefficient, oligopolistic and slow-growing industry, rising urban and rural poverty, and so forth.

The institutions that made the capture of oil revenues possible in the 1970s remained practically unchanged in the 1980s. Only at the end of the decade, as a result of a sharp drop in oil prices, did the Ecuadorian Government make efforts to reduce direct state control over some elements of the oil industry and to attract foreign investment.

During the government of Sixto Durán Ballén (1992–1996), a politician of clearly neoliberal orientation, the state ceded a large part of its regulatory capacity and economic participation to private companies, and simultaneously reduced its oversight of mining activities. In an attempt to attract private transnational companies, state participation – in the form of royalties – decreased in favour of the creation of income taxes. In this period there was a systematic increase in socioenvironmental conflicts with indigenous peoples residing in the Amazon.

Oil revenues improved from 2002 onwards with the opening of new oil fields and the construction of a pipeline complementary to that which was constructed in the 1970s. Acosta described the situation in 2003: “Ecuador will be what it has always been, a primary producer country. And oil looms as the source of income that will alleviate pressures ... The wager is how to produce and transport the greatest quantity of crude oil.” This was a situation that, according to the author, was not beneficial to the state because the developments of the 1980s and 1990s had reduced the production capacity of the state oil company. The capture of oil rents by the state had decreased significantly (from 80% in the late 1970s to 18% at the beginning of the 2000s).

This bleak picture changed dramatically with the election of the current president, Rafael Correa, in 2006 (re-elected in 2009 and 2013). Armed with overwhelming electoral support, the new administration resuscitated the 1970s scheme of controlling oil revenues: he cancelled existing contracts, returned most of the concessions to the state, obliged companies to cede most of their income to the state, and strengthened the state oil company. All of these changes occurred just in time for the boom in international oil prices of recent years (Ray and Kozameh, 2012).

The reconfiguration of what I have named “the core of post-neoliberal environmental governance” in Bolivia and Ecuador happened within the institutional patterns established in the 1970s evolution towards rentier states. The current boom revives the countries’ historical heritage, as shown in Table 4.1.

Endowed with abundant fiscal resources, the Bolivian and Ecuadorian governments have managed to distribute income by investing in social policies that seek to improve the living conditions of citizens, and to undertake ambitious programmes of industrialization and technological innovation (SENPLADES, 2013; Agenda Bolivia 2025, 2013). This aspect corresponds with the component of income distribution and it can be explained by two factors. First, in both countries the struggle for control

Table 4.1 Income capture in Bolivia and Ecuador

Mechanism of income capture	Bolivia	Ecuador
Royalties	18%	13.5%
Profit and export taxes	69.5%	60%
Total share of income	87.5%	73.5%
Non-taxed mechanisms	YPFB	PETROECUADOR

Source: UNASUR (2013), prepared by the author.

of the rentier state was resolved in the second half of 2000 in favour of rival political elites from the traditional oligarchies who had controlled their respective states during the 1980s and 1990s. Second, the pressure for a better distribution of wealth that developed in those years came from organized popular sectors, including rural groups affected by the exploitation of natural resources.

In short, political developments in previous years pushed for an income distribution different from that which predominated in the years of neoliberalism. However, since these developments incorporated new demands, they led to increased attention by the Bolivian and Ecuadorian governments to the themes relegated to the resource agenda that prevailed in the last quarter of the twentieth century, particularly the environmental costs of the extractive industries.

The current Bolivian and Ecuadorian governments originate from heterogeneous coalitions in middle-class and popular urban sectors, and – more in the case of Bolivia than Ecuador – rural sectors. Silva (2009) distinguishes two forms of inclusion of the popular sectors. On one hand, the ruling party in Bolivia – Movimiento Al Socialismo (MAS) – achieves the direct incorporation of popular sectors into the state government in the form of a classic party of the masses. Furthermore, the ruling party in Ecuador – Alianza País – is an electoral machine that had a strong mobilization, and participation of indigenous and peasant organizations, social movements with environmental roots, and NGOs from 2006 to 2009 (Becker, 2011; Andrade, 2012; Ortíz, 2013; Silva, 2013).

The difference between the origins and mechanisms of the incorporation of the governments is important. In Bolivia, the social support of the organized indigenous and peasants is key for the survival of the government. This factor has significantly influenced the discourse – strongly tinged by indigenous Bolivian ideology – and the way in which the project of *Vivir Bien/Buen Vivir* is configured. In Ecuador, the indigenous have maintained a tense relationship with the government of President

Correa as well as a progressive distancing from environmental organizations since 2010. This item is also reflected in the discourse of *Buen Vivir* (Dominguez and Caria, 2013).

One would expect, given these differences, that the policies of the two governments with respect to the economy–society–nature relationship would also be distinct. A government with high indigenous participation should have a policy that is more pro-environment than one with low participation; however, this is not the case. In fact, if a difference exists between Bolivia and Ecuador, it is in the degree of translation of environmental concerns into specialized state agencies. The strange thing is that, contrary to the prediction by indigenous theorists, the degree of incorporation of the environmental issue in Ecuador is higher than in Bolivia.

Environmental compensations and claims

Political sociological studies of the state administration (or management) of the environment have shown that it is composed of the following elements: a network of actors who operate – within and outside the state – around problems defined as “environmental”; certain professionals who define the situation and develop solutions to problems; institutional rules of the political process of decision-making; and the cultural ideas that legitimize these decisions (Lahusen and Münch, 2001). I have suggested that in Bolivia and Ecuador the core of resource governance consists of a strict set of governmental actors, namely, specialized ministers and state companies. Institutional rules in this core are highly formalized in their respective constitutions (state ownership of oil, gas and minerals being the basic rule). The relevant professions are basically administration, geology and – to a lesser extent – a diverse set of “environmental consultants”. Finally, the cultural ideas that legitimize decisions are fairly simple: oil, gas and minerals are resources to be exploited for the benefit of national development (SENPLADES, 2013; Framework Law of Mother Earth and Integral Development for Living Well O431 Official Gazette, 2012; Agenda Bolivia 2025, 2013).

Outside this nucleus, both Bolivia and Ecuador have ministries of the environment (the Ministry of Environment of Ecuador (MAE) and the Ministry of Environment and Water in Bolivia (MAyA)), departments and other state agencies that integrate a diverse network of professionals. Also, in both cases, final decisions are taken by the government. The principles that structure the cultural ideas of this sector are precaution, the need to restore environmental damage; the prevention of such

damages; and the concern for ensuring sustainability. The diagnosis of environmental problems includes, in both cases – and even more clearly in Ecuador – checking for damages caused by oil activities, such as deforestation, soil and water pollution, and loss of biodiversity and cultural diversity.

The solution to the detected problems is also common. In Ecuador, environmental governance is defined as the realization of the “citizen’s right to live in a healthy environment, free of pollution and sustainable, and the guarantee of the rights of nature through comprehensive planning to manage habitats, to manage resources efficiently, to holistically repair and return life systems to real harmony with nature” (SENPLADES, 2013: 222). The Bolivian Government affirms that it has an obligation to “create the conditions to ensure the sustainability of the State itself in all its territorial areas in order to attain the standards of Living Well... to incorporate integral development in harmony and balance with Mother Earth in order to Live Well in the policies, rules, strategies, plans, programmes and projects at the central level of the State and of the autonomous territorial entities... to formulate, implement, monitor and evaluate policies, standards, strategies, plans, programmes and projects for the compliance of the objects, targets and indicators of Living Well, through integral development...” (Gaceta Oficial, 2012: 12).

In both countries, and as the culmination of long historical evolutions of the twentieth century (Baud and Ospina, 2013), the respective ministries of the environment administer “systems of environmental management”. Key components of these systems are national parks and ecological reserves. In Ecuador the National System of Protected Areas (Sistema Nacional de Áreas Protegidas (SNAP)) comprises the State Heritage of National Areas (Patrimonio de Áreas Naturales del Estado (PANE)) – managed by the central government – and three other “subsystems” to make room for the participation of subnational governments, organized local communities and the private sector: “the Autonomous Decentralised Governments, the Subsystem of Protected Community Areas and the Subsystem of Private Protected Areas”. Together these areas of conservation and protection comprise nearly 8 million Ha of the country.

The Bolivian Government, meanwhile, has organized a complex institutional framework that grants powers to the Public Ministry, the Ombudsman of Mother Earth, the Agro-environmental Court, the Ministry of Environment, and the Plurinational Council for Living Well in Harmony and Balance with Mother Earth. It integrates the ministry

of Developmental Planning (the Bolivian equivalent to the Secretaría Nacional de Planificación y Desarrollo/National Secretary for Planning and Development (SENPLADES)), the Autonomous Departmental Governments and so forth. This organization multiplies the actors and entry points in environmental issues. As in Ecuador, the basic component of this system is the National System of Protected Areas (Sistema Nacional de Áreas Protegidas (SERNAP)). The Plurinational Council is directly hinged to the presidency of the Republic.

Another important environmental agenda of the two countries is climate change. The respective ministries and other state agencies have created plans for adaptation to and mitigation of climate change. The development of this theme, and of the environmental agencies overall, has relied heavily on international cooperation. Prominent international actors, who are common to both countries, are the World Bank, UNEP and the official German cooperation.

Finally, the Bolivian and Ecuadorian governments agree that the rich biodiversity of the two countries provides opportunities for some kind of “green” development, and they have advanced policies in this direction. Since 2001, Ecuador has been developing a National Program of Bio-knowledge, whose management depends on the ministries of environment and agriculture under the National Biosafety Framework (MAE, 2013; Andrade and Zenteno, 2014). In Bolivia the “Framework Law . . .” and the “Bolivia Agenda, 2025” contemplate a similar development, but the government has not made progress in the implementation of these policies.

As indicated above, the Ecuadorian environmental policy differs from that of Bolivia in the importance that it gives to the environmental damage caused by oil exploitation. Since 2008 the Ecuador’s government has promoted an active policy of environmental remediation, executed by the Reparation Program of Environmental and Social Liabilities (Programa de Reparación de Pasivos Ambientales y Sociales (PRAS)).

The notion of “shared responsibility” – between the state and local communities in the management of environmental problems that prevail in institutional environmental designs – opens up opportunities for the participation of local communities and municipal, provincial and (in Bolivia) departmental governments. The role of scientific knowledge in this layer of environmental governance is important. Agencies generate and require scientific knowledge for the installation of environmental indicator systems, environmental accounts, early detection of environmental damage and so on. This necessity has created state organizations populated by local experts – specialized in public

administration and in certain branches of knowledge, such as biology and geography – and scientists mostly of international origin or trained in first-world universities (Andrade and Zenteno, 2014, <http://www.conocimiento.gob.ec>).

Although the Bolivian Government shares this point of view to a great extent, it gives senior ranking to the generation of knowledge and technology to add value to “food processing, lithium, gas and hydrocarbons...” (Agenda Bolivia 2025, 2013). In fact, the sixth objective of the development of the Bolivian Government’s agenda indicates that such technological advances will be accompanied by an increase in hydrocarbon and metallic and non-metallic minerals. The incorporation of technology refers not only to processes of industrialization but also to minimizing environmental damage.

In summary, this level of post-neoliberal environmental governance – summarized in Table 4.2 – incorporates not only a range of actors but also well-established international actors and issues of the global environmental agenda (deforestation, environmental remediation, environmental services, climate change, etc.). The latter should not be surprising given that the state agencies that organize the sector originated precisely from pressures and institutional global designs, or they at least count on international cooperation for their operation. Environmental administration is focused on environmental management, and its basic attention is devoted to widely accepted global issues – deforestation, the preservation and administration of water resources, the remediation of various forms of environmental pollution, and increasingly climate change – and its function is to produce public policies on these issues. Its fundamental political component is the administration of national and international resources for the reproduction of environmental management.

There remains to be examined the third layer. Unlike the previous two layers, which are directly hinged to the state, this last one is the domain of civil society. Even when it resorts to formal rules, it is mainly informal and is open to a number of state and non-state actors. This level is important because, on the one hand, it has provided some of the discursive resources that comprise the environmental rhetoric of the Bolivian and Ecuadorian governments and, on the other hand, civil actors use this rhetoric as a resource of political action.

A cursory examination of the rhetoric of “living well” and “good living”, in Bolivia and Ecuador, respectively, indicates the constant appeal to three ideas: harmony with nature, the sacredness of nature (revealed in the frequent use of names such as Mother Earth and *Pachamama*), and

Table 4.2 Environmental administration in Bolivia and Ecuador

	Bolivia	Ecuador
Formal rules	Framework Law Agenda Patriótica 2025 Specific laws	Constitution National Plan for Living Well Specific laws
State actors	Ministry of the Environment and Water Plurinational Council for Living Well	Ministry of the Environment Various ministries and departments
Other actors	Subnational governments International cooperation	Subnational governments International cooperation
Scientific knowledge	Integrated into the identification of problems and solutions Dependence on standard scientific knowledge	Integrated into the identification of problems and solutions Dependence on standard scientific knowledge
Issues	Administration of national parks Policies of conservation and environmental reparation Climate change	Administration of national parks Policies of conservation and environmental reparation Climate change

the rights of this entity. The Ecuadorian Constitution, both in its preamble and in its Chapter 4, recognizes the right of Ecuadorians to live in a healthy and balanced environment, in harmony with nature. A similar phrase appears in Chapter 1, Article 1 of the Bolivian “Framework Law...” in the form of “comprehensive and balanced development” and as a guarantee of the “continuity of the regenerative capacity of the systems and components of Mother Earth”. The “living well” and “good living” discourses also agree on two other points. First, this state of harmony does not exist at the moment, but it will be obtained in the more or less distant future as a result of social efforts led by the state. Second, a key component of this company is the respect and use of “ancestral knowledge” (“originating” in the Bolivian rhetoric) (SENPLADES, 2009, 2013; Domínguez and Caria, 2013).

Regardless of the ideological value that these discourses may have to legitimate governmental actions, “living well” and “good living”

have encouraged complaints, protests and demands of indigenous and environmentalist actors as much in Ecuador as in Bolivia. In effect, the anti-mining protests in Ecuador in 2012, the staging of anti-mining referenda in that country (see Chapter 11, this volume) and the failed Yasuní-ITT initiative articulated the idea that the achievement of “good living” depended on at least three conditions. These comprised the preservation of ecological balance, the need for governments to take into account the voice of those who are possibly affected (van Teijlingen, 2013), and, in the case of Yasuní, the obligation of the Ecuadorian state to preserve cultures whose ancestral knowledge preserves the rights of nature (Rival, 2012). In Bolivia the conflict over TIPNIS national park was also articulated and could be processed through the resource of the “living well” and rights of nature rhetorics (Ortiz, 2013).

Both the Yasuní-ITT initiative and the TIPNIS conflicts show some of the processes, mechanisms, actors, potentials and limits of the “living well” and “good living” rhetorics. In both cases, policies initiated by their respective governments tried to protect the rights of the indigenous peoples who lived in areas of the Amazon. Similarly, in both cases these policies implied that the state would abstain from exploiting oil resources in those territories. Finally, when both governments changed their policies, they incited intense conflicts between the executives and national indigenous and environmentalist groups that had international support.

In summary, the third layer provides discursive and legal resources for stakeholders to advance their environmental demands. These actors are, in principle, any group of citizens; and even those citizens are not limited to national boundaries as they may be international organizations. In special circumstances – such as the temporary control of the state by “green” coalitions – actors, issues and modes of operation that arise in this sphere can become national and international public policies (Sodërbaum, 2000), as happened in Ecuador between 2007 and 2010. In Bolivia this position was occupied by indigenous movement organizations (Hogenboom, 2014). However, when that careful step contradicts the preservation of the core of natural resource governance in a rentier state, these same actors and themes are again expelled to the periphery, as indeed happened with the Yasuní-ITT initiative and the Bolivian TIPNIS conflict. The expulsion depends on how the decisive power is organized in the Bolivian and Ecuadorian states. In both cases the standard decisive power falls on the president and state agencies that are nuclear to the rentier states; this group can veto policies that would infringe on their reproduction.

Conclusion

The Bolivian and Ecuadorian experiences show that although new forms of regulating the exploitation and use (income) of natural resources can be created, they have prioritized the preservation of the states' access to income and, by implication, of the extractivist activities themselves. This burden differentiates environmental government at various levels, as long as their existence does not compromise the reproduction circuit of the rentier state (extraction cycle, income and distribution). Bolivia and Ecuador have abundant natural resources, both in the narrow sense of mineral resources – oil and gas – and in the extended sense of ecosystem diversity. Additionally, in both countries the long-term historical development has been towards the installation and consolidation of rentier states. The current commodity boom created room so that governments that might have followed a different path opted to recreate the rentier states of the 1970s. The policy option resulted in the differentiated post-neoliberal mode of environmental governance that is currently being consolidated in the two countries.

In both countries the original formation of the rentier states depended both on internal political struggles and the existence of high international prices for hydrocarbons – and in the case of tin in post-war Bolivia, the collapse of these international markets. The current reactivation of the rentier states reflects factors similar to those of the past: the boom in mineral exports enabled the Bolivian and Ecuadorian governments to reconfigure the rent-seeking mechanisms that ensure their access to the abundant returns produced by extraction and export to international markets. This development, in turn, increased the ability of states to provide basic services, and consequently legitimized the extractive activities supported (and to some extent controlled) by the states.

The explanation is not only economic. Politics has also played a role in creating post-neoliberal environmental governance. The Bolivian and Ecuadorian governments are the result of processes of dispute over the use of natural resources. The arrival of new players to the control of the state, and the means by which they attained that power, would seem to explain the construction of a sort of macroideology with strong environmental tones: “living well” and “good living”. This element completes the set of environmental governance and gives it ideological coherence. The regulation of natural resources, including the use of income from exploitation, makes sense only to the extent that it serves a greater

purpose: to achieve a new relationship between Bolivian and Ecuadorian societies and their natural surroundings.

The dynamics of post-neoliberal environmental governance are complex. On the one hand, the rentier status of the Bolivian and Ecuadorian states promotes the social and biological reproduction of societies and new attempts at industrialization. On the other hand, rentier states have an interest in promoting the expansion of resource frontiers, which compromise fragile ecosystems and the survival of rural societies, thereby increasing political conflicts. However, it is still incipient and relatively exclusive, and its mechanisms are insufficient to solve the operation/preservation dilemma. Finally, the open possibilities in the ideological or cultural layer provide symbolic and material resources for the expression of socioenvironmental conflicts, and some mechanisms for its processing. However, its implementation depends on the strength of the democratic regime.

It is reasonable to assume that the tensions, conflicts and dynamics that gave rise to the current mode of environmental governance will continue to influence future developments. At the moment, however, it is difficult to say if at some point in this development it will organize itself in a more pluralistic and open way than it is at present, or whether – as in periods of decline in international prices – it will be reconfigured in an increasingly exclusive and unstable direction.

Notes

1. In Bolivia, poverty improved more rapidly than inequality, which actually seems to be increasing, while in Ecuador the two indicators have decreased simultaneously and at accelerated rates. A report from the Central Bank of that country indicates that the accelerated rate is due to two factors: “the improvement of the international environment” and the degree of destruction provoked by the crisis of 1998–2002. See Dirección General de Estudios, Banco Central del Ecuador, *La Economía Ecuatoriana luego de 10 años de Dolarización (The Ecuadorian Economy After 10 Years of Dolarisation)* (Quito: Banco Central del Ecuador).
2. The exportation of minerals is not important for Ecuador, but the high prices of mineral ores have stimulated the government to promote the development, albeit still incipient, of metal mining in Ecuador, for which Chinese investments have flowed into the country.
3. For an overview of the financing of social policy from mineral (or hydrocarbon) resources, see Hujo, K. (2012).
4. See CEPAL (2013).

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