



The Earth Bled Poison from Her Opened Veins: The Rise and Fall of the Mining Industry in El Salvador

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By

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INTRODUCTION

When Eduardo Galeano wrote about the imperial pillaging of Latin America, he concluded by expressing “Latin America is the region of open veins”.¹ He described the continent aptly as the breadbasket of the New World. Its natural fertility and abundance were greedily eyed by the Western Powers, including its own neighbours, as a land to control and abuse instead of nurture and respect. Its crops were torn from its ground, its land was ripped into revealing its precious minerals, that valuable flesh, and its people were made to enact such violence against it, while global powers reaped the rewards. During exploration of the country of El Salvador through the Centre for Research of Latin America and the Caribbean (CERLAC) it became very evident that this country was no exception to the cruel fate of colonial control. The files within the CERLAC provided information on every aspect of Salvadoran history, one of the most interesting facets coming from its labour history. In order to understand it the country files gave an in depth understanding of El Salvador’s existence and contextualized its current situations.

Once a Spanish colony, El Salvador was quickly exploited by Western Powers and while it touted freedom from colonial influence, its weakened political power made it vulnerable to foreign pressures. This led to its land being sold like a product and the small country was made into a quarry for the Canadian company Pacific Rim Mining. The consequences of this burgeoning industry were grave as El Salvador’s only freshwater source, the Lempa River, was made victim to the by-product land destruction and mining pollution, leading to a desperation and protest against the industry that had blighted the El Salvadoran people since their arrival into the country. With this rise of resistance there was a string of campaigns and actions the company undertook to prevent upheaval, which led to political extremism and the eventual landmark

[1] Galeano, Eduardo, *Open Veins of Latin America*. NYU Press, New York. 1997. Pg. 18

mining ban, effectively removing the Pacific Mining Company from El Salvador's borders. Overall, El Salvador's mining industry was an extremely tumultuous and harmful facet that only benefitted the Pacific Mining Company. Further, the Pacific Mining Company committed various crimes throughout its tenure within El Salvador in order to ensure it could hold its power, yet in doing so caused the very legislation that would exile them.

THE ORIGINS OF MINING IN EL SALVADOR

Mining was not an industry that would have originally come to mind when considering the country's exploits. Its fertile ground had been the eye of foreign powers for some time as a coffee grower and, later in the colonial era, a producer of dyes like indigo that Europe used to give colour to its clothes, furniture, and art. In the late nineteenth century El Salvador's mineral potential was quickly realized, "Foreign firms started mining this gold over a century ago, but much of the mining stopped in the 1930s when global mineral prices plunged".² With the start of the Second World War many mining operations were put on hold and a demand for precious luxuries dipped exponentially. In this case, possible exploration into uncharted mining opportunities were never realized. Clearly then, El Salvador's mining potential was never an unknown in the twentieth century but through global and regional unrest it was deemed a sunken cost operation and abandoned. It was not until much later, in the 1990s, in which El Salvador would be forced open for foreign investment again. Bowing to pressure from the World Bank and suffering through an economic crises due to its recently resolved civil war and implementation of new governmental body, El Salvador opened its borders to foreign investors looking to exploit the newly rediscovered rich metals in the area.³ Once again, El Salvador

[2] Broad, Robin. "Corporate Bias in the World Bank Group's International Centre for Settlement of Investment Disputes: A Case Study of a Global Mining Corporation Suing El Salvador." *University of Pennsylvania journal of international law* 36, no. 4 (2015): 851–874. Pg. 851

[3] Zucker, Gabriel. "El Salvador: Mining the Resistance." *Monthly review (New York. 1949)* 62, no. 2 (2010): 40–50. Pg. 41

was being exploited by stronger Western states and being forced to surrender its land, resources, and people for Western capitalistic ideals.

The development of El Salvador's mining industry brought many different foreign companies eager to exploit the land for what lay underneath it, and with the restructuring of El Salvador's mining laws in 1996, suddenly the country became a much more viable and lucrative.⁴ These laws repealed decades old restrictions that prevented extractive mining and protected the environment from destructive refinement practices. The country's northern region also boasted its highly volcanic mountain region which produced an unexploited and rich deposit of gold hardly touched as of the end of the twentieth century. The other facet of this location was the proximity to El Salvador's only fresh water source, the aforementioned Lempa River which supplemented fifty-seven percent of El Salvadoran citizens' water usage.⁵ The nation has historically struggled with water shortages and being as the river provided potable water to most residents of El Salvador, it was a resource that could not be squandered so easily. The geography of El Salvador mixed with its previous restrictions caused various logistical problems for the government then providing permits for mining companies and for the companies themselves in practicing environmentally or socially conscious practices. Despite the environmental concerns and legislative restrictions, many companies returned to the region at the turn of the century aspiring to exploit the land for its hidden riches that lay beneath the surface.

Vancouver's Pacific Rim Mining Corporation was one of the many companies that arrived in El Salvador in 2002 to exploit this land and its people in order to turn a profit with relatively few restrictions in place to prevent otherwise.⁶ The mining law reform meant that

[4] Sbert, Carla. "EL SALVADOR'S MINING BAN AND MINING IN ONTARIO'S RING OF FIRE FROM THE LENS OF ENVIRONMENTAL LAW." *Vermont law review* 43, no. 3 (2019): 517-. Pg. 522

[5] Artiga-Purcell, James Alejandro. "Contesting Extractivism: Gold, Water and Power in El Salvador". ProQuest Dissertations Publishing, 2021. 21

[6] Sbert, Carla. "EL SALVADOR'S MINING BAN AND MINING IN ONTARIO'S RING OF FIRE FROM THE LENS OF ENVIRONMENTAL LAW." Pg. 521.

companies could operate with fewer environment and labour restrictions and were expected in return to enrich the El Salvadoran economy and in theory uplift its citizens. After its twelve year long civil war and subsequent economic collapse, El Salvador was in crisis and desperately needed investment into its infrastructure to develop further.⁷ This severe economic degradation led to companies in many cases leading negotiations and contracts but were not visibly antagonistic in their deal making. In order to ensure support from the government, “Pacific Rim targets funds for scholarships, schools, and other benefits for municipalities”.⁸ Much like other multinational corporations, Pacific Rim needed to provide some form of support to its host nation in order to build good rapport among the ruling power and their people, encouraging citizen participation in the mining industry as well as a steady and active labour force committed to the company which would supposedly lift them out of poverty.

The mine Pacific Rim acquired, the El Dorado mine, was one of El Salvador’s oldest. A pre-established but fairly unexplored mining venture was expected to churn a profit quickly and efficiently due to its location among the volcanic northern region discussed prior. The mine was an eventual success, “Findings revealed an incredibly valuable mine - estimated to be worth \$3.3 billion in 2007, when gold prices were under two-thirds their current price”.⁹ The El Dorado mine became Pacific Rim’s obsession for the better part of a decade as its extractions proved to be extremely fruitful and seemingly limitless. Given this fact, when the company obtained the license to explore the abandoned mine they immediately began investing money into the project, “Pacific Rim purchased the abandoned mine, signed exploration contracts with the El Salvadoran federal government, and designed a state of-the-art mining operation with high levels of environmental protection”.¹⁰ In order to produce the quality and efficiency needed to profit of

[7] Collins, Denis. “The Failure of a Socially Responsive Gold Mining MNC in El Salvador: Ramifications of NGO Mistrust.” *Journal of business ethics* 88, no. Suppl 2 (2009): 245–268. Pg. 245

[8] Achtenberg, Emily. “A Mining Ban in El Salvador?” *NACLA report on the Americas* (1993) 44, no. 5 (2011): 3–4. Pg. 4

[9] Zucker, Gabriel. “El Salvador: Mining the Resistance.” Pg. 41

[10] Collins, Denis. “The Failure of a Socially Responsive Gold Mining MNC in El Salvador: Ramifications of NGO Mistrust.” Pg. 246.

this years long an upgrade to equipment, policy, and political communication was a necessary step in ensuring the mine remained within the hands of Pacific Rim. These investments were then taken in response to the various environmental concerns raised over the consumption of water the company would undertake from El Salvador's only freshwater source as well as the various environmental effects gold mining would have on the already environmentally degraded landscape. These upgrades, technological processes and policy changes resulted in being rather insufficient as the mining operation continued.

CONSEQUENCES AND RESPONSES

The mining industry proved bountiful for foreign investors staking claim over El Salvador's precious resources, yet for the country, its people, and the government representing them it was an ecological, political, and societal blight. The ecological ramifications began occurring almost immediately after mining operations commenced. Many worried about the mine's production of by-products and overconsumption, "the average metallic mine uses 24,000 gallons of water per hour, or about what a typical Salvadoran family consumes in 20 years. Toxic runoff, leaks, or spills could cause widespread contamination".¹¹ The consumption of these mines and their production of chemical waste posed a large threat to the ecosystems and animals in El Salvador, as all life successfully generates from the Lempa river; posing a real threat of destruction for the ecosystems that existed around it.

The citizens even saw the immediate effects from a preliminary exploratory operation as wells in the Cabanas region, that encapsulated the El Dorado mine, quickly saw a depletion of its water wells and an extreme drop in water quality.¹² Citizens also worried that mining would lead to other ecological side effects other than water contamination, similar to the massive

[11] Achtenberg, Emily. "A Mining Ban in El Salvador?". Pg. 3.

[12] Scheffey, Krista. 2010. *Pacific Rim v. El Salvador and the Perils of Free Trade in the Americas*. Washington: The Council on Hemispheric Affairs. Pg. 4.

deforestation and continuous landscape degradation being common in the neighbouring Honduras when their mining operations were occurring.¹³ With El Salvador's continued ecological degradation before the introduction of the mining industry, citizens and government officials worried that this would only lead to further land destruction in one of Latin America's most ecologically destroyed regions.

While the land suffered incredible ramifications as a result of Pacific Rim the largest consequence to the company's mining operation resonated from Salvadorans. Some Salvadorans saw the introduction to mining industry as a positive addition to the region while others were faced with a differing opinion. Some in the Cabanas, saw the influx of jobs the mining operation would bring as an overwhelming positive to the impoverished population while in contrast other groups saw this operation as an intrusion of their sovereignty and a threat to their way of life.¹⁴ El Salvador's resistance to mining took an immediate cross-national perspective combining both local and national resistance forces, "This array of ties helped the movement to expand its reach and diversify its strategies, and provided the flexibility needed to adapt to shifting opportunities".¹⁵ The alliance between local and national movements was something of an anomaly in social resistance movements and was a social by-product of the upscaled mining that commenced in 2005; inadvertently, they created the thing they attempted to avoid. The company had also started operations in areas that were active combat zones during the civil war in the eighties, thus citizens were much less intimidated by threats and more prone to take action to achieve societal change.¹⁶ The mining expedition was seen as just another threat made against the sovereignty of El Salvadoran citizens and so they were more than willing to respond in

[13] Zucker, Gabriel. "El Salvador: Mining the Resistance". Pg. 47.

[14] Achtenberg, Emily. "A Mining Ban in El Salvador?". Pg. 3.

[15] Spalding, Rose J. "From the Streets to the Chamber: Social Movements and the Mining Ban in El Salvador/De Las Calles a La Camara: Movimientos Sociales y La Prohibicion de La Minería En El Salvador." *European review of Latin American and Caribbean studies*, no. 106 (2018): 47-. Pg. 52.

[16] *Ibid.* Pg. 54.

protest and were assisted by national resistance networks joined in common cause to protect El Salvador's water supply.

The strengths of protests depended on the proximity to the effects, known as vulnerability theory, it dictates that those most at risk are more likely to find the occurrence troubling.¹⁷ While protests were connected at a local and national level the support and intensity of action varied depending on the proximity to mining operations, as those in proximity saw the natural effects to the environment compared to those who understood the existential threat to water access but were unaffected by mining operations. The variation of these actions differed wildly based on this proximity, "As exploration advanced, activists took more forceful steps, blocking company vehicles that attempted to enter their zone, tracking down drilling sites, and threatening to burn equipment if it was not hauled away".¹⁸ Closer groups felt mining opposition needed to show more force and opted to show through the destruction and obstruction of mining activities, yet further away resistance focused more so on the building of alliances and the formation of information sessions. While resistance within the country from citizens quickly met the escalation in mining activity during 2005, the government played a much longer game in responding to Pacific Rim's disastrous effects on its territory and people.

The government, while initially supportive of Pacific Rim's activity in El Salvador was quickly faced with the reality of how lacking the benefits of gold mining were and soon enough the relationship between the government and Pacific Rim broke down. It was soon clear that, "The economic benefit of the mine to El Salvador would likely be small... It would provide income to the government, but past experience shows that very little of those economic benefits would "trickle down" to the mining-impacted areas".¹⁹ This revelation only worsened relations with the mining company as it became clear that El Salvador's already struggling

[17] Spalding, Rose J. "From the Streets to the Chamber: Social Movements and the Mining Ban in El Salvador". Pg. 53

[18] Ibid. Pg. 55.

[19] Scheffey, Krista. 2010. *Pacific Rim v. El Salvador and the Perils of Free Trade in the Americas*. Pg. 4.

economy and people would likely only receive temporary relief from their current economic situations thus Pacific Rim would reap the rewards off of El Salvador's suffering. The government was increasingly under the pressure of the activists mentioned prior as well and ties to protesting networks forced many government officials to revoke endorsement and complicate the mining expedition. In many cases, such as during the 2006 legislative elections, politicians would actively delay Pacific Rim permits and constantly request re-negotiations or clarifications preventing the mining operation from progressing.^{20 Spalding 58} The constant reframing and delays of Pacific Rim's operation led to unrest between the company and El Salvador's ruling government and in this case, democracy had successfully worked in the people's favour. This resistance to Pacific Rim's mining venture came to an initial head in 2008 when the president at the time called for a moratorium on mining altogether, in an attempt to reform the lax mining laws and ensure Pacific Mining was utilizing sustainable practices that would protect the resources and people of El Salvador.^{21 Sbert 522} The government in this case was an instance of the people having an active role within their governmental processes and further working to protect their land and way of life. While mining brought upon environmental, social, and governmental consequences the response from Pacific Rim only became harsher as their efforts to complete their venture were continually halted.

RETALIATION AND RESOLUTIONS

In a country that once welcomed Pacific Rim into its borders, the mining company was isolated without allies to speak of to continue the project they had invested millions into, "in 2008, the company's stock dropped 30%, and all work was suspended when the federal government delayed issuing a permit to carry out the mining".²² The company, without the

[20] Spalding, Rose J. "From the Streets to the Chamber: Social Movements and the Mining Ban in El Salvador". Pg. 58.

[21] Sbert, Carla. "EL SALVADOR'S MINING BAN AND MINING IN ONTARIO'S RING OF FIRE FROM THE LENS OF ENVIRONMENTAL LAW." Pg. 522.

[22] Collins, Denis. "The Failure of a Socially Responsive Gold Mining MNC in El Salvador: Ramifications of NGO Mistrust." Pg. 246.

exploratory permits, positive public opinion, or the wealth of the elite to make progress into the mining expedition, was faced with a decision to abandon the mine and the billions of dollars that lay within in mineral deposits. Due to this impassable obstacle, Pacific Mining shifted tactics in order to dissuade the public from continuing protest and reignite progress on El Dorado. In 2009, a series of assassinations were carried out on activists, most notably the Rivera family that worked for Asociación de Amigos de San Isidro Cabanas, a grassroots human rights organization that looked to expose the ways in which Pacific Rim was harming Salvadoran communities. In June 2009 one of the Rivera brothers, Marcelo was brutally killed in a gang style execution following his active participation within the anti-mining movement, followed by an attempt on the other brother Miguel's life.²³ These events had been orchestrated by Pacific Rim in an attempt to silence protestors and gain the uneasy support of the government in power but that was not the end of their tyranny among the Salvadoran people.

The executions did not stop there, as two more murders were carried out at the end of the year against other activists, "The second victim was Ramiro Rivera (no relation) of the Cabañas Environmental Committee, gunned down on Dec. 20 by M-16 rifle fire in Trinidad[...]Just six days later, 32-year-old Dora Alicia Sorto was killed in the same village and with the same type of firearm"²⁴ Ayala para. 7 Both of these murders, one of whom was pregnant were targeted explicitly for their participation in anti-mining activity, a brute force tactic to prevent further action against the company. In another instance, the company affiliated groups sent threats of violence and death to Radio Victoria, a Cabanas protest station, "When Radio Victoria, after repeated death threats, asked the local police for officers to protect the station and its members, it was informed that there were not enough police officers available"²⁵ Zucker⁴⁵ The hopes in these

[23] Nadelman, Rachel, and Pedro Cabezas. "TERRITORIES FREE OF MINING: THE FIGHT AGAINST GOLD MINING IN EL SALVADOR." *Practicing anthropology* 38, no. 3 (2016): 25–27. Pg. 26.

[24] Ayala, Edgardo. "El Salvador: Activists Link Mining Co. to Murders." - *Global Issues*. Inter Press Service. Para. 7.

[25] Zucker, Gabriel. "El Salvador: Mining the Resistance." Pg. 45.

threats were that the station would be suppressed, and in some ways it was, missing days of broadcasts in an effort to decrease Salvadoran hostility towards the mining operation.

The company, unable to thwart protesting action and government legislature, turned to legal option in order to reclaim the sunken value of the initial project. In order to gain its lost funds Pacific Rim attempted to open a lawsuit, “The company opened a subsidiary in Reno, NV in 2007 in order to file a lawsuit for at least \$77 million under the foreign investor rights provisions of CAFTA”.²⁶ The company hoped that under CAFTA it would be able to gained its sunken cost back from the country due to its reluctance to renew mining permits and its progressively negative rhetoric towards mining within the country. The company then fought out a legal battle with the country attempting to win back its investment and, in any case, its supposed right to the mine it had bought in 2005. Pacific Rim eventually lost its case in 2016 as it was found that there was ample evidence suggesting unsafe business practices, unsubstantiated reports of proper environmental safeguards being implemented, and a continued breaking of Salvadoran and international human rights and labour law.²⁷ Soon enough the company was forced to leave the country without reimbursement and the mines were left abandoned once again.

In light of this loss, new legislative developments reformed the mining laws once the lawsuit from Pacific Rim had concluded, and laws could be altered. For some time there had been worries that the mining would be continued, “the “de-facto” moratorium has always been precarious. The industry freeze only continues because of the will of the sitting president”.²⁸ The delicate nature of the mining moratorium meant activists were still unable to relinquish ferocity as the temporary pause on mining had not been codified thus the country was still at risk of

[26] Stoumbelis, Alexis. “Canadian Mining Company Pacific Rim Comes under Fire from Environmental & Human Rights Organizations.” CISPES. CISPES: Committee in Solidarity with the people of El Salvador, May 28, 2010. Pg. Para. 4.

[27] Spalding, Rose J. “From the Streets to the Chamber: Social Movements and the Mining Ban in El Salvador”. Pg. 62.

[28] Nadelman, Rachel, and Pedro Cabezas. “TERRITORIES FREE OF MINING: THE FIGHT AGAINST GOLD MINING IN EL SALVADOR.” Pg. 26

foreign interference. In 2017 however, this moratorium would soon become official legislation, “El Salvador banned all metal mining. Salvadoran and international environmentalists, academics and politicians extolled the historic prohibition as a victory for water over gold”.²⁹

^{purcell 23} The landmark bill was the first to be created in the world, denouncing the over-exploitation of natural resources, and the dangerous pollution gold mining produces in its extraction and refinement. The law reform was not all encompassing, however. The extremely harmful metal mining was indeed banned within the country, yet the rights to water access were not yet codified and El Salvador was yet to have a coherent water law. The unification experienced just moments prior dissolved into private versus public water ownership, increasing resource stress and a continued destruction due to non-metal mining development such as clay and infrastructure material mining.^{30 Purcell 24} The harmful metal mining may have been banished from El Salvador’s borders yet their resource issues remained the same and protests were less successful in stopping the continuation of mining for infrastructure development.

Overall, Pacific Rim’s practices, and actions both legal and illegal were their own ruination within El Salvador, with their investments causing a further degradation in governmental-economic relationships and their continued violence and lack of ethical considerations alienating the Salvadoran people. However, with the removal of the mining company, El Salvador still suffered the same environmental and social issues due to its dependence on non-metal mining as a crutch to prop up and support its struggling economy and national development. The history of El Salvador’s mining industry spanned hundreds of years yet it was only gained prominence with the rise of gold prices and the foreign expansion of mining companies into El Salvador’s northern Cabanas region. With foreign intrusion, citizens and the government itself resisted further environmental and economic degradation at the hands

[29] Artiga-Purcell, James Alejandro. “Contesting Extractivism: Gold, Water and Power in El Salvador”. ProQuest Dissertations Publishing, 2021. Pg. 23.

[30] Ibid. Pg. 24.

of Pacific Rim through various forms of protest and legislative delay. In an attempt to glean their investment after being forced out of the country via a mining moratorium, Pacific Rim sued the country and lost, leading to a reform of the mining laws in El Salvador and a landmark ban on metal mining. While these are incredibly important steps in legislation, the country still suffered from its dependence on infrastructural mining to boost the economy and continue national development. The story of El Salvador's mining industry is one thoroughly documented within the CERLAC and has been made important in a present and historical context, a story of determination, loss, and economic violence that displayed not only the evil of corporatism but also the determination of a nation.

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