

Book Reviews

Areli Valencia, *Human Rights Trade-offs in Times of Economic Growth: The Long-Term Capability Impacts of Extractive-Led Development* (New York: Palgrave-Macmillan, 2016), 281 pp.

The smelter town of La Oroya, located in the Central Highlands of Peru, is emblematic of the country's long mining history. For some, it symbolized the progress, economic growth and development that many associated with resource extraction, particularly following the arrival of the American Cerro de Pasco Copper Corporation in the early 20th century. More recently, however, La Oroya gained national and international notoriety as environmental organizations and the media began to call attention to the health and environmental problems produced by toxic emissions from the smelter. La Oroya is the focus of Areli Valencia's *Human Rights Trade-offs in Times of Economic Growth*, which presents an in-depth analysis of the conflicts generated by the smelter's operation as well as a critical evaluation of academic approaches to human rights.

In 2005, the New York-based Blacksmith Institute labelled La Oroya as 'one of the world's worst polluted places'. Around this time, La Oroya became a site of bitter disputes and confrontations among its own residents: some defended the company that operated the smelter, and others sought greater environmental accountability from corporate and state actors. For many observers, this is a familiar story that pits jobs versus the environment, with workers and their allies motivated by their economic dependence on the industry, even at the expense of their health. In La Oroya, marches and rallies were held in support of Doe Run (the company that purchased the smelter in the 1990s), and some residents rejected the health studies, environmental campaigns and media coverage that sought to expose dangerously high levels of lead pollution, and to demand environmental safeguards. Activists and outside observers struggled to make sense of these contradictions, resulting in a dichotomized way of framing the problem: as a choice between health and work. According to Valencia, this way of understanding the issues in La Oroya 'is both dangerously simplistic and ethically deceptive. It inevitably throws the responsibility of decision onto members of the community without considering how and why this community is confronted with such a dilemma in the first place and without offering any alternative options of protection for both of these rights' (p. 2). Her book aims to provide a more complex picture, and to push against existing theories and models that reduce these situations to a choice between health or jobs, or a struggle between perpetrators and victims.

Valencia's alternative mode of analysis is what she calls the Human Rights System Analytic Model (HRSAM). According to the author, this model addresses some of the limitations of previous approaches because it emphasizes structural factors that have led to the current situation in La Oroya. Specifically, it allows for greater attention to the

socio-historical roots of the problem and politico-economic forces that have shaped the development of La Oroya and the mining industry in Peru. This broader context can help explain why people are trapped in a double bind and pushed into human rights trade-offs. From some disciplinary perspectives, what the HRSAM proposes may seem like common sense, as paying attention to historical, political, economic and sociological processes, as well as various scales of analysis (local, national and global), is fundamental to any good social science research. These ideas have also been variously presented using other language or theoretical frameworks (for example, structural violence or political ecology). However, the usefulness of the HRSAM may be more evident in terms of its intervention in academic debates around human rights and its critique of legal tools and specific theories (such as the perpetrator-victim-remedy model and the capabilities approach of human development) currently used to analyse and resolve environmental controversies.

The book is divided into seven chapters, including the Introduction and Conclusion. Chapter 1 succinctly lays out the book's approach, describes the HRSAM as the main conceptual framework, and introduces the 'puzzle' that La Oroya represents; namely, local support for a polluting industry in spite of evident threats to the health of the population. The substantial body of literature on resource extraction published in recent years is only briefly and selectively reviewed, and the author admits the risk of oversimplification in her synthesis of this literature, which aims to point out the gaps that can be addressed by the HRSAM. Chapter 2 examines the recent conflicts in La Oroya, focusing on the decade between 1999 and 2009, a time when pollution acquired greater visibility at the national and international level and the case of La Oroya became part of larger debates around mining in the country. Valencia teases out the contradictions, conflicts of interest, and weakness of state institutions, which sought to ensure favourable conditions for investment while establishing guidelines for environmental compliance. For a reader unfamiliar with La Oroya, the details of the chapter may be confusing without knowing the longer history and context of mining in Peru. However, this is precisely Valencia's point, and the rest of the book seeks to show why a historical perspective and attention to the political and economic structures are necessary to gain a deeper understanding of recent controversies in La Oroya.

Pulling back from La Oroya to a more theoretical discussion, Chapter 3 provides a detailed explanation of the HRSAM and its usefulness for understanding how human rights violations are produced and perpetuated. Beyond its potential as an analytical tool for academic research, the author makes clear her hope to 'inspire actions aimed at transforming unjust structures and ways of thinking' (p. 51). The chapter provides an overview of the human rights literature and various perspectives within it, while pointing out the shortcomings of related discourses and legal frameworks. Valencia combines a structural approach to human rights with the capability approach (CA) pioneered by Amartya Sen, and suggests that this combination can effectively address the complexities of cases such as La Oroya. She also finds this approach to be more compatible with critical ideas of development that allow for ontological multiplicity, or diverse aspirations of 'good living' (*buen vivir*). In addition to recognizing human diversity, the capability approach gives consideration to the role of human agency, and its relational nature lends itself to comparative analysis. Valencia presents a balanced

treatment of the strengths and limitations of the theories she draws from, and of the interplay between structural factors and individual motivations.

Chapter 4 traces the fascinating history of La Oroya, showing the ‘submissive state attitude toward foreign investment’ (p. 101), the immediate effects of the smelter’s emissions on nearby lands, the proletarianization of peasant communities, and the resulting inequalities that shaped the socioeconomic make-up of La Oroya. We also see the dominance of the Cerro de Pasco Corporation in all aspects of people’s lives, and a dependence on the company that continued (albeit with some differences) when the smelter was nationalized and operated by a state-owned mining conglomerate, and when it was re-privatized in 1997. Each period brought about changes in corporate practices, new conflicts, and different forms of political organization.

While the author emphasizes history and structural inequalities, she also gives importance to human stories. Chapter 5 brings out people’s experiences through a series of interviews with local residents with different perspectives and subject positions. Excerpts from these interviews show the contradictions and uncertainties that characterize people’s views on health and the environment. Social hierarchies, gender relations and the unequal distribution of environmental hazards influence people’s attitudes, values and level of engagement in grassroots mobilizations for or against the company. Particularly striking are the ‘politics of denial’ adopted by the state and some residents of La Oroya, as well as the stigmatization of the most vulnerable residents and those who spoke out against the company.

Chapter 6 explains the implementation of the HRSAM as a way to understand human rights violations and trade-offs. Valencia returns to the notion of human capabilities to explore how people negotiate the necessities for a good life, including health and work. The author concludes that historical events – from the smelter’s construction in the 1920s to the introduction of neoliberal policies in the 1990s – paved the way for later problems, including a systemic lack of freedom in La Oroya. Following the suspension of the smelter’s operations in 2009, La Oroya’s unfinished story leaves us with more questions than answers. Nevertheless, Valencia’s work offers insights and recommendations that acknowledge the complexity of the problems and the continued challenges ahead.

Valencia’s clear, straightforward writing makes her work accessible to an interdisciplinary audience, including students, policy makers and practitioners engaged with issues relating to human rights and the environment. It can also contribute to ongoing discussions around corporate social responsibility and human rights in extractive industries. The book will be of particular interest to those familiar with the case of La Oroya and the Peruvian context, but the lessons to be learned from it are relevant for analysing other environmental conflicts and are applicable to situations in other parts of Latin America and the world.

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