

Resistance Against Mining in Brooke's Point

Strategies and Struggles of an Anti-Mining Movement in the Philippines



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Resistance Against Mining in Brooke's Point: Strategies and Struggles of an Anti-Mining Movement in the Philippines

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“When I look at the mountains, I tell myself I won’t stop until I save
this paradise.”

Nolsita, Indigenous community leader

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Abstract

This thesis explores the strategies and struggles of the movement against mining in Brooke's Point through a force field approach, inspired by Nuijten (2005) and drawing on insights from the studies of social movements. It examines how activists navigate and contest a complex interplay of social, political and legal power dynamics in resistance to mining operations. Through three-month ethnographic fieldwork I researched the perspectives of the members of the movement against mining. I identified key strategies employed by the movement, including public protests, legal actions, advocacy, and everyday forms of resistance. The tactics are shaped by the internal movement dynamics and the available expertise and resources. External factors derived from the political and legal force fields the movement operates in further shape the strategies of the movement. The study shows how the movement navigates an unfavourable political environment, weak law enforcement and corruption by seeking useful alliances and hoping for change in the political environment. In the legal force field, the study highlights the dual nature of legal avenues as both opportunities and sites of contestation. Hindered by legal threats and non-compliance of the mining company with the law, the movement against mining in Brooke's Point keeps trust in the legal system and tries to use it in its advantage through strategic litigation. By adopting an interdisciplinary approach that integrates the notion of force fields and social movement frameworks, this thesis sheds light on the interplay between structural forces and activist agency. It also examines how corruption, legal intimidation, and corporate influence shape the landscape of resistance, shedding light on the struggles of communities opposing mining operations amidst the push for a just energy transition.

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1. Introduction

The transition from a fossil fuel-based economy to a renewable energy economy has significantly increased global demand for minerals and metals like nickel. As a key component in electric vehicle batteries, nickel is essential to achieving net-zero emission goals. Over the past five years, global demand for nickel has surged by 40%, with forecasts predicting a 200% rise by 2050 (IEA, 2023).

The push for renewable energy often overlooks the social and environmental costs of mining, particularly in the global south (Marin & Goya, 2021), like in the Philippines. As the world's second-largest nickel producer, the country plays a critical role in the energy transition, yet the mining industry has led to severe environmental degradation, displacement of communities, and social conflict (Willis, 2023; Conde, 2017). Palawan, known for its rich biodiversity and indigenous cultures, faces escalating pressures from mining activities. The municipality of Brooke's Point, where community resistance to mining has persisted for decades, exemplifies these struggles. In 2022, the Ipilan Nickel Corporation (INC) began operations, further igniting tensions. In this thesis, I examine the ways in which the movement against mining in Brooke's Point employs various strategies and tactics to resist extractive industries while facing opportunities and challenges in the political and legal force fields.

Anti-mining movements have long played a pivotal role in challenging the inequalities perpetuated by the mining sector and shedding light on underlying power dynamics (Conde, 2017). Global demand for minerals required by the energy transition has intensified these struggles (Bainton et al., 2021), underscoring the importance of social movements in advocating for justice even more. Achieving a truly just transition requires exposing and addressing power imbalances. It is essential to prioritise the rights and well-being of communities on the frontlines of extraction, prevent the disproportionate burden of renewable energy demands from falling on mining-affected communities, and avoid replicating colonial patterns of exploitation (Tiefenbach, 2023).

This thesis investigates the movement against mining in Brooke's Point, focusing on its strategies within the political and legal force fields. Drawing on Nuijten's (2005) concept of force fields, a dynamic network of actors and institutions that interact and compete with one another, leveraging their relationships and access to resources to gain power and achieve their goals, this study analyses how the anti-mining movement navigates these systems. The force field approach provides a framework to explore the socio-political networks, legal processes, and state dynamics that shape resistance efforts. This research focuses on the political and legal force fields. The political environment, as highlighted by McAdam, McCarthy, and Zald (1996) and Kriesi (2004), defines the broader context in which movements operate, both constraining and enabling a movement's opportunities. The legal landscape is particularly relevant in the Philippines, a country with many environmental laws but weak enforcement mechanisms and the frequent criminalisation of activists (Croissant, 2022; Fry, 2024). By analysing these force fields, this study seeks to uncover how political dynamics and legal structures impact the movement's strategies and capacity to resist mining operations. In addition to the force field approach, this research incorporates insights from social movement theory (Jasper, 2004) and Tilly's (1978) concept of repertoires of contention to examine the set of resistance tactics employed by the movement. This framework offers a comprehensive lens to understand how the movement adapts to constraints and opportunities within its socio-political environment.

The social purpose of this research lies in providing valuable insights into the dynamics of the movement against mining in Brooke's Point. By shedding light on the challenges and opportunities of the movement, this study aims to equip activists with strategic knowledge and awareness. These insights can be useful for the movement to refine their resistance strategies and effectively address the challenges posed by mining activities in the region, which are increasing due to the energy transition.

By analysing the dynamics of resistance in Brooke's Point, this thesis aims to contribute to the broader understanding of social movements by exploring how resistance strategies are shaped by power imbalances within and across political and legal force fields. Through this lens, the research bridges resistance and social movement studies and the force field approach, offering valuable insights into the intersection of activism, politics, and law in the context of environmental conflicts.

This leads to the following central research question:

How does the movement against mining in Brooke's Point shape its strategies in the political and legal force fields?

I made three sub-questions to help me answer and operationalise this research question. The first sub-question, "How does the movement against mining in Brooke's Point look like and what are its resistance strategies?", is essential to first understand who constitutes the movement and what their strategies are. Recognising that different actors bring varying resources or capital highlights how internal diversity shaped the movement's ability to navigate force fields. The struggle of the movement takes place in a political context with different actors and processes, which shapes the movement's room to manoeuvre. The second sub-question, "How does the movement against mining in Brooke's Point shape its strategies in the political force field?" explores this political force field and how the movement engages with, resists, or adapts these political dynamics and power struggles. The third sub-question, "How does the movement against mining in Brooke's Point shape its strategies in the legal force field?" explores the legal dynamics that shape the movement's strategies. These dynamics can both be threats and opportunities for the movement. The legal force field includes the laws, court systems, and legal mechanisms and the actors involved like politicians and mining companies. This question investigates how the movement interacts with these legal frameworks. Together, these sub-questions provide a comprehensive view of how the movement navigates and responds to the forces shaping its resistance efforts.

Following this introductory chapter, this thesis proceeds to the theoretical framework, explaining the concepts of force fields and repertoires of contention, which give a theoretical foundation for analysing the movement against mining in Brooke's Point. Thereafter, I explain and justify the research methodology, namely ethnographic research. After the methodology chapter, I will present the results of the research. Beginning with the composition of the movement against mining in Brooke's Point, the motivations of its members and the strategies used. The second results chapter examines the political force field in which the movement operates, spanning the national, regional, and local levels. It reveals a force field dominated by strong pro-mining sentiments among national political actors, which heavily influence regional and local political processes. Furthermore, it highlights challenges such as corruption that significantly constrain the anti-mining movement's ability to manoeuvre and advocate for its cause. The third and final results chapter delves into the legal force field, highlighting both challenges and opportunities faced by the movement. On one hand, it examines obstacles such as the criminalisation of activists and the impunity granted to mining companies. On the other hand, it

explores opportunities through strategic litigation, including lawsuits against the company or the government. However, these opportunities are also fraught with significant constraints that limit their effectiveness. Finally, I summarise and conclude the research in the conclusion, showing that the movement against mining in Brooke's Point is part of the political and legal force fields that are both dominated by the mining sector, which severely constrains their resistance efforts.

2. Theoretical Framework

This chapter explores the theoretical foundations that underpin the analysis of the movement against mining in Brooke's Point. To gain a comprehensive understanding of how the movement against mining in Brooke's Point shapes its strategies, I situate the movement within a dynamic landscape of power relations, combining the notion of force fields (Nuijten, 2005) with insights of social movement theories (Jasper, 2004; Della Porta & Diani, 2006; Bebbington et al., 2008) and the concept of the repertoire of contention (Tilly, 1978). These concepts are interconnected and complementary: the notion of force fields provides an understanding of the shifting power dynamics and structures within which the movement operates, social movement theory offers insights into the processes of mobilization and organization, and the concept of repertoires of contention highlights the specific strategies and tactics activists employ to navigate and contest these power relations.

I begin by reviewing the concept of force fields, inspired by the field theory of Bourdieu (1992), the force field approach of Nuijten (2005) and the Strategic Action Field of Fligstein and McAdam (2011). While coming from different academic fields, these frameworks assemble on the idea of relational and fluid power dynamics, emphasizing how actors strategically navigate and engage within evolving socio-political spaces. Next, I integrate insights from social movement and resistance theories, clarifying the definitions of resistance and social movements and exploring the relationship between the two concepts. I then examine how activists construct their repertoires of contention (Tilly, 1978), categorizing these actions into conventional, disruptive, and everyday forms. Finally, I focus on the specific tactics of the anti-mining movement, with particular attention to the use of legal action.

2.1 Force Fields

To gain a comprehensive understanding of how the movement against mining in Brooke's Point navigates in a web of different power relations, I draw on Nuijten's notion of force fields (2005) and Fligstein and McAdam's theory of Strategic Action Fields (SAFs) (2011).

Both frameworks offer relational views on power dynamics but emphasize different aspects of how power and structure operate within social spaces. Nuijten's approach describes a force field as a relational, dynamic web shaped by multiple institutions, resources, and actors within particular socio-political contexts. Here, power structures emerge around access to and control over specific resources, forming socio-political "ordering" within these spaces, which are not fixed by boundaries but shift as actors compete for influence. According to Nuijten, force fields often organize around specific issues or resources, and while they may have periods of relative stability, they remain inherently fluid, influencing actors' space for action. This perspective highlights that actors' room for manoeuvre varies across different force fields, depending on their relative positions and access to resources. The concept of force field is useful in analysing *"different kinds of socio-political networks, the influence of law and procedures, the role of formal organizational structures, the role of various discourses and different positions of power."* (Nuijten, 2005, p5).

Nuijten's notion of force fields is inspired by Bourdieu's field theory. Bourdieu (1992, p97) defines a field as a network of *"objective relations between positions"*. These positions are employed by agents or institutions and are defined by the power or capital they have. The capital an agent possesses gives *"access to the specific profits that are at stake in the field"* and is relational to other positions. Agents

rely on resources like money, people, information, and natural resources to elicit social action. According to Bourdieu, a field is comparable to a game, where players invest in the stakes, follow implicit rules, and compete for valued rewards. The amount and types of capital (economic, cultural, social, and symbolic) or resources function as "trump cards" whose value changes depending on the field and its internal dynamics. The capital or resources a player in the game has, together with the implicit rules and relations to other players, determine a player's strategies and how a player can wield power. Although comparing a field to a game makes the notion easier to grasp, Bourdieu (1992: 104) alerts that fields are not that simplistic: *"A field is a game devoid of inventor and much more fluid and complex than any game that one might ever design"*. Bourdieu argues that a field is not static but constantly evolving as forces confront each other, noting that "as a space of potential and active forces, the field is also a field of struggles aimed at preserving or transforming the configuration of these forces" (Bourdieu, 1992: 101). Similarly, Nuijten states that force fields are *"always in flux"* because of changing political processes between domination and struggle. Those with relatively more power in a field can shape it to their benefit, but they will always face resistance from those in less powerful positions. Through struggles in the field, agents try to better their position in the field and achieve their goals (Nuijten, 2005; Fligstein & McAdam, 2011)

In line with Bourdieu's view, Fligstein and McAdam (2011: 3) conceptualize Strategic Action Fields (SAFs) as *"socially constructed arenas within which actors with varying resource endowments vie for advantage"*. Like Nuijten, Fligstein and McAdam acknowledge that the amount of power an actor has in a field determines the room to manoeuvre. Within an SAF, actors are divided into incumbents and challengers. Incumbents hold dominant positions in the field; their *"interests and views tend to be heavily reflected"* (p. 5), legitimising their privileged status. Their control over resources reinforces their position, allowing them to shape the rules in their favour. Challengers occupy less influential positions; they understand the dominant power dynamics of the field and wait for opportunities to shift the power balance. SAFs are dynamic and situationally constructed, with actors navigating boundaries and alliances based on their roles and positions, which fluctuate depending on conflicts or collaborations. Like Nuijten's force fields, SAFs lack rigid boundaries, and actors strategically engage within them to uphold or challenge the fields's dominant structures.

While these concepts share a focus on fluidity and relational power, their differences highlight complementary aspects relevant to this research. SAFs strongly emphasise strategic action of social movements, specifically the role of collective agency in resistance. Fligstein and McAdam acknowledge the resembling between their view on SAFs and Bourdieu's 'field', however, they critique Bourdieu on *"his focus on individuals acting in fields"* and his *"relatively silence on the problem of collective action"*. They argue that SAFs are not only constructed of individuals, but also contain groups who act collectively, like the movement against mining in Brooke's Point.

Moreover, Nuijten's force field approach, which originates from research in natural resource management, is particularly useful for analysing power dynamics in resource conflicts. Moreover, it helps to analyse *"different kinds of socio-political networks, the influence of law and procedures, and the role of the state bureaucracy"* (p. 7). This is why, in my research, I chose to focus on the political and legal force field the movement against mining in Brooke's Point operates in, as it offers a critical lens to understand how these interconnected networks shape the anti-mining movement's capacity to resist and navigate power structures. Furthermore, these force fields emerged as crucial themes from the empirical data, highlighting their central role in shaping the movement's strategies and challenges.

By integrating the concepts of force fields and Strategic Action Fields (SAFs), I use an approach combining relational and situational understandings of power, addressing both its structural and strategic dimensions within anti-mining resistance. This framework offers a rich, layered perspective on how activists navigate and influence these fields, enabling a nuanced analysis of social spaces as arenas of ongoing power negotiations, where power is understood as both a product of structural forces and the active contestation between incumbents and challengers. Whereas in Brooke's Point the members of anti-mining movement are the challengers who contest the forces of the mining company and the government as incumbents. In this research, I choose to use the term 'force field' instead of 'Strategic Action Fields' to analyse the movement against mining in Brooke's Point. This choice reflects the understanding that not all actions within the movement are strategic (Jasper, 2004) and highlights the importance of power dynamics in shaping these actions.

2.2 Resistance and Social Movements

As Nuijten (2005: 3) notes: *"In any force field, particular forms of dominance, contention, and resistance develop"*. Therefore, I now give a foundational understanding of the concept of resistance. Then, I will connect the notion of resistance to the concept of social movements, whereafter I briefly explore the evolution of social movements studies.

Resistance is a broad concept with varying meanings and forms. As Hollander and Einwohner (2004) note, many scholars use the term without defining it precisely. However, their review identifies two core elements across various definitions. The first is the notion of action, where "action" is understood broadly and can include verbal, physical, or cognitive forms. The second core element is opposition: resistance inherently involves a stance against something. Two terms spark more discussion, namely, recognition and intent of resistance (Hollander and Einwohner, 2004). Scholars disagree about whether an act only counts as resistance if the act is recognized as resistance by others. Some forms of resistance, such as large-scale protests, are unmistakable acts of resistance because it is openly visible that the resisters are directly confronting their target. Recognition is less clear or sometimes nonexistent in more subtle forms or everyday forms of resistance (Scott, 1986). These subtle acts can go unnoticed or are not recognised as resistance acts by the target. Similarly, Vinthagen and Johansson (2013: 37) describe everyday resistance as *"scattered and regular acts with a potential to undermine power without being understood as resistance"*. An example of this everyday form of resistance in the extractive sector is the study of Jenkins (2017). In her research about women anti-mining activists in Peru, Jenkins recognises that the resistance of these women is grounded in *"less self-evidently 'activist' practices"* that are *"important contribution to long-term strategies of resistance."* (p. 1453). Confronted with the threat of large-scale mining, the women continue their rural way of life by *"staying put and carrying on"*. Some scholars argue that everyday acts, which go unrecognized by others as resistance, should not be classified as such. Instead, they define resistance as visible, collective actions that lead to social change (Rubin, 1996, as cited in Hollander & Einwohner, 2004) or assert that individual acts of resistance must provoke recognition to be considered resistance (Carr, 1998; Tye & Power, 1998, as cited in Hollander & Einwohner, 2004).

The second debate is about the intent of an act (Hollander and Einwohner, 2004). Some scholars see intent as crucial to an act to qualify as resistance. According to this view, if an actor is aware of and intends to resist some exercise of power, their actions qualify as resistance, irrespective of the outcome (Scott, 1985; Leblanc, 1998). A second group of scholars argues that it is sometimes

difficult to assess intent; therefore, it is more useful to assess the action and not the intent of the action (Weitz, 2001). A third set of scholars goes as far as to say that resistance can exist without the intent of the resister, so an observer or researcher can classify an act as resistance even if the person executing the act does not see it as resistance. Following the overall consensus of the two core elements of resistance, the sense of action and oppression, and following Scott in qualifying unrecognized acts as resistance and the importance of intent, I choose to use the definitions of resistance by Leblanc (1999): *“a subjective account of oppression (real or imagined), an express desire to counter that oppression, and an action (broadly defined as word, thought, or deed) intended specifically to counter that oppression”*.

As Asara (2017) argues, social movements and resistance are inherently linked: social movements are often built around acts of resistance—both concepts centre on conflict, challenge, and the articulation of claims. Resistance, understood as actions that challenge authoritative structures and systems, is foundational to social movements (Asara, 2017). While resistance can occur in isolated or sporadic acts, it transforms into a social movement when sustained over time and grounded in collective action (Tarrow, 2011). A social movement can be defined as *“a collective, organized, and sustained effort by a group of individuals or organizations to bring about social, political, economic, or cultural change”* (Della Porta & Diani, 2006). In the context of mining and resistance, Bebbington et al. (2008), drawing on Escobar and Alvarez (1992), define social movements as *“processes of collective action that are sustained across space and time, that reflect grievances around perceived injustices, and that constitute a pursuit of alternative agendas.”* This perspective highlights how continued acts of resistance can evolve into organized, collective movements with broader social goals. Within a social movement, individual members can act independently, for example, through everyday forms of resistance, while also participating in collective actions.

The theorization of social movements has a long and evolving history. For decades the structural paradigm dominated social movement theory (Jasper, 2004). The focus on resource mobilisation and political opportunities emphasized the structural conditions that enable or constrain social movements (McAdam, McCarthy, & Zald, 1996; Williams, 2004). These structural frameworks treated movements primarily as responses to external conditions, often critiqued for their static nature and insufficient attention to social movements' cultural and emotional dimensions (Jasper, 2004). With this critique came the cultural turn of social movement studies. This cultural approach highlighted the importance of the political culture of a social movement and the forming and framing of collective identities (McAdam, McCarthy, & Zald 1996). Jasper (2004) critiques both structural and cultural approaches, which lack the ability to address strategy and agency in social movements. He states that strategy is a fundamental dimension of protest and, therefore, suggests a more strategic approach to collective action. This approach highlights the choices and dilemmas social movements face, examining how activists navigate their cultural and institutional contexts to achieve their goals. This lens not only acknowledges the constraints imposed by structures but also emphasizes the agency inherent in the strategic decisions of movement actors and recognises the dynamic nature of a socio-political context.

Jasper's strategic approach resonates with ideas about force fields (Nuijten, 2003) and Strategic Action Fields (Fligstein & McAdam, 2012). Similarly to force fields, Jasper (2004: 5) talks about arenas where protest groups and other players *“confront dilemmas, make choices, react to others”*. This does not mean that all players are equal; it depends on the resources and skills they bring to the arena. The rules and resources in an arena *“channel contention into certain kinds of actions.”* The strategic approach

provides a complementary lens to the force field approach, offering valuable insights for analyzing the interplay between structure and agency in the politics of social movements.

2.3 Dynamics of Social Movement Strategies and Constraints

In this section, I introduce the concept of repertoires of contention and explore how social movements employ various strategies to advance their objectives. I provide a categorisation of these resistance strategies, distinguishing between conventional, disruptive, and everyday forms of resistance. I then examine the internal and external dynamics that shape and constrain these strategies,

Social movements employ diverse tactics, collectively termed “repertoires of contention,” to pursue their objectives. Tilly (1978) defines repertoires as the set of tactics available to movements shaped by historical, social, and political contexts. In Tilly’s earlier work, set in the structuralist social movement paradigm, social movement repertoires were seen as rather static. In his later work and after paradigm shifts, it was recognised that repertoires are formed through dynamic mechanisms (McAdam, Tarrow & Tilly, 2003). Furthermore, the selection of tactics is shaped by a relational dynamic that develops through interactions between those in power and the activists challenging them (Della Porta, 2008; Tilly, 1978). Therefore, it is helpful to study the repertoire of actions within the force fields in which a social movement operates. Social movements evolve in changing situations and seek opportunities when those occur, like changing political dynamics (Della Porta, 2008).

Drawing on insights from various social movement and resistance scholars who categorize tactics in similar yet differently framed ways (Taylor & van Dyke, 2004; McAdam, Tarrow & Tilly, 2004; Tarrow, 2011; Della Porta & Andretta, 2002; Vinthagen & Johansson, 2013), I synthesized these frameworks into three overarching categories: conventional, disruptive, and everyday forms of resistance. It is important to note that conventional and disruptive forms of action are primarily collective strategies employed by social movements, whereas everyday forms of resistance represent individual resistance actions that may not be directly tied to a movement’s strategic framework. However, it is still important to acknowledge that everyday forms of resistance, while individual, can be part of the strategies of some members of the movement. These actions, although not necessarily coordinated or collective, contribute to the overall resistance effort and can reflect the values and goals of the movement, even if they are not officially part of the movement’s formal tactics.

Conventional tactics, also referred to as contained contention (McAdam, Tarrow & Tilly, 2004), include nonconfrontational actions such as lobbying, petitioning, and lawsuits (Taylor & van Dyke, 2004). These actions aim to create change through established systems and institutional channels, often involving political campaigns, reforming policy efforts or focusing on educating the public to shift social norms and public opinion. I opted to use the term *conventional* rather than *contained contention* because it better reflects the system-oriented nature of these tactics. In contrast, disruptive tactics, which correspond to what McAdam, Tarrow, and Tilly (2004) describe as transgressive contention, such as protests, marches, and blockades, confront power structures more directly (Van Dyke, Soule & McCarthy, 2001). These actions typically bring urgent issues to the public agenda, capturing attention and pushing for immediate change. Everyday forms of resistance involve subtle and often covert actions. Scott (1986) suggests that resistance can occur in small, everyday ways that avoid direct confrontation. Vinthagen and Johansson (2013) expand on this by explaining that everyday resistance

undermines power through routine actions that may not be recognized as resistance, even by the participants.

The fluidity of these categories means that tactics can shift over time; what begins as disruptive may become conventionalized and widely accepted. Tarrow (2011) illustrates how actions like strikes and demonstrations, once disruptive, became routine and legally recognized. Thus, social movement repertoires are dynamic, evolving in response to external constraints and opportunities and internal dynamics.

Strategies are shaped by the attribution of opportunities and threats (McAdam, Tarrow & Tilly, 2004), which are influenced by internal and external factors (Ennis, 1987; Jasper, 1998). Internally, the movement's culture, organizational structure, and activist identities shape tactics (Jasper, 1998; Taylor & van Dyke, 2004); activists often choose actions that resonate with their values and vision (Doherty & Hayes, 2018; Jasper, 1998). When a movement lacks organisational skills, it cannot organize mass disruptive actions or get numerous people to sign petitions. Movements are more than individual organizations; they are constituted by distinct groups of actors, local leadership, and formal social movement organizations (SMOs). These SMOs, such as NGOs, churches, student bodies, and ethnic associations, play a pivotal role in movement processes. Movements often depend on such formal organizations to access financial, human, informational, social, and other resources that informal networks alone cannot provide (Bebbington et al., 2008; Tarrow, 2011). The structural power of certain groups within a movement steer the strategies in a specific direction (Taylor & van Dyke, 2004). More institutionalised organisations like NGOs or the church can tend to push for more conventional tactics, which decreases the amount of disruptive tactics (Doherty & Hayes, 2018). Moreover, resource poverty can be a restraining factor which can be of external or internal origin.

The external factors are mainly due to the political context. As McAdam, McCarthy and Zald (1996) argue: *“the broad political environment in which the movement is embedded will continue to constitute a powerful set of constraints/opportunities affecting the latter's development”*. The three scholars listed four political dimensions that influence collective action, namely (p. 10):

1. The relative openness or closure of the institutionalized political system
2. The stability of that broad set of elite alignments that typically undergird a polity
3. The presence of elite allies
4. The state's capacity and propensity for repression

Movement actors shape their strategies based on their assessment *“of the specific chances of reform and threat, and the specific risks of repression and facilitation they face”* (Kriesi, 2004: 78). Repression in this sense means *“sanctions that increase the costs of collective action”* (Kriesi, 2004: 78). For example, physical violence and intimidation are often employed to suppress dissent, particularly against rural communities and environmental activists seeking to protect their land and environment (Global Witness, 2017; Middeldorp & Le Billon, 2019). A movement weighs the risks and costs of an action against the chances of succeeding (Tarrow, 2011). I delve deeper into how repression mechanisms restrict the room to manoeuvre of social movements through the concept of “operational space”. Van der Borgh and Terwindt (2012) developed a framework to analyse the shrinking operational space of NGOs. They define operational space as *“the capacity to function as an organization and to perform the key tasks of the organization, in accordance with the principles protecting civil society that*

are embedded in international law” (p. 1068). Although this framework was designed for NGOs, it can also be applied to other forms of civil society, such as social movements.

Van der Borgh and Terwindt categorise the policies, laws, and measures that restrict operational space into five main areas: physical harassment, criminalization, stigmatization, administrative restrictions, and the shrinking space for dialogue. Importantly, these restrictions are not solely enforced by the state; other actors, such as corporations, can also play a role.

Physical harassment includes two distinct forms: direct violence, such as injuries and killings, and the lack of protection, where weak law enforcement leads to impunity. Civil society actors become increasingly vulnerable to threats and attacks when the state fails to provide adequate protection.

Criminalisation involves defining certain behaviours or actions as criminal, enabling state authorities to prosecute individuals or groups, resulting in penalties like fines or imprisonment. Criminalization can occur through preventive measures, such as counter-terrorism laws, which often broadly define terrorism, creating space to label particular actors as threats. It can also take the form of prosecution. Stigmatisation often works in tandem with criminalisation: it can justify punitive actions and is further reinforced by detentions and trials.

Administrative restrictions provide another mechanism for limiting civil society’s space. Restrictive legislation, such as mandatory and burdensome registration processes, can hinder NGOs and other organizations from operating effectively. Beyond formal laws, government agencies may arbitrarily use bureaucratic power to obstruct organizations, for instance, by delaying registrations or imposing excessive paperwork.

The space for dialogue between state agencies and civil society is also under increasing pressure. Platforms such as social forums, round tables, or seminars, which are intended to foster collaboration, can become restricted, dissolved, or rendered ineffective. Participants often perceive these spaces as “fake” when they serve merely to meet legal or donor requirements without allowing meaningful engagement. In such cases, consultations may function more as tools for governments to legitimize their actions than as genuine opportunities for civil society to voice concerns or influence decision-making.

2.4 Strategies and Tactics of Anti-Mining Movements

Scheidel et al. (2020) analysed 2743 cases of environmental conflicts around the world, twenty per cent of these were mining conflicts. The researchers identified twenty-seven forms of resistance actions (not specifically for mining conflicts). The most commonly used actions include formal petitions, public campaigns, street protests, and media-based activism and lawsuits. The researchers found that protest diversification, the use of multiple tactics, in combination with pursuing legal action, leads to higher success rates of activist groups. This section specifically explores legal activism, alliances, and narratives, given their pivotal role in shaping the outcomes of environmental and anti-mining movements. Because legal activism plays a significant role in my case study, I explore it in greater depth to understand its influence and impact on these movements.

Environmental legal activism defined as *“the effort of some members of [the social movement] to ensure sound environmental and ecological order by applying the legal mechanism as a tool”* (Karim, Vincents & Rahim, 2012: 9), is a key tactic within anti-mining movements and environmental struggles globally to hold mining companies and governments accountable and protect their environments. This approach includes a range of actions, from litigation against environmental polluters to providing legal

assistance to affected communities, conducting research, and engaging in advocacy. Scheidel et al. (2020) found that lawsuits are used in 44 per cent of conflicts studied. Legal action can result in court rulings that halt mining activities, impose restrictions, or provide compensation to affected communities (Conde, 2017; Romero-Schmidt & Ortega-Rubio, 2020). However, while legal strategies can yield impactful outcomes, they are often costly and time-intensive, requiring robust networks that include legal expertise, which are not always accessible to all communities (North & Young, 2013). Alliances with NGOs and lawyers are critical in helping poorer or marginalized groups pursue legal action (Conde, 2017). McCann (2006) captures the dual nature of law in activism, observing that *“law can at once both empower and disempower variously situated social groups in different types of relations”*. Law may reinforce the status quo and restrict activist efforts, it can function to criminalise protesters, hindering the mobilisation efforts of social movements (Lindt, 2021). However, law can also offer valuable avenues for resistance; law can turn into a *“mean of resistance”* (Hirsch and Lazarus-Black 2012: 9). The success of legal activism often depends on context-specific opportunities and the resources available to the movement, highlighting how internal and external factors shape movement tactics. This makes analysing the role of law through a force field approach useful.

Activist-scientist collaborations have also gained prominence as a strategy in recent years. This involves the collaboration between activists and scientists to gather and present scientific evidence on the potential environmental and health impacts of mining, strengthening the resistance movement's arguments. In the context of resistance against mining projects, scientific collaboration can involve collaboration between local communities, researchers, and scientists to gather scientific evidence and data related to the environmental impacts of mining projects. (Conde, 2017; Romero-Schmidt & Ortega-Rubio, 2020). Through scientific collaboration, local communities can strengthen their arguments in lawsuits against mining projects by presenting scientific evidence that supports their concerns about the environmental and health risks associated with mining activities.

Alliances are crucial in the forming of anti-mining movements. Extra-local alliances are formed between local actors, including local communities, NGOs, churches and student organisations (Bebbington et al., 2008). These alliances are crucial in allowing resistance to emerge and expand. Through these alliances, communities learn about the potential impacts of mining and can react before operations begin. Cross-scalar alliances refer to collaborations and networks formed between different scales or levels of actors, such as local communities, national and global NGOs, scientists, lawyers, and global environmental movements (Bebbington et al., 2008). These alliances allow for local activists to see their struggle in a broader context. Local anti-mining narratives are combined with global discourses to strengthen the argument in the resistance. The discourse on rights is one of them, like the right to clean water, the right to make decisions, and Indigenous rights, this last one has in some cases led to the appropriation of indigeneity to get more rights (Schipper, 2010).

Environmental justice discourse is a second increasingly used global discourse in resistance to mining to highlight the disproportionate exposure of certain communities or groups to environmental impacts and risks compared to others (Martinez-Alier, 2012). This discourse used in resistance to mining helps to gain more visibility in global networks to advocate for more equitable and sustainable alternatives to mining (Conde 2017). This last argument is confirmed by the study of Rasch (2014) about the different narratives in the anti-mining resistance in Palawan. She found a strong ecological narrative together with an indigenous rights narrative. The two are interwoven, because the indigenous rights in the Philippines are linked to natural rootedness, therefore indigenous people are

seen as part of the forest and because of this they become part of the ecological narrative used in the resistance. Both narratives are needed for a successful resistance, because the ecological arguments are better listened to nationally, but there are more rights to claim under the indigenous rights narrative.

Conclusion

In sum, this theoretical framework presents a comprehensive approach to analysing the strategies of social movements, with a particular focus on anti-mining movements. The force field approach serves as a central concept, highlighting the fluid and relational nature of power within socio-political spaces. This approach underscores the constant interplay between dominant actors and challengers, emphasizing the need to examine power dynamics as shaped by both external and internal forces. Integrating key insights from the strategic approach of social movement theory, I acknowledge both the constraints and opportunities present within institutionalized structures, while also emphasizing the agency of social movements in responding to these challenges.

The concept of repertoires of contention further enriches the analysis by providing a framework for understanding the diverse strategies and tactics employed by movements. This approach allows for a nuanced examination of how strategies of movements evolve in a specific socio-political context, choosing actions that resonate with their values and goals. The opportunities and constraining factors embedded within the political environment are integral to understanding movement dynamics, as is the role of the legal landscape in shaping activism. Given the context of my case study in the Philippines, I have chosen to focus on how the anti-mining movement navigates and shapes its strategies within the political and legal force fields. By doing so, this framework enables a deeper exploration of how movements engage with and respond to external challenges, providing a robust foundation for analysing the strategies employed by anti-mining movements.

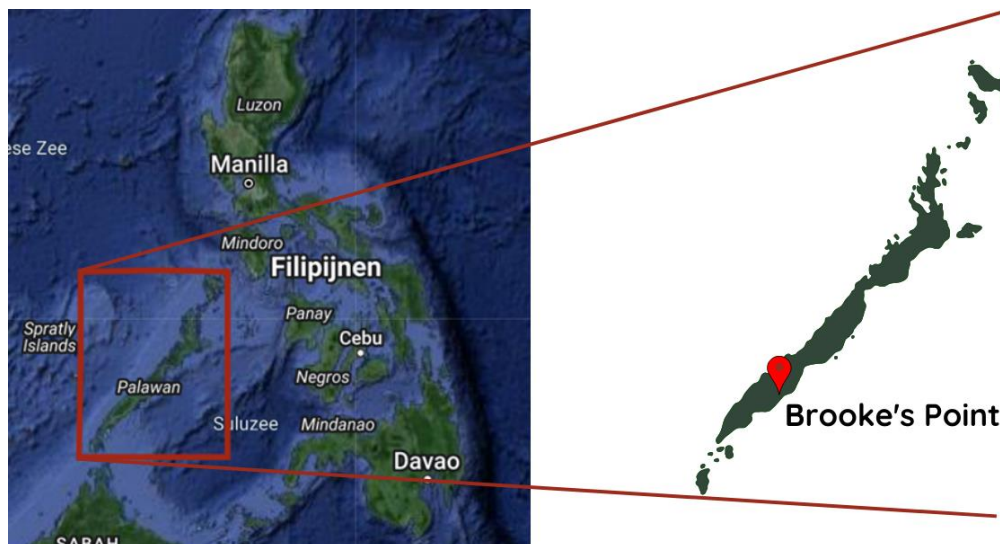
3. Methodology

This chapter outlines the methodological choices I made in my research. I begin by providing contextual background on the study areas, Palawan and Brooke's Point. Next, I describe my research design, which is rooted in ethnographic methods, and detail the research tools I employed: interviews, participant observations, and document analysis. I then explain how I analysed the data. Finally, I reflect on my positionality and address the ethical considerations involved in my research.

3.1 Study Area Description

Before I explain my methodological choices, I will provide some background information about the study area: the province of Palawan, the capital Puerto Princesa and the municipality of Brooke's Point. Palawan is a province in the Southwest of the Philippines; it consists of one big island, also called Palawan, and around 1700 small islands. The province is known as the last ecological frontier of the Philippines due to its ecological uniqueness of diverse flora and fauna, many of which are endemic to Palawan and are on the IUCN list of threatened species (Sandalo & Baltazar, 1997). Palawan has been a UNESCO biosphere reserve since 1990. Despite this status, Palawan faces deforestation due to population growth, illegal logging, mining, and agriculture, which impact its rainforest and ecosystems (Nolos, Zamroni & Evina, 2022). Palawan has a population of around one million (Philippines Statistics Authority, 2020). Most Palawanos depend on agriculture or fishery for their livelihoods, sometimes in combination with tourism (Eder, 2006). The island is home to several indigenous peoples, the most common are the Pala'wan, Tagbanua and Batak.

Figure 1. Map of Palawan



Source: Google earth (2024)

Brooke's Point is a first-class municipality in the southern part of Palawan, classified as such due to its relatively high annual income, which reflects a high level of economic activity and revenue generation. Often referred to as Palawan's "food basket" and "coconut capital," Brooke's Point is a key agricultural hub, with many livelihoods centred around farming and fishing (Amigo, Bravo, Inzon & Mane, 2017). The municipality has a population of approximately 75,000 people (Philippines Statistic Authority,

2020). The mining operation of the Ipilan Nickel Corporation (INC) is located in the barangays¹ of Ipilan and Maasin, near Mount Mantalingahan. This mountain is part of the Mount Mantalingahan Protected Landscape (MMPL), a biodiversity hotspot recognized for its ecological importance (Tabangay & Westerman, 2016). Furthermore, the INC mine site is situated within a critical watershed area that provides water for many communities in Brooke's Point, supporting their agricultural, domestic, and ecological needs. Contamination of water streams in this watershed due to mining can have serious consequences for the communities (Novellino, 2014). The INC started its mining operations in 2022. Additionally, another mining company, MacroAsia Corporation, is set to begin operations in Brooke's Point in 2025 under the execution of Calmia Nickel Inc.

3.2 Research design

I conducted three months of ethnographic fieldwork in Palawan to study the struggles and strategies of the movement against mining in Brooke's Point. I decided to do a case study in Palawan and study the struggles and strategies of the movement against mining in Brooke's Point. A case study is desired to study complex social phenomena and *"to retain the holistic and meaningful characteristics of real-life events"* (Yin, 2009: 4); thus, a case study provides an in-depth understanding of a specific context. Ethnography is a form of qualitative research used in social science to study human groups, societies, cultures, or institutions. It involves the researcher immersing themselves in the same social environment as the participants being studied (Madden, 2010). Ethnography *"emphasises the importance of studying at firsthand what people do and say in particular contexts"* (Hammersley, 2006). An ethnographic approach is suitable for my research in Palawan because I studied a specific human group, namely the movement against mining in Brooke's Point, to study the relational and socio-political dynamics in their context (Madden, 2010). Following scholars who study social movements in the extractive sector, I will use three different research tools to explore the internal and external dynamics that shape the anti-mining movement's strategies: interviews, participatory observation and document analyses (Bebbington et al., 2008; Özen & Özen, 2011; Rasch & Köhne, 2016; Leonard, 2021). Initially, my research focused on emotions in activism. However, I found it challenging to gather sufficient data on this topic due to language barriers and the prominence of other significant themes. Consequently, halfway through my fieldwork period, I shifted the focus to the political and judicial context of anti-mining activism in Brooke's Point. The importance of these themes emerged from the data I already collected.

3.2.1 Access to the field

Before I travelled to Palawan, I contacted several local NGOs to gather information about the situation in the region and to explore potential support for my research. Among these, the Environmental Legal Assistance Center (ELAC) proved to be the most suitable partner for my study. During my three-month fieldwork in Palawan, I undertook an internship with ELAC, an organization led by executive director Attorney Gerthie Anda, who plays a prominent role in the resistance against mining in Palawan, particularly in Brooke's Point.

¹ A barangay is the smallest administrative unit in the Philippines, with its own council and barangay captain.

ELAC's staff members possess extensive knowledge of the anti-mining movement's network and its key stakeholders, making them a valuable resource for my research. My role at ELAC primarily involved assisting with communication-related tasks. In addition, the staff provided significant support for my study by identifying and connecting me with respondents, organizing interviews, and translating live during interviews conducted with Tagalog-speaking respondents. Without ELAC's connections, accessing certain key anti-mining advocates and stakeholders would have been far more challenging. ELAC's activities also offered me unique opportunities to attend meetings with government agencies and gain firsthand insight into the broader political and social context of mining resistance. My participation in ELAC's Women Environmental Defenders project further shaped my research, as a majority of the individuals I interviewed were women. This focus provided perspectives on the intersection of gender and environmental advocacy.

However, my reliance on ELAC's network posed some limitations. First, being dependent on their connections may have resulted in missing perspectives from individuals outside their immediate circle, potentially leading to an incomplete representation of the anti-mining movement. However, I think this consequence is limited because ELAC has a leading and respected role in the movement. Second, as ELAC is based in Puerto Princesa, the capital of Palawan, I spent most of my fieldwork there. This provided me with a good understanding of the NGO's role in the movement. However, it limited the time I spent in Brooke's Point, which meant I had less direct experience with the grassroots organizations of the movement. While spending more time with these organizations would have been ideal, it would have required a translator, which was not feasible given the scope of this research. Nonetheless, I was able to gather perspectives from grassroots members through interviews.

3.3.2 Methods

Interviews and research participants

In this research, I conducted fourteen in-depth semi-structured interviews. In-depth semi-structured interviews are a conversation with a purpose that allows a researcher to discuss specific topics with a participant (Hennink, Hutter & Bailey, 2020). Qualitative interviews allow access to nuanced, context-rich information that cannot be captured through standardized surveys or questionnaires (Mason, 2002). Through qualitative interviews, I tried to understand the complexities of internal and external dynamics that shape the strategies of the anti-mining movement, following the methods used by other scholars who studied anti-mining resistance (Ransan-Cooper, Ercan, & Duus 2018; Rasch & Köhne, 2016). Semi-structured interviews entail pre-planned topics to guide the conversation, allowing flexibility for unexpected relevant matters to emerge during the interview. This allows participants to discuss specific experiences, events, and concerns relevant to their context (Mason, 2002) and empowers respondents to shape the narrative they wish to convey (Hennink, Hutter & Bailey, 2020). Qualitative interviewing allowed me to be reflexive during my fieldwork. I made a general interview guide and adjusted the interview guide to suit each respondent. Reflexivity also meant revisiting and revising my topic list as new insights emerged after I conducted several interviews. Initially, my research focused on emotions in activism. However, I found it challenging to gather sufficient data on this topic due to language barriers and the prominence of other significant themes. Consequently, I shifted the focus to the political and judicial context of activism and adjusted my interview guide to this.

During my fieldwork in Puerto Princesa and Brooke's Point, I conducted 15 interviews with individuals involved in the movement against mining in Brooke's Point. The participants represented various roles

and backgrounds, including NGO employees, lawyers, politicians, youth-, women- and farmer-leaders, and Indigenous women. This diversity provided a broad perspective on the anti-mining movement's dynamics. However, I did not have the opportunity to speak with individuals who had stopped being active in the movement, which I would have been interested in to analyse why they left and understand the challenges faced within the movement. This was due to the difficulty in reaching those who had left, as they did not respond. The interviews ranged in length from 40 minutes to 2.5 hours. Each interview was recorded and subsequently transcribed using the transcribe tool TurboScribe.

Language barriers posed challenges during interviews with Indigenous women who did not speak English. In these cases, I was accompanied by one or two ELAC employees, who assisted with translation. To demonstrate effort and care, I translated and read out the interview introduction in Tagalog myself. This gesture unexpectedly served as an icebreaker, as my pronunciation often amused the participants, which created a relaxed atmosphere during the rest of the interview. However, relying on non-professional translators affected the quality of the interviews. Some responses were only partially translated, and the interview dynamic with a translator often felt more rigid, making it harder to engage with the interviewee directly. This language barrier made asking follow-up questions or clarifying unclear points difficult, leading to a more structured and less conversational interaction. In contrast, interviews conducted entirely in English flowed more naturally. These conversations allowed for greater flexibility to deviate from the interview guide, delve into unexpected topics, and seek clarification when needed. As a result, these interviews felt more collaborative and yielded richer, more detailed data.

Participant observation

Next to conducting interviews, I also conducted participant observation. With participant observation, the researcher participates in the lives of the community it is studying, while maintaining sufficient distance to be able to observe the situation (Hennink, Hutter & Bailey, 2020). The researcher attempts to experience what it feels like to be a member of the human group it studies, but does not totally immerse into the culture (Madden, 2010; Bernard, 2017). As a researcher, you try to make the people you research feel comfortable enough around you to be able to observe and record information about their lives (Bernard, 2017). As Madden (2010, p. 79) puts it: *"One doesn't simply hang out in some aimless socio- cultural immersion exercise; one has questions and motivations for getting very close to one participant group, but one will never answer those questions if one gets too close."* Keeping a certain distance helps to disengage in order to be able to reflect, analyse and write. The researcher observes surroundings, interactions, and conversations while participating in some aspects of life. In my case, this meant participating in the daily work of ELAC; I joined field trips, meetings and trainings. I observed and noted the conversations that ELAC staff had with each other. I joined two meetings organised by ELAC between Women Environmental Defenders and two government agencies and participated in the debriefing of these meetings. I joined a camp for Indigenous youth and observed a training ELAC gave Indigenous leaders about environmental laws and Indigenous rights. Unfortunately, there were no public protest actions against mining during my time in Palawan that I could observe and participate in. Additionally, by living in Puerto Princesa for three months, I got some experience of the daily life of some movement members and heard and observed things related to my research. I travelled to Brooke's Point twice and had the opportunity to observe how some respondents live and work. However, the language barrier made participatory observations more challenging. At the ELAC office and during lunch breaks, the staff tried to speak English when I was present, but understandably, they often reverted to Tagalog out of habit. Most meetings and training were in Tagalog as well. I

recorded some meetings and tried to translate them afterwards, which helped me understand the general topics discussed. However, I missed a significant amount of information during these interactions, particularly the more nuanced details of the discussions or social dynamics between people.

According to Driessen and Jansen (2013), small talk is an underrecognized but central skill in fieldwork. It is part of “hanging around”, which is the core of fieldwork (Geertz, 1973). The success of fieldwork depends on the ability to maintain good relationships with research participants, which includes small talk. People first connect through micro-interactional forms, like smiling, making gestures and exchanging words. This connection gives access to further meaningful contact. In my fieldwork, I made an effort to engage in small talk with colleagues of ELAC and respondents by discussing the weather, asking about their day or family, and finding shared moments of connection. The language barrier sometimes made these interactions challenging. However, with English-speaking participants, the language barrier occasionally became a way to connect. Some individuals enjoyed teaching me Tagalog words, which often served as an effective icebreaker and fostered a relaxed atmosphere.

To remember what I observed during the day, I took field notes in a notebook that I carried with me most of the time. During observations, I noted down things I saw and heard briefly about people, the ambience in the room and conversations. At the end of the day, I tried to work out the fieldnotes, this way, I could elaborate on the things I observed that day (Madden, 2010).

Document analyses

Document analysis is a systematic procedure of reviewing and interpreting data from documents (Bowen, 2009). The documents that are evaluated are existing documents and contain text and images that are made without the involvement of the researcher. I use document analysis together with interviews and participant observation as a mean for triangulation. By using three methods, I increase the credibility of my research. Documents can help understand and give insights about the phenomena being researched by providing background and historical information, adding supplementary data and can be used to verify findings from other research methods (Bowen, 2009). In my research, I primarily consulted news articles to gather information about events that occurred prior to my fieldwork and to gain insights into political processes. Additionally, I reviewed social media posts from members and organizations involved in the anti-mining movement to analyse how they discuss anti-mining advocacy and engage people in the debate. To gain a deeper understanding of the government’s narrative and policies, I reviewed government press releases, interviews with government officials, and policy documents. Since Facebook serves as a widely used broadcast platform in the Philippines, I could locate relevant government documents and press releases through Facebook, as well as through official government websites.

3.3 Data analysis

After transcribing and thoroughly reviewing my interviews, I identified the main themes that emerged as significant. I used a blended approach of both inductive and deductive coding (Graebner, Martin & Roundy, 2012). I began with open coding a selection of interviews, allowing themes and patterns to emerge without setting predefined categories (Scheepers, Tobi & Boeije, 2016). Open coding is an inductive approach that allows the researcher to “give voice” to the data; it helps to understand the

ideas and experiences of the research participants from their own perspective (Linneberg & Korsgaard 2019). Once I had a clearer understanding of recurring ideas and topics, I organized these initial codes into a structured code tree, categorizing them into main codes and sub-codes, which were already more linked to theory; this is a form of a deductive coding approach (Linneberg & Korsgaard 2019). I recoded all my interviews and fieldnotes using this code tree. I used the software Atlas.ti to facilitate this process. The use of software allowed me to efficiently handle the volume of data, ensure consistency in applying codes, and easily retrieve relevant quotes.

Simultaneously, I developed a writing scheme for my thesis. The main codes in my code tree were directly aligned with the planned chapters of my thesis, creating a seamless connection between data analysis and the thesis structure. These chapters included The Movement, Politics and Governance, Corporate Influence, and The Legal Landscape. By aligning the code tree with my thesis outline, I ensured that my analysis remained focused and coherent, facilitating a logical flow from data interpretation to written output. This integrated approach provided clarity in my analysis and helped me stay organized.

3.4 Positionality, Reflexivity and Ethical Considerations

Ethics are present in every research phase, from research design to gathering data to analysing and writing up the data (Madden, 2010); it is a continuous process. In this section, I discuss my positionality, informed consent, exploitation, and the consequences of my research. For each of these topics, I reflect on the ethical considerations and examine the advantages and limitations they bring to my study.

3.4.1 Positionality

To ensure ethical research practices and mitigate the risk of exploitation, it is imperative to critically examine one's positionality, particularly in research settings characterized by inequalities and power differences (Sultana, 2007). Researchers should be aware of the historical and colonial context and local politics. Before I went to the Philippines to do my research, I started learning about the context by reading articles about the Philippines' colonial and political history and news articles about current local politics in Palawan. During a conversation with a representative from a small environmental organisation in Palawan, I was made aware that it is sometimes easier for foreign researchers to get the trust to talk to respondents than it is for local researchers. She said this, unfortunately, stems from the colonial legacy, where foreigners or white people are looked up to. Such racial and geographical privileges are common when researchers from the Global North conduct studies in the Global South (Johnson & Zalik, 2021; Sultana, 2021). Additionally, foreignness and whiteness can grant protection from violence (Johnson & Zalik, 2021). For me, as a white researcher from the Netherlands, it is important to be aware of this privilege. Although I feel a discomfort about this privilege, I acknowledge that it can facilitate access to certain respondents. I tried to leverage this privilege responsibly by collaborating closely with local NGOs, mainly ELAC and sharing my findings with them and the rest of the movement against mining in Brooke's Point. By doing so, the information I gather can directly benefit the movement itself. During my fieldwork, I observed that it was not my foreignness that benefited me in getting in contact with respondents, but it mainly was the connections and good reputation of ELAC that did. In one instance, I had planned an interview with an anti-mining politician in Brooke's Point, arranged by an ELAC employee, but the appointment had not been confirmed. Since

I had limited time in Brooke's Point, I decided to visit her office anyway. The politician's secretary wanted to check if I was really affiliated with ELAC before we proceeded with the interview.

On the downside, being connected to ELAC may have led interviewees to feel unable to criticize the organisation, which may have resulted in a lack of critical perspectives on internal challenges. Furthermore, my affiliation with ELAC likely shaped the framing and direction of my research. The organisation's focus on legal and advocacy issues could have steered my inquiries towards these topics, potentially overshadowing other essential aspects of the movement that were not aligned with ELAC's priorities. This connection may have narrowed the scope of my research, excluding valuable insights from those who were less involved or critical of the organization's strategies and approaches. However, the advantages of being connected to ELAC outweigh the disadvantages.

Prior opinions of the researcher can influence the development of the research, and being open about this helps identify the weaknesses and strengths of this positionality in the research (Kirsch, 2018). I identify myself as an environmental and human rights activist. Hence, I hold a positive stance towards the cause of and sympathize with the anti-mining movement. Since my respondents are part of the movement against mining, I believe my anti-mining stance was not a disadvantage in the field. On the contrary, if I had held a pro-mining stance, I likely would not have been able to join ELAC, and my respondents might have been less forthcoming with their anti-mining views or more suspicious of my intentions. Furthermore, my experience with activism helped me connect with the people and, to a certain extent, helped me understand the experiences people go through in their activism (Sultana, 2007).

3.4.2 Ethics

Most researchers adhere to the principle of informed consent, which entails ensuring that research participants are fully informed about the study and given the opportunity to voluntarily participate, with the understanding that they can withdraw at any time (Hammersley & Atkinson, 2019). Obtaining consent prior to an interview is relatively straightforward. Before an interview, I explained the research objectives and procedures before explicitly seeking consent from participants, including permission to record the interview and asking if they would like to be anonymous in my thesis. Obtaining informed consent during participatory observation is less straightforward and not always possible. At the beginning of my time at ELAC, I explained to the staff what my research was about. When I joined other meetings, the present ELAC staff member explained my presence in Tagalog and asked if I could record the meeting.

To avoid being a master's student who goes to Palawan to mine data from local communities to graduate, I deem it important to give back to the community or movement. At the same time, I have to admit that my master's research will not solve all the problems. The least I can do is conduct my research ethically and respectfully and give back the data the respondent gave me by presenting my results. The respondents and the movement can then choose if my research is useful for them and if they can use it to strengthen the movement. To share my findings, I will send my full report to ELAC and summarise the main findings to share with the people I interviewed. I will translate the summary into Tagalog and have it checked by ELAC to ensure clarity and accuracy. I will then send the Tagalog

summary to respondents who do not speak English, ensuring that all participants can access the findings in a way that is meaningful to them.

I believe joining ELAC was helpful in my research. My colleagues taught me about culturally important practices, such as how to address people respectfully. For instance, when addressing a lawyer, it is customary to use the title 'attorney,' and when speaking to someone older, you should use 'ate' or 'kuya.' They also taught me that it is polite to bring food when having an interview with someone.

On one occasion, I expressed my doubts to an ELAC colleague about what I could contribute to the movement, fearing that I was merely extracting information, she responded:

“We're really glad that you picked this up. I know you come from the other side of the world, and you're giving your time and resources. Your work is a way to document things in an academic way, with your analysis and theories. You can compare it with other related resources and offer an outsider's perspective. And perhaps provide recommendations that could be helpful. It will always have an impact.” – Ate Belle

This response helped reduce my worries about my contribution. Additionally, some respondents expressed gratitude after the interviews, appreciating that I took the time to listen to them. For some, the interviews served as a way to release stress, while also providing an opportunity to reflect on the dynamics within the movement. Some hoped that sharing their stories would help their cause by spreading information to other parts of the world.

To give back to ELAC for their support and because I believe in their great work, I set up a crowdfunding campaign and raised money from my friends and family. The money went to the Legal Empowerment Fund, indirectly supporting the fight against mining. This also provided a valuable opportunity to explain my work to people back home, raise awareness about the situation in Palawan, and inform them about the ongoing challenges.

4. The Movement Against Mining in Brooke's Point

This chapter describes the composition, motivations, strategies and challenges of the movement against mining in Brooke's Point. I begin by examining the movement's composition, exploring how farmers, fisherfolk, Indigenous leaders, women, youth, religious groups, lawyers, politicians, and NGOs have joined in resistance, as forming alliances is important in resistance groups (Conde, 2017). Each group brings different perspectives and strengths, contributing to the multifaceted nature of the movement (Bebbington et al., 2008). I then continue describing the motivations of movement members driving the resistance. The motivations are followed by the strategies employed by the movement. This repertoire of contention (Tilly, 1978) ranges from conventional strategies like information and education campaigns, advocacy work and legal activism, to more confrontational tactics such as protests and barricades, to more subtle tactics in the form of everyday resistance. This diversity in approaches reflects the varying capacities and priorities of the groups involved. However, the movement also faces internal challenges that complicate its efforts, which are explored in the last section. Resource limitations, conflicting strategies, and internal tensions hinder the movement's ability to realize its goals fully. By examining these elements, this chapter lays the groundwork for understanding the broader dynamics of resistance against mining in Brooke's Point.

4.1 Composition of the Movement Against Mining in Brooke's Point

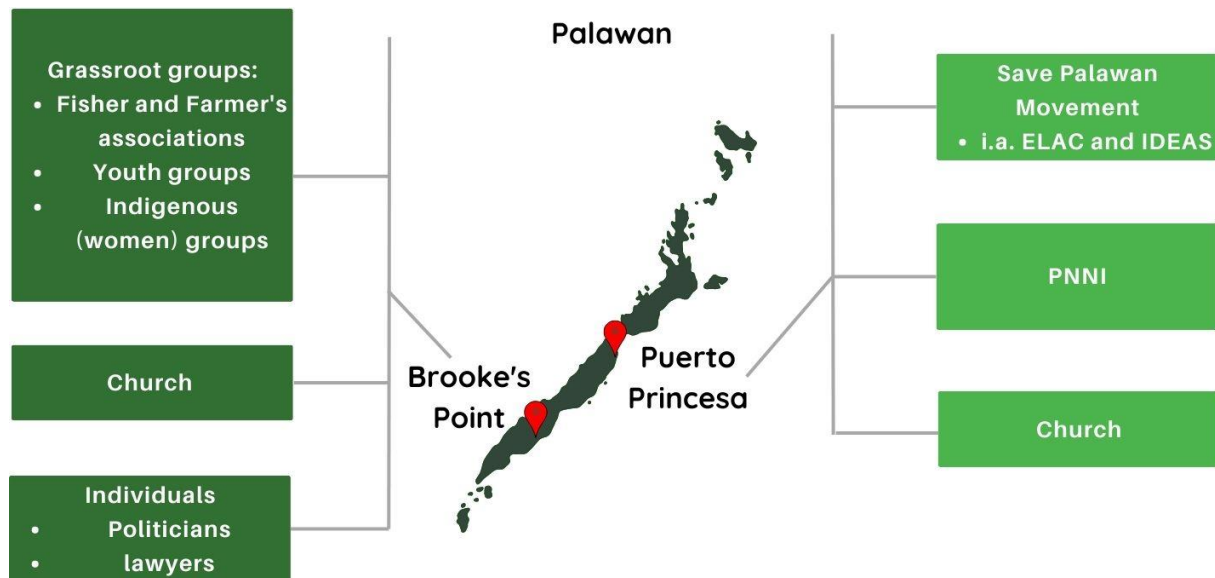
The movement against mining in Brooke's Point is a collective force consisting of local grassroots groups, politicians, the church in Brooke's Point and supportive NGOs based in Puerto Princesa. It is a dynamic coalition of diverse actors unified by a shared commitment to stop mining in Brooke's Point and protect the environment and the rights of Indigenous Peoples. According to Della Porta and Diani (2006), social movements are *"a collective, organized, and sustained effort by a group of individuals or organizations to bring about social, political, economic, or cultural change,"* which applies to the movement in Brooke's Point. In this section, I begin by exploring the grassroots organisations in Brooke's Point, followed by an analysis of the role of NGOs based in Puerto Princesa, and conclude with an examination of the church's contributions to the movement.

Bebbington et al. (2008) observe that most movements contesting mining today are multilocal, meaning that while their campaigns are focused on a specific territorial location, the groups that constitute these movements often extend beyond that area, spanning broader geographical scales. This is also true in the case of Brooke's Point. Although the contested mining operation is situated in a few barangays in Brooke's Point, the individuals and organisations involved in the resistance are not limited to these barangays. They come from across the municipality of Brooke's Point, the province of Palawan, particularly the capital, Puerto Princesa, and occasionally receive support from national and international organisations.

The movement against mining in Brooke's Point consists of two primary factions: local actors and a network of NGOs based in Puerto Princesa. Locally, the resistance comprises various groups and individuals, including farmer and fisher associations, women's groups, indigenous leaders, youth organisations, the church, lawyers, NGOs, and supportive politicians. The local movement in Brooke's Point operates with a core group of around fifteen to twenty key individuals representing these diverse

sectors. This core group organises protests, mobilises the community, and coordinates actions such as petitions against mining activities. I interviewed several core individuals: Vice Mayor Feliciano, pastor and leader of a farmer association Job Lagrada, youth leader Mhar, a nun (who wishes to stay anonymous) and three Indigenous women who are board members of the women's Indigenous organisation MKE BICAMM, Norima, Nolsita and Rowena.

Figure 2. The Movement Against Mining in Brooke's Point



The Brooke's Point part of the movement works closely with several NGOs based in Puerto Princesa, which have projects all over Palawan. These NGOs have joined together in the Save Palawan Movement (SPM). SPM, as described by Sir Roger, the executive director of IDEAS, one of the participating NGOs, is *"an initiative by all of us in Palawan, especially those who have concern for the environment. The Save Palawan Movement is just a reflection of a common understanding of the issues and common call for action"*. They fight against mining across the whole of Palawan. Although mining is one of SPM's main focuses, they try to address all kinds of pressing environmental issues. SPM, formed in 2011 and initially led by environmental advocate Gina Lopez, successfully spearheaded the 'No to Mining in Palawan' campaign, which resulted in a moratorium on mining. Though the movement has since shrunk, its core remains active, consisting primarily of seven committed NGOs. They do not meet regularly as a group, but they keep each other updated through informal means such as a Facebook Messenger group chat. The Environmental Legal Assistance Center (ELAC) serves as the leading NGO in the SPM, with its executive director, Attorney Grizelda Mayo-Anda, as the movement's prominent figurehead (fieldnotes, May 20). She is very well-known and respected by indigenous peoples, colleagues and politicians alike. Several ELAC employees told me that Attorney Anda is the reason they wanted to work as environmental advocates. Next to the NGOs organized in the SPM, there is also the Palawan NGO Network Inc. (PNNI). PNNI is an umbrella organization composed of 39 NGOs and People's Organizations (POs) from Palawan (PNNI, n.d.). NGOs from SPM, such as ELAC, collaborate with PNNI, but PNNI distinguishes itself through its more action-oriented approach. Through its para-enforcers, PNNI conducts citizen arrests of individuals engaged in illegal tree cutting and confiscates chainsaws used in such activities (Dressler, 2021).

Together, the local groups in Brooke's Point and the supportive NGOs of SPM and concerned citizens form the collective force that I refer to as the movement against mining in Brooke's Point. Alliances between actors are a determining factor for resistance to emerge and the strategies of a movement (Conde, 2017). Local groups need the support of organised, established organisations, like NGOs and the church, to keep the movement 'moving'. These organisations have the financial means and the ability to organise activities and steer the movement into specific strategies (Bebbington et al., 2008). This is also evident in the movement against mining in Brooke's Point, where the diversity of organisations enables access to a broad and varied pool of resources. NGOs like ELAC, although limited, have the financial resources to organise meetings or can refund the transportation and accommodation costs of community members who need to travel for advocacy work. Additionally, they have the knowledge and resources to educate communities about the impacts of mining and their rights and advance strategies in legal activism. The respected position of ELAC and Attorney Anda facilitates engagements with relevant government agencies. Similarly, the church offers logistical and material support, such as food during protests, while also exerting political influence in the movement's advocacy work for policy reform. Tarrow (2011) emphasises that the support of influential allies can significantly strengthen a movement's position.

In Brookes Point, the church is an influential ally of the anti-mining movement. An essential principle of the Catholic church in the Philippines is the commitment to environmental protection and the defence of Indigenous Peoples (Holden, 2013). The Church acts as a critical intermediary, negotiating with the government and mining companies on behalf of Indigenous communities. Such support is essential, as these communities often face resource and power imbalances when negotiating independently (Holden, 2013). The Church builds strong personal connections with Indigenous communities locally in Brooke's Point, fostering trust and direct engagement in resistance strategies. Meanwhile, on a regional scale, the Church engages in broader advocacy efforts, exemplified through the issuance of pastoral letters in which the church advocates against mining and favours environmental protection. This dual-level approach underscores the Church's role as both a grassroots and institutional ally in the fight against mining. Lastly, politicians like Vice Mayor Feliciano provide access to the local political sphere, and community leaders have the connection to mobilise for public protest actions.

Bourdieu (1992) and Nuijten (2005) argue that power emerges around access to and control over resources, like money, people and information, which shape an actor's relative position in a force field. I contend that the diverse resources and forms of capital contributed by various individuals and organisations in the movement against mining in Brooke's Point strengthens the movement's position in the force field of the mining conflict. In the next section, I continue with the motivations of anti-mining activists.

4.2 Motivations of Activists to Fight Mining

In this section, I explore the key drivers behind the participation of members of the movement against mining in Brooke's Point. These include the fear or lived reality of losing their livelihoods, which is linked to the concerns for the well-being of their children and future generations, the desire to live in a community free from tensions over mining, and religious motivations. These motivations align closely with broader patterns observed in mining resistance globally (Conde, 2017). Conde reviewed more

than 200 articles, books and reports about resistance to mining and found that the cause of conflict between communities and mining company emerge from the social-environmental impacts on land, water and livelihoods. The case of Brooke's Point is no different. The key drivers I discuss are loss of livelihood, future generations and religion.

For many members of the movement against mining in Brooke's Point, the motivation to resist mining stems from a deep concern for their loss of livelihood due to water and land pollution. Alayma, a lobster fisher who already lost her livelihood because of the causeway the mining company built, says she will continue the fight because she has nothing else to lose. She was pro-mining before and believed that the community could economically benefit from mining. However, soon after the mining operation started, she saw the effect of mining on the marine ecosystem. The water became murky and there was nothing left to fish. She lost her income and was forced to move to Puerto Princesa to work as a security guard in one of the malls. While she does not expect the mining operations to cease anytime soon, she remains hopeful that once they do, the marine life will recover, allowing her to return to fishing. As she reflects on her past livelihood, she shares:

"We had an income from farming and fishing. So, if we clean the area again, there will be no problem for us. [...] Even if we don't have money, we can live on fishing and on those shells. If you work hard, you can earn money."

Norima, a farmer and a board member of the women's organisation MKE BICAMM, echoes this sentiment, emphasizing the long-term sustainability of their traditional livelihoods. *"My livelihood is sustainable, it's a long-term livelihood,"* she explains, contrasting this with the short-lived economic benefits of mining, which, she notes, will only last for a couple of years until the resources are extracted and the people are left to live on a devastated land.

Linked to the loss of livelihood, many members are worried for their children's future and the generations to come. Norima, a mother of five, stresses how her children are central to her motivation in her fight against mining: *"I always think about the well-being of my children,"*. She continues saying she wants to ensure that her children will be able to sustain themselves on the land where their ancestors lived, emphasizing how her family's future is tied to the health of their land and environment. Rowena, Norima's friend and colleague from MKE BICAMM, shares her worries:

"As a mother it is my responsibility to make sure our livelihood continues, it is the only way we can give a good life to our children and the future generations. That why I don't lose hope, I fight, I think about my child's future."

Nolsita, the president of MKE BICAMM, who lives near the river and mountain where she and her community get their food and water, adds to the worries for the future generation: *"We are worried that if we don't stop the mining, our mountains and our livelihoods will continue to be destroyed. Where will we go? Our children and our grandchildren, they are the ones who will suffer the effects."*

What bothers Nolsita the most about the mining operation being present in her community, and this is mentioned in almost all interviews, is the division of the community into pro and anti-mining camps. She explains the effects of these tensions on her community:

"Before, we're all together. We're all together. Now, we're divided. Before, whenever we would catch a wild pig, the entire sitio would be feasting over it. But now, we can't even look each other in the eyes because of the conflict regarding the mining."

Nolsita does not want her children to inherit the conflict. She feels like her tribe is at stake because of the tensions within the community; they no longer practice certain traditions, making it hard for them to live according to their culture. When asked about their hopes for the future, multiple activists say they hope relations in the community go back to normal before mining divided them into pro- and anti-fractions. Rowena says she just wants the peace back and be able to talk to everyone in the community again.

Lastly, religion serves as a source of motivation to fight mining in Brooke's Point. Job Lagrada, a pastor and farmer, explains how his faith shapes his commitment to the environment:

"I know that this world is not just for us who are living now. I know that when we are now here, we should be responsible also. And we should not be greedy [...] my theology led me to love the people, to love the environment. And I recognized that the environment is a gift from God, so everybody has rights there."

For other members of the anti-mining movement religion plays a motivational role as well. Vice Mayor Jean Feliciano of Brooke Point believes that God made her be an advocate against mining and for the rights of the people in Brooke's Point:

"But I know that it was God's design. It was in God's plan. It was not in my plan, but it was with the Lord. So, I said, you know, God really loves Brooke's Point because He really put it in my heart to continue fighting for Brooke's Point [...] no matter how discouraging those circumstances are, I will stay. I will keep my commitment to the people, to the Creator, to God".

Similarly, Attorney Fransel views her role as being a steward of the earth created by God. The shared belief that the earth is a gift from God gives these anti-mining advocates the spiritual courage to continue their resistance despite the challenges they face.

In sum, in line with other research (Conde & Le Billon, 2017; Anguelovski & Martínez Alier, 2014), the members of the movement against mining in Brooke's Point are driven by fears of losing livelihoods, concerns for future generations, and the desire to restore community harmony disrupted by mining. For many, like Alayma and Norima, their fight is tied to securing sustainable futures for their families, which they believe is not possible if mining continues. Social divisions caused by mining also fuel the movement, as members like Rowena and Nolsita yearn for peace and unity. Additionally, religious beliefs, seen as a call to responsible stewardship of the earth like Pastor Job Lagrada and Vice Mayor Jean Feliciano, provide spiritual strength to continue their resistance. The following section explores the strategies of the movement against mining in Brooke's Point.

4.3 Resistance Strategies

This section provides an overview of the range of strategies and tools used in the resistance, divided into three categories: Everyday forms of resistance (Scott, 1986; Vinthagen & Johansson, 2013), disruptive forms of resistance (Van Dyke et al., 2001) and conventional forms of resistance (Taylor & van Dyke, 2004). Together, these strategies form the repertoires of contention (Tilly, 1978) of the movement against mining in Brooke's Point, shaped by relational dynamics within the movement and broader political dynamics (Della Porta, 2008). The movement against mining in Brooke's Point uses

multi-faceted strategies, balancing short-term and long-term strategies. Short-term strategies, like mass mobilization, aim to halt mining operations in Brooke's Point through immediate action. Long-term strategies focus on influencing laws and policies related to mining, a process that can take years. Different groups within the movement play distinct roles, each with its own strategic focus. Local groups primarily lead public protests, while NGOs concentrate on advocacy and strategic litigation. Though both groups rely on one another to succeed, the leadership in each strategy varies based on their expertise. I start with discussing everyday forms of resistance, then continue with disruptive forms and end with conventional forms. Some strategies are discussed in more depth in later chapters in the contexts of the different force fields in which the movement operates.

4.3.1 Everyday Forms of Resistance

The first form of resistance discussed is everyday forms of resistance. These actions are not collectively organized by the broader movement against mining in Brooke's Point, but rather consist of individual acts in daily life. While they are not formal strategies of the movement, these individual actions contribute to the broader resistance against mining in more subtle, personal ways.

The women from MKE BICAMM, the indigenous women's organisation in Brooke's Point highlight the importance of strengthening their livelihoods as a strategy to counter the dependence on income from mining. Rowena explains: *"strengthening our livelihood shows the others of the community who like mining, that mining is not necessary for us to earn and live"*. Ways to strengthen their livelihoods include selling handicrafts, continuing with farming and strengthening the position of women in the community. Rowena uses her Facebook account to post photos and videos about her livelihood, showing the fruits and vegetables they grow and the handicrafts they make. The women believe their form of livelihood is sustainable and does not destroy the forest as mining does. This strategy is a form of everyday resistance (Scott, 1985; Vinthagen & Johansson, 2013); it is a more subtle form of resistance embedded in the daily lives of the women, and might not be recognised as resistance by the mining company or government. These livelihood strategies align with what Jenkins (2017) described among women anti-mining activists in Peru as *"staying put and carrying on"* with their rural way of life. It embodies a form of ongoing resistance, claiming the land as a valuable and sustainable resource that must be protected. This is a gendered form of resistance (Jenkins, 2017); the women feel it is their responsibility as women and mothers to continue their livelihoods for the future of their families.

Another non-disruptive tactic that fits within the everyday form strategy is the tree-planting activities organized by MKE BICAMM. These activities raise awareness by visibly demonstrating to the community how many trees have been lost due to mining, while also serving as a form of counteraction. By replanting trees, activists take direct measures into their own hands to improve the environment and inspire local involvement. This form of resistance is mainly carried out by local activists from the barangays in Brooke's Point that are affected by the mining operations and is supported by the church and NGOs, like the local branch of the Non-Timber Forest Products Exchange Programme (NTFP-EP).

4.3.2 Disruptive Forms of Resistance

Disruptive tactics, such as protests, marches, and blockades, confront power structures directly (Van Dyke et al., 2001) and are aimed at capturing the attention of the public, putting issues on the political

and public agenda and pushing for immediate change (Moyer, MacAllister & Soifer, 2001), targeting politicians, policymakers and business (Fisher & Nasrin, 2021). Public protest has been a central strategy in the movement against mining in Brooke's Point. Over the past few years, several disruptive actions have taken place: multiple rallies, motorcades, and a barricade. In this section I explore the barricade of 2023 in more detail as an illustrative case, since this was an event the respondents talked about a lot and it was seen as a successful action, but with negative consequences afterwards.

Barikada ng Bayan

Inspired by the barricade of the residents of Sibuyan Island in another province in the Philippines who were also resisting mining activities, the anti-mining activists in Brooke's Point set up their own barricade in February 2023 on the road leading to the Ipilan Nickel Corporation (INC) mining site. The Barikada ng Bayan (barricade of the people), as the protesters called it, lasted for two months until the security guards of the mining company dispersed it. The company's trucks, which transported minerals from the mining site to the causeway, were blocked for two months. Earlier that year, in January, flash floods affected Brooke's Point, temporarily displacing 2,500 people (Ticke, 2023). Many residents blamed the mining company for exacerbating the floods by cutting down trees on the mountains and contaminating rivers with mining discharge (Alyansa Tigil Mina, 2023). This realisation led to feelings of outrage and triggered people into participating in the barricade. This moral shock (Jasper, 1998) was one of the key motivations that led to the barricade. As Attorney Anda explains: *"You know what moved them to do that? Because there was heavy rain and flooding in January 2023. So that really moved them emotionally to stop the mining."* Another factor was the company's failure to secure Free, Prior, and Informed Consent (FPIC) from the Indigenous community, thus the protesters argue that the mine is operating illegally

Social media has become an essential tool for mobilizing people, making it easier to gather support. Pastor Job, the leader of the February 2023 barricade, described how the protest began:

"I used my Facebook account. Actually, I organized some rallies before. Through Facebook I tried to post my feelings, my opinion. People started commenting on it. I started mobilizing some key persons. We started with a small group. We did some meetings in every barangay or village. Then we organised the biggest one, and we did a rally in front of the [mining company]. So we used social media."

Similarly, Marlon, an employee of ELAC, observed that social media allows activists to *"capture a bigger audience"* and amplify their message to more people. According to Pastor Job, many people who were initially hesitant to join saw the success of the barricade and eventually took part. At its peak, around 1,000 people participated. Several interviewees explained how a rotation system was set up, with protesters taking turns to stay overnight at the barricade, ensuring a constant presence for the two-month duration. Support came not just from Brooke's Point but also from other municipalities in Palawan, where people donated food and supplies. However, as the weeks passed, participation dwindled. People grew tired and needed to return to work and provide for their families. Eventually, the barricade was violently dismantled by the mining company's security forces (Cabico, 2023).

The success of the barricade is debated within the movement. Some, like pastor Job and youth leader Mhar, view it as a significant achievement in terms of uniting people and disrupting the mining company's operations for two months. People felt proud of their achievements. Moreover, the barricade garnered considerable media attention, even internationally. As Belle remarked, *"Mass*

mobilization is very, very effective because it exposed them on international platforms. It's being picked up by international groups when you have that mass mobilization." However, the initial sense of empowerment faded when the barricade did not stop the company from resuming operations. As Jenny, MKE BICAMM member and one of the protesters, expressed herself: *"I feel disappointed, ma'am, because for a long time that we barricaded there, nothing happened. We were not heard"*. Additionally, the disappointment was compounded by the legal repercussions that prominent movement members faced after the barricade. That is why some members of the movement, particularly the legal experts, argue that the efforts and costs of handling the lawsuits outweighed the impact of the barricade. While the local community played a leading role in organizing the barricade, NGOs like ELAC provided legal advice and logistical support. ELAC, while not in complete agreement with the barricade strategy, continued to offer support, focusing on calming tensions and ensuring legal protection for the activists.

Rally October 2023

By October 2023, another rally took place, fuelled by a cease-and-desist order (CDO) issued by the National Commission on Indigenous Peoples (NCIP), which the company soon tore down. This protest escalated into a violent confrontation between anti-mining protesters and the company's security guards; several protesters got minor injuries (Untalan, 2023). More on this event and the role of the police will be discussed in chapter six. Since the violent dispersal in October 2023, there has been no large-scale public protest. It looks like the movement is shifting toward other forms of resistance, due to the legal threats and the violence. However, Marlon thinks that the lack of significant events, like the floods or violations of the CDO, has simply not triggered mass mobilization.

Para-enforcements

Para-enforcement can be understood as a disruptive tactic within the anti-mining movement, as it directly challenges illegal activities and the power structures that enable them. The PNNI frequently criticize politicians and policymakers who make numerous speeches about the importance of environmental protection while failing to take meaningful action to safeguard it. They assert that saving the forest is *"not accomplished in air-conditioned rooms,"* but rather in the forest itself (Palawan NGO Network Inc., 2021). Para-enforcers from PNNI patrol forests, conduct citizen's arrests and confiscate chainsaws from illegal loggers. This tactic not only directly halts environmental destruction but also exposes the authorities' failure to enforce existing laws effectively. However, para-enforcement carries significant risks; since its start in 2001, sixteen para-enforcers have been killed (Dressler, 2021). The high-risk nature of these actions has also led to a decline in donor funding, as some donors view the approach as too dangerous. Initially, ELAC also participated in para-enforcement activities but eventually stopped due to the inherent risks. ELAC now prioritizes advocacy and diplomatic efforts. Although Attorney Anda, the executive director of ELAC, criticises the dangerous work of para-enforcements, she recognizes that both enforcement and advocacy are essential for the movement's success (fieldnotes, June 24). The effectiveness of diversifying resistance strategies is acknowledged by Scheidel et al. (2020), who note that it leads to a higher success rate.

To conclude this section on disruptive strategies, the movement against mining in Brooke's Point demonstrates the pivotal role of actions like protests, rallies, and blockades in challenging the mining company's operations. These disruptive tactics aim to disrupt the status quo, capture public attention, and push for immediate change (Moyer, MacAllister & Soifer, 2001). The February 2023 barricade, in particular, is a key example of success and limitation. While it garnered significant media attention and

temporarily halted the company's operations, the eventual dismantling of the barricade and the legal consequences faced by key activists highlight the challenges of sustaining such actions. Despite these setbacks, disruptive tactics have proven effective in mobilizing the local community, creating solidarity, and amplifying the movement's message locally and internationally. However, the costs, in terms of legal consequences, underscore the difficulties of relying solely on disruptive strategies for long-term success. The following section goes into conventional forms of resistance employed by the movement against mining in Brooke's Point.

4.3.3 Conventional forms of resistance

Most resistance actions performed by the movement against mining in Brooke's Point I categorise as conventional strategies. Conventional strategies are tactics aiming to create change through established systems and institutional channels (Taylor & van Dyke, 2004). In this section, I describe the tactics of information and education campaigns, advocacy work and legal activism employed by the anti-mining movement.

Information and Education Campaign

Information and Education campaigns are pivotal in the resistance to mining in Palawan. NGOs and the church have been actively educating and informing affected communities about the consequences of mining and the legal rights they possess. This deliberate strategy, widely known in the movement as Information Education Campaign (IEC), has been essential in raising awareness and empowering communities.

ELAC regularly hosts multi-day trainings in Puerto Princesa, inviting Indigenous leaders from different Palawan communities to participate. All expenses, including transportation, accommodation, and meals, are covered by ELAC. During these sessions, participants are educated on environmental laws and their rights as Indigenous Peoples. In interviews, several Indigenous women mentioned how transformative these IEC programs have been for them. Before receiving training from ELAC and PNNI, they were unaware of the negative consequences of mining. Through these trainings, they gained knowledge and subsequently became part of the anti-mining movement. These programs have a trickle-down effect as trained leaders return to their communities and conduct their own IEC sessions, further expanding the reach of the movement. Attorney Anda highlighted the impact of strong IEC campaigns in specific barangays. For instance, in Barangay Aribungos, where an IEC campaign was supported by the Augustinian Missionaries, the community became the only one to vote "no" during the FPIC process, directly reflecting the influence of the education programs.

As a result of these successes, IEC continues to be a central strategy for the anti-mining movement. Alongside educational training, security and enforcement training has also become important. According to a nun involved in the movement, who prefers to remain anonymous, the formation of the Bantay Lupaing Ninuno (Guards of the Ancestral Domain) has been a crucial development. She explained that the NGO Conservation International trains community members to patrol and monitor mining company activities in the forests. The data they gather, she noted, is then used in the movement's advocacy efforts, further strengthening the resistance.

Advocacy

The advocacy efforts of the movement against mining in Brooke's Point encompass a range of tactics aimed at influencing policy change. These efforts include petitioning, diplomacy through dialogue with

government agencies, and participation in councils and regulatory boards. Although these strategies often intersect, they all contribute to the overarching goal of policy reform.

Petitioning is a critical tool for mobilizing public support and creating pressure on decision-makers. In 2011, the 'No to Mining in Palawan' campaign launched a petition with the goal of securing 10 million signatures. By 2012, five million signatures had been gathered, representing five percent of the entire Philippine population. Gina Lopez, an environmental advocate and member of the Philippine elite, leveraged this substantial public support to lobby the president for a mining ban (Schneider, 2017). Her status as an influential ally to the anti-mining movement served as a political opportunity for the movement, as allies can serve as *"friends in court, guarantors against repression, or acceptable negotiators on behalf of challengers"* (Tarrow, 2011: 166). Lopez's efforts ultimately contributed to former President Aquino signing a mining moratorium, demonstrating how elite allies can amplify the impact of grassroots movements. Attorney Anda looks back at that time nostalgically:

"We had an oligarch for a champion [Gina Lopez]. And never in their wildest dreams, including me, do we have an oligarch saying that mining is bad. It was really fantastic. Right now, I kind of miss that time. So, it was great. But it was short lived."

More recently, anti-mining petitions like "Save Palawan's Forest," which targeted national and local governments, and initiatives such as "Help Us Save Palawan's Forest," directed at the President of the Philippines, the Department of Environment and Natural Resources (DENR), and the National Commission on Indigenous Peoples (NCIP), have remained part of the movement's strategy. However, their effectiveness has diminished. The "Save Palawan's Forest" petition gathered only 1,500 signatures, and "Help Us Save Palawan's Forest" received just 60,000, highlighting the limited impact of these efforts compared to earlier campaigns (Bataris, 2022; Rainforest Rescue, 2024).

In terms of diplomacy and dialogue, maintaining constructive relationships with government agencies is another essential strategy. Attorney Anda of ELAC underscores the importance of remaining diplomatic, urging activists to avoid confrontational behaviour and instead focus on respectful, engaged dialogue (field notes, May 25). For example, after a year-long effort to secure the meetings, ELAC facilitated two dialogues between a group of Indigenous women environmental defenders and the provincial directors of the NCIP and DENR. These dialogues allowed women to voice their concerns directly to decision-makers, building a critical bridge between the grassroots movement and government officials.

Participation in councils and regulatory bodies like the Palawan Council for Sustainable Development (PCSD) is another key advocacy tactic of some members of the movement. Sir Roger from the NGO IDEAS, despite being in the minority as an anti-mining advocate within the PCSD, believes that his presence allows him to introduce new arguments and influence decision-making, even if the process is slow and often frustrating. His efforts to block pro-mining decisions in the PCSD are explained in detail in chapter five.

Media engagement is also a crucial aspect of the movement's advocacy. Attorney Anda regularly accepts interview requests to raise awareness about environmental issues and the dangers of mining. Meanwhile, Mhar, a youth leader from Brooke's Point, uses social media to challenge pro-mining narratives: *"One of my rules is answering all the posts on social media. I can't sleep at night until I respond to that specific post."* Many community leaders are vocal on platforms like Facebook, representing the anti-mining sentiment and actively engaging in public debate.

Legal activism

The anti-mining movement, particularly its NGO sector, leverages the legal system to combat mining operations, with ELAC playing a leading role in this legal activism. A key component of this strategy is the legal empowerment of communities through training and advocacy aimed at influencing policies and laws. More recently, the movement has begun to employ strategic litigation by filing lawsuits against both the mining company and relevant government agencies. While taking legal action against a mining company is not a new tactic, it has become a more viable option for poor and marginalized communities, thanks to the alliances formed with NGOs and legal professionals (Conde, 2017), as in the case of Brooke's Point. However, filing a lawsuit is considered a last resort due to the significant costs in terms of time, money, and effort. These cases will be explored in greater detail in chapter six. Utilizing the judicial system as a resistance effort is, in the case of Brooke's Point, done by formal institutions such as NGOs like ELAC, which have the expertise and means to engage in legal activism.

Research plays a critical role in building these legal cases. The movement collaborates with scientists and engages in its own data collection efforts, such as taking water and soil samples from around the mining area. This scientific evidence is essential for strengthening legal arguments in court. As Attorney Anda emphasizes, *"Science is really 90% of environmental law. So, that's the approach we really need to take."* The phenomenon of collaborating with science has seen an increase in other anti-mining efforts worldwide (Conde, 2017) and often stemming from distrust of the data provided by the government or the mining companies (Horowitz, 2010), which is also the case in Brooke's Point.

In short, the movement uses a range of strategies and tools to fight mining operations. Some strategies like IEC have always been there and will continue, more on the background. Although there is some discussion about the effectiveness of public protest and mass mobilisation, it seems that the movement, NGOs, and lawyers steer away from public protests due to legal threats and move more toward the direction of legal action. In the next section, I turn to internal challenges that affect the movement.

4.4 Challenges within the Movement

In the previous section, I discussed the diverse strategies employed by the movement in its fight against mining. In this section, I examine the internal challenges that impact the effectiveness of these strategies. According to Jasper (1997), internal movement factors significantly shape the success of resistance efforts. A critical challenge faced by the movement against mining in Brooke's Point is the persistent lack of resources. Both financial and human resource constraints impact the ability of NGOs and local community groups to sustain their campaigns effectively. This section explores how these limitations affect their capacity to resist mining activities, highlighting the struggles of NGOs, activists, and affected individuals within the movement.

4.4.1 Lack of resources

One of the main challenges facing the anti-mining movement is the lack of both financial and human resources. Resource availability affects the rate and extend of protest efforts (Edwards & McCarthy, 2004). The lack of resources affects the NGOs and local groups within the movement differently. For NGOs, the financial strain is tied to their reliance on project-specific grants from donors, which often

lack flexibility for long-term organising or strategic actions outside the scope of the funded projects (fieldnotes, May 25). When money is allocated for anti-mining campaigns, it must be justified to the donors, limiting the scope of spontaneous or broad-reaching efforts. As Sir Roger from IDEAS explains:

"It's really a difficulty within the SPM. If there is a small amount that can be used for lobbying or networking, we just need to justify why we need this solidarity with people outside of the project area. That's really the most difficult part [...] In IDEAS, we try to create a budget that gives us some elbow room to reach out to other communities through networking because we can't work in a silo [...]. But the funds are really very small. So, when there's a growing need for more intense intervention, that becomes a problem."

The different NGOs work together to share transportation costs. In some cases, NGO staff contribute from their pockets or sacrifice their salaries for a month to keep the work going (fieldnotes, May 20).

Palawan faces a wide range of environmental threats that stretch these limited resources even further. Mining, illegal logging, infrastructure development, and land conversion for tourism projects are pressing issues that require constant attention. As these challenges grow, so does the burden on the few NGOs and local activists working to protect the island's ecosystems. The many environmental threats happening simultaneously, make it even harder to focus on specific campaigns like the anti-mining efforts. The lack of resources severely limits their ability to address all these concerns effectively (fieldnotes, May 20)

For individuals in the communities, personal financial struggles also impact their ability to participate in the resistance. Alayma, a lobster fisher who lost her livelihood due to mining, had to move from Brooke's Point to Puerto Princesa to find work as a security guard. Her new job has limited her involvement in the movement, as she had to reschedule shifts to attend meetings of the women environmental defenders. Her manager warned that any more missed shifts would lead to her dismissal (fieldnotes, May 23). The COVID-19 pandemic exacerbated the financial difficulties facing community members. According to Attorney Anda, the pandemic caused many people to lose income, making them more vulnerable to bribes from the mining companies. Financial pressures also contributed to the decline in support for the barricades, as community members had to return to their farms to provide for their families.

A related challenge is the lack of human resources and time. For instance, ELAC once had sixty employees but now operates with only sixteen, most of whom are para-legals focused on community organizing. The organization now has only two lawyers, which slows down strategic litigation efforts. Furthermore, no staff member is solely dedicated to advocacy work. This has significantly impacted the pace of anti-mining campaigns. As Attorney Anda explains:

"The things we're doing are not enough because we don't have a communication specialist or a full-time advocacy person. That's the weakness of the campaign [...] We need warm bodies and funds to do the work. Every time you move, you spend. It can't just come from our pockets. Advocacy work is really tedious and costly, especially if you want to reach the interior barangays."

Additionally, it is difficult to find suitable staff in the NGO sector. Many people prefer to work for government agencies or in the private sector, where they can earn higher salaries. ELAC is also selective in hiring, seeking individuals who are deeply passionate about the organization's vision and mission,

which adds to the challenge of finding dedicated staff for this demanding but low-paying work (fieldnotes, May 20).

4.4.2 Support

Although the anti-mining movement in Palawan is largely united, it faces some internal challenges. First, there is a sense of competition between certain NGOs. While most organizations collaborate closely, there are complaints about one particular NGO in Brooke's Point that appears to "claim" certain Indigenous Peoples (IPs). When other NGOs want to engage with these individuals, they must go through this NGO, which can slow down communication or, in some cases, lead to unresponsiveness (fieldnotes, June 18).

Second, personal relationships play a significant role in the movement. Tensions between key individuals from different NGOs have created friction, making collaboration difficult. This contrasts with the Save Palawan Movement, where members share strong personal connections and consider each other friends, resulting in smoother cooperation. These affective ties have been proven significant in sustaining a movement, as seen in various research (Bosco, 2006; Bayard de Volo, 2006; Taylor & Rupp, 2002; Jasper, 2011). Third, the middle class in Palawan seems largely indifferent to the struggles of Indigenous Peoples and farmers. According to Attorney Anda and Belle (employee of ELAC and originally not from Palawan), in other regions of the Philippines, the middle class is more engaged in civic issues, strengthening civil society. The lack of middle-class involvement in Palawan weakens the movement's broader support base.

Conclusion

This chapter provided an overview of the composition, motivations, strategies and internal challenges of the movement against mining in Brooke's Point. The movement comprises a broad coalition of local actors, including farmers, fisherfolk, women, indigenous leaders, youth, religious groups, lawyers, and politicians together with the support of regional NGOs. The primary motivations for resistance stem from concerns about the loss of livelihoods, environmental destruction, and the well-being of future generations.

The movement employs a multifaceted approach to achieve its goals, demonstrating a diverse repertoire of contention (Tilly, 1978). Conventional tactics, such as filing lawsuits, submitting petitions, and engaging in advocacy, are often employed by institutionalized organizations like NGOs and church groups (Doherty & Hayes, 2018). In contrast, disruptive tactics, including protests, barricades, and rallies, are spearheaded by grassroots actors from Brooke's Point, who seek to challenge power structures directly and bring immediate attention to pressing issues. Additionally, everyday forms of resistance, such as strengthening the livelihoods of the people living in the mining-affected areas and replanting trees, reflect the subtle, non-confrontational efforts described by Scott (1986) and Vinthagen and Johansson (2013).

The interplay of these diverse tactics highlights the relational dynamics within the movement, where power emerges from the ability to mobilize resources and adapt to shifting opportunities and constraints (Della Porta, 2008; Bourdieu, 1992; Nuijten, 2005). However, the movement also faces internal challenges, including limited financial and human resources, constraining its organizational capacity and advocacy efforts.

Ultimately, the repertoires of contention in Brooke's Point are shaped by the diversity of its coalition, as well as internal and external dynamics. This chapter focused on the movement's internal composition and strategies; the external challenges related to the political force field are explored further in the next chapter.

5. Political Forces Shaping Resistance to Mining

In this chapter, I outline the political force field in which the movement against mining in Brooke's Point operates and explain how the movement shapes its strategies in this political force field. A force field is a relational, dynamic web shaped by multiple institutions, resources, and actors within a particular socio-political context (Nuijten, 2005). The political context imposes constraints and opportunities, shaping the operational space of the anti-mining movement (McAdam, McCarthy and Zald 1996; Van der Borgh & Terwindt 2012). I explore the political force field at three scales: national, regional and local. I begin by describing the national politics and policies. This national political landscape partly shapes the regional and local political landscapes, which I describe in the paragraphs thereafter. Each scale presents distinct and similar challenges. The chapter explores how the movement navigates these political terrains, facing issues such as frustrations with the weak enforcement of the law by government agencies, corruption, and hope. By examining the sentiments and strategies at each level, I aim to illustrate the complexity of the force field in which the movement operates, and the resilience required to sustain their activism.

5.1 National Political Force Field

This section explores how a sustainability narrative is used to justify pro-mining policies and examines the influence of powerful politicians with ties to the mining sector in shaping the pro-mining political landscape in the Philippines. It also delves into how the movement against mining in Brooke's Point navigates and challenges this dominant pro-mining narrative.

5.1.1 The Pro-Mining Sustainability Narrative

In recent years, the sustainability narrative has emerged as a central justification for mining in the Philippines by the national government and the mining sector, profoundly impacting resistance efforts. The sustainability narrative emerged next to the initial economic argument of former president Duterte, who lifted the nine-year moratorium on mining in 2021 in an effort to stimulate the Philippines' economy after the COVID-19 pandemic (Dela Cruz, 2021). Under President Ferdinand Marcos Jr., the government has positioned mining as both an economic necessity and a key component in the global energy transition. This narrative frames the extraction of minerals and metals, such as nickel, as essential for advancing renewable energy technologies and combating climate change. Secretary of Finance Benjamin Diokno captured this vision early in Marcos Jr.'s administration:

"The mining industry holds the greatest potential to be a key driver in our recovery and long-term growth. The Philippines after all is one of the world's most richly endowed countries in terms of mineral resources [...] Under the Marcos Administration, the government commits to create an enabling environment for mining to flourish in the country." (Manila Bulletin, 2022, August 3)

DENR Secretary Maria Antonia Yulo Loyzaga underscores the Philippines' strategic role in the global energy transition, stating that *"the Philippines is in a unique position to be an important player in the global clean energy market."* She further highlights that the DENR, through the Mines and Geosciences Bureau (MGB), will spearhead *"extensive government-led exploration of critical minerals"* to support this effort (DENR, 2023). The mining sector echoes this vision, presenting itself as the *"new white knight"*

of the energy industry” (Bunye & Evangelista, 2024). According to the president of the Chamber of Mines of the Philippines, mining is positioned as *“a solution in terms of supplying the materials needed for the shift from fossil fuel to renewable energy technologies,”* aiming to establish the country as a major player in the global energy transition value chain (Mines and Geosciences Bureau, 2024). This narrative reflects a broader global trend where extractive projects are increasingly justified not only by national benefits but also by their perceived global necessity (Bainton et al., 2021). As extractive companies align with the global consensus on transitioning to renewable energy, projects that might otherwise face strong opposition due to environmental and social costs are framed as essential for achieving global sustainability goals. This *“grand green narrative”* (Bainton et al., 2021: 630) risks overshadowing local-level harms, as the urgency to transition often positions such costs as unavoidable, leaving communities carrying the burden of mining operations. The pro-mining stance of the Philippines’ government raises significant concerns among environmental advocates, such as Attorney Anda from ELAC, who challenge the narrative’s implications for local communities and ecosystems:

“The government, the president himself is saying that we need the mining industry to spur. I’m quoting it. Spur economic growth after COVID. It’s very frustrating if you see top officials saying that. Oh my God. No value for ecosystem goods and services. No value for biodiversity. So, it strengthens the stance of the mining company to continue. They have the opportunity now to use whatever means. It’s heyday for them.”

President Marcos vows that his administration will protect the environment by *“enforcing the law in terms of responsible mining”* (Geducos, 2023). DENR Secretary Loyzaga echoes this sentiment, arguing that responsible mining can promote biodiversity, reduce carbon footprints, provide socio-economic benefits to mining communities and restore the land that has been mined (DENR, 2024). In the same spirit, the president of the Chamber of Mines underscores that *“responsible mining also compels us to carefully tread a balancing act: extracting the minerals that are critical for the energy transition while mitigating effects of the tremendous amount of energy and other impacts on the environment required to extract those minerals”* and highlighting stricter regulations for mining companies *“to improve responsibility, particularly in remote host communities”* (Mines and Geoscience Bureau, 2024)

However, this framing of ‘sustainable mining’ has been met with scepticism from environmental advocates. At a mining congress in Palawan, Attorney Anda called the concept of sustainable mining an *“oxymoron”* in a political environment where regulatory government agencies do not have the capacity to enforce environmental protections (PIO Palawan, 2024). Religious leader and environmentalist Edwin Gariguez supported this sentiment at the same congress by referencing findings from a UK fact-finding mission (Wicks, Nally & Whitmore 2007), concluding that despite the stating of environmental protection in the Mining Act, *“regulatory incompetence, corruption and pressure politics”* (PIO Palawan, 2024) in the Philippines leads to a lack of environmental protection.

For activists in Palawan, the government’s framing of mining as essential for the energy transition and economic recovery creates significant obstacles. It strengthens the mining industry’s legitimacy. Attorney Fransel sees the national policy as one of the biggest challenges in their fight against mining:

“That’s the downside of renewable energy. They’re pushing to get more nickel. It’s really a problem for us. Because, of course, now that the president wants to revitalize mining in the

Philippines, we're really directly affected by that. That's why the national policy really is the greatest problem."

5.1.2 Entangled Interests: "The owners of the companies are our lawmakers"²

The pro-mining policy, described in the previous section, is reinforced by the entanglement of political and corporate interests. Influential politicians with ties to the mining industry shape policy and enforcement in ways that favour extractive operations. Brockett (1991) highlights that political opportunities for challengers diminish when elites closely align with the state. This elite-state alignment in the Philippines undermines environmental protection efforts and limits the space for activists in Brooke's Point to hold mining companies accountable or challenge extractive policies effectively.

The personal relations between politicians and the mining sector are not always clear, but according to some research participants, some owners of mining companies hold influential government positions. Pastor Job observes: *"The problem is, the owners of the companies are our lawmakers, senators, congressmen of this country who are in control of other departments and agencies"*. He continues saying that he feels that the company *"is really in control of everything, even our president"*. Several indications confirm these suspicions. I give three examples of how the elite-state alignment undermines anti-mining efforts. The first is the ousting of environmental advocate and ally of the anti-mining movement in Palawan, Gina Lopez, as Secretary of the DENR in 2017. Shortly after taking office, Lopez began auditing mining companies, leading to the suspension of 26 mining operations due to environmental violations (Schneider, 2017). Her proactive tenure, however, lasted only ten months. The Commission on Appointments voted to remove her after a concerted campaign by pro-mining forces in Congress and the Duterte administration, which included several cabinet members with ties to the mining industry. For instance, one commission member was the brother of the chairman of the Philippines' largest nickel mining corporation (Alvarez, 2017).

The second example is related to the mining operations in Brooke's Point. The Romualdez family, particularly Speaker of the House Martin Romualdez, is rumoured to have interests in the Calmia Corporation, a mining company set to begin operations in Brooke's Point in 2025. It is thought within the anti-mining movement that the company could get the certification per condition (one of the permits needed to operate) relatively quick because national politicians influenced the process. According to research by Alyansa Tigil Mina (ATM), a national coalition of anti-mining organisations in the Philippines, Romualdez has strong links with some mining companies, and says that the Romualdez family *"has been very cunning in hiding their ownership of the mining companies."* (Alyansa Tigil Mina, 2024)

The third example is the approval of the SEP clearance (a special environmental permit to operate in Palawan) given out by the PCSD to Ipilan Nickel Corporation. The PCSD at first decided not to give out the clearance to the mining company, but changed its mind due, according to Attorney Anda, *"pressure from above"*. She explains further:

"They do not admit it, but in several conversations, that was the statements of the Executive Director of PCSD, the former governor said that they were called by Malacañang [office and residence of the president] and the Department of Finance, the Secretary was saying, you

² Quote from interview with pastor Job

have to approve this Ipilan SEP clearance. So, they restored it. Because you cannot... these are all conversational ...you know..."

Although these claims cannot always be substantiated, the Philippines is widely regarded as having high levels of corruption (Transparency International, 2023; Croissant, 2022), with political patronage and dynasties playing a central role in shaping national policies (Nem Singh & Camba, 2020; Garcés, Jandoc & Lu, 2021). Consequently, the movement against mining in Brooke's Point must navigate a political force field where entrenched elite power structures and vested economic interests significantly constrain opportunities for resistance. In the next section, I explore how the movement deals with this pro-mining political force field.

5.1.3 Navigating a Pro-Mining Political Force Field

The movement against mining in Brooke's Point is forced to operate in a national political landscape that heavily favours the mining sector. Pro-mining narratives, particularly the idea that mining is crucial for economic recovery and the energy transition, dominate the government's discourse. This pro-mining sentiment, coupled with politicians' personal stakes in mining and corruption, creates a challenging force field to navigate. Despite these challenges, the anti-mining movement actively seeks opportunities to resist mining operations. This section explores how the movement maintains hope, protests in Manila, builds strategic alliances and frames its resistance through an alternative narrative.

To better understand the function of hope in the movement, I draw on the work of Wright (2016 & 2023), who studied land struggles in the Philippines. Wright describes hope as *"a tenacity, a refusal to give up, an opening to contingency"* (2023: 1518). It serves as a political strategy to counter *"fear with action"* and *"imagining and realising new futures"* (2016: 232). In the case of the movement against mining in Brooke's Point, hope is embodied in the activists' continued trust in existing laws protecting forests, biodiversity, and human rights. They push for policy change and focus on ensuring the enforcement of these laws. According to Attorney Anda: *"You have to compel government to do its job, exact accountability. Because the laws are on our side. The laws are on the side of the forest. It's just that the government doesn't implement it."* In May 2024, a new law was established, the Philippine Ecosystem and Natural Capital Accounting System (PENCAS), which gives environmental activists new ammunition in their legal fight against mining. Attorney Anda believes that the new law gives the anti-mining movement the opportunity *"to pound the government to value our ecosystems rather than giving, magnifying the revenue from the mining"*.

Moreover, there is hope regarding the potential impact of political changes and divisions among elites. Conflicts within and among political elites can create opportunities for collective action, as highlighted by Tarrow (2011). Divisions among elites weaken the unified front that typically sustains the status quo, which provides openings for challengers to take risks and mobilise. Sir Roger, part of the Save Palawan Movement, expresses hope in these divisions:

"Despite the victory of Marcos at the national level, there are already divisions among them. And I think the opposition is also having a good opportunity. Although we do not expect that the change will come soon, I think the seed for recovery is there already. Hopefully this conflict among these political dominant people will continue. We are happy that they are divided. Because these mining companies are happy that communities are divided. So, we

also feel the same when they are fighting against each other. So the feeling is mutual. And that brings us some hope."

This sentiment aligns with Tarrow's observation that elite splits can enable movements to capitalise on the resulting instability, creating opportunities for resistance that might not exist in a unified political environment. Similarly, pastor Job hopes for a future president who prioritises environmental protection and halts mining operations. By closely monitoring and leveraging these divisions, the anti-mining movement can position itself to exploit cracks within the political elite, creating opportunities to advance their cause.

As divisions within the political elite open new avenues for resistance, the movement extends its efforts beyond the local level. Recognising that the root of mining policies lies at the national level, representatives of Indigenous communities occasionally travel to Manila to protest and deliver letters to national government agencies. Nolsita, president of MKE BICAMM, stresses that after years of local resistance in Brooke's Point, shifting the fight to the national arena is crucial, where key decisions are made. This national focus is complemented by the Catholic Church's support, providing moral and institutional backing for the anti-mining movement. As the Church remains a powerful institution capable of influencing both public opinion and political outcomes in the Philippines, the anti-mining advocates collaborate closely with it (Holden, 2013). Simultaneously, the movement seeks to counter the government's pro-mining narrative by arguing that the long-term economic benefits of agriculture and forest conservation far outweigh those of mining. In public debates, like during the Palawan stakeholder's congress on mining, anti-mining advocates propagate that mining only contributes to one per cent of the GDP and that agriculture outnumbers this by ten per cent (PIO Palawan, 2024). Activists from Brooke's Point, like pastor Job, highlight the contrast with Rio Tuba, a mining town in southern Palawan where large-scale mining has been present for decades but has not led to significant economic benefits for its residents. Pastor Job argues that Brooke's Point is more developed than its neighbouring town because of agriculture. Attorney Anda acknowledges this, she states that: *"Brooke's Point became a first-class municipality, because of agriculture not because of mining"* (PIO Palawan, 2024) and that it is important to look at historical track records of a region when looking at future development practices.

5.2 Regional Force Field: "Government agencies are under the control of these companies."³

This section explores the regional political force field in Brooke's Point's mining conflict, focusing on processes that illustrate the power dynamics between government agencies, mining companies, and the movement against mining in Brooke's Point. Each process represents a site of tension, negotiation, and resistance within the regional force field. The ECAN rezoning (see box 1), managed by the Palawan Council for Sustainable Development (PCSD), illustrates how corporate interests influence land-use policies and how a member of the anti-mining movement strategically navigates this process. The FPIC process, facilitated by the National Commission on Indigenous Peoples (NCIP), exposes corruption and unfair representation of Indigenous voices. The weak enforcement by the Department of Environment and Natural Resources (DENR) underscores the struggles to enforce environmental laws. The

³ Quote from Job Lagrada

Stakeholder Congress serves as a platform where different actors attempt to assert their positions within the broader conflict.

By analysing these processes, this section highlights how mining policies are implemented, resisted, and contested in Palawan. It explores the power dynamics at play within these agencies and processes, and the influence of the pro-mining narrative of the national government. It emphasises how the movement against mining in Brooke's Point navigates and responds to the forces shaping the mining landscape.

5.2.1 Rezoning of the Environmentally Critical Areas Network

This section examines the dynamics within the Palawan Council for Sustainable Development (PCSD). Through the illustrative example of the ECAN rezoning process, it explores how this process impacts mining operations in Brooke's Point and how a member of the anti-mining movement attempts to navigate and influence the forces at play. Box 1 outlines the PCSD's mandate and functions to provide context. The ECAN rezoning example sheds light on the political dynamics in the regional government agency, where corporate interests, government pressure, and scientific integrity intersect, revealing the interplay of power shaping the region's mining policies.

Box 1. The Provincial Council for Sustainable Development (PCSD)

Mandate:

The Strategic Environmental Plan for Palawan (SEP law) is a unique law to protect the biodiversity of Palawan and the people who depend on this biodiversity. The Provincial Council for Sustainable Development (PCSD) is mandated as a policy-making, monitoring, coordinating, and implementing body of the SEP law. The council is composed of different regional government officials and representatives of different sectors from society, such as businesses, NGOs and agriculture. (PCSD, n.d).

Key functions regarding mining:

- The PCSD regulates land use through the Environmentally Critical Areas Network (ECAN), which classifies areas into core zones (strictly protected, no mining allowed), buffer zones (limited activities), and multiple-use zones (intensive use).
- Issues SEP clearances for projects, ensuring compliance with ECAN zoning and consultation with Indigenous peoples, municipalities, and barangays. Without a SEP-clearance, mining operations are not allowed.

The ECAN zones in Brooke's Point are currently under review for the first time since 2005, a contentious process with significant implications for mining operations in the municipality. The ECAN rezoning process in Brooke's Point reveals the forces at play within the PCSD. Corporate interests, particularly those of the Ipilan Nickel Corporation, appear to dominate the decision-making process, exerting pressure on government agencies to favour mining activities. Sir Roger, a member of the anti-mining movement, seeks to strengthen his position within this PCSD by employing two key strategies. First, he focuses on gaining control over critical information, an approach highlighted by Fligstein and McAdam

(2011), who emphasise that control over resources is essential for reinforcing one's position and influencing the rules to one's advantage. Second, he secures strategic alliances, such as the support of the governor, which Fligstein and McAdam also identify as a crucial factor in consolidating power within a contested field. Through these efforts, Sir Roger illustrates how resistance is shaped by the ability to navigate and influence the power dynamics within the PCSD. The following story is based on what Sir Roger, who represents farmers and fisherfolks in the PCSD, told me in an interview and provides insights into the procedures, internal dynamics, and power at play in this process.

According to Sir Roger, the review of ECAN zones should have been initiated by the local government unit (LGU) of Brooke's Point. However, he suspects that the Ipilan Nickel Corporation, operating in Brooke's Point, lobbied to push the rezoning process forward. Once the PCSD's technical staff prepared a new ECAN map, they proposed it to the LGU for voting. This revised map reclassified 700 hectares of previously protected zones, opening them up to potential mining activities. The municipal council of Brooke's Point voted in favour of the revised map, and the next step was to present it for approval to the PCSD. Sir Roger carefully reviewed the documents and prepared his arguments, knowing he would be among the few voices opposing the rezoning plan in the PCSD. His strategy was to propose a compromise: adjusting some zones while preserving the most biodiverse areas. However, these were the very zones targeted by mining interests. Sir Roger, who knew he would lose the vote, tried to postpone it, but without success. Under pressure to act quickly, the PCSD director pushed for a vote with little room for discussion. A majority voted in favour of the revised map, only three members objected: Sir Roger, the governor and the president of lawyers in Palawan.

Strengthened by the governor's support, Sir Roger is determined not to give up just yet. He asked for reconsideration of the decision. He requested the technical basis for the revised zones from the PCSD staff, but they were unable to provide it immediately and asked for more time. To him, this indicated that the staff lacked solid scientific justification for the changes, further raising his suspicions of corruption and pressure from politicians and the mining company. He believes that financial and political pressures played a role in manipulating the science to favour the mining sector. Sir Roger sheds light on the difficult position the PCSD technical staff found themselves in, stating:

"They [the PCSD staff] have to tweak the science to make sure that it's palatable to the political decision. So, it's unfair actually to the staff doing technical studies. because there were even occasions where the staff was recommending to maintain the zone or not to touch these areas. But in the end, there are manipulations from the bosses. So, some of them are so-called forced to sign a certification or recommendation that is against their will. Otherwise, they will be thrown into other assignments. Or they will just be slapped with some violation and they might just be dismissed. So, their career will be at stake. That's what happens with the technical people when they go against the director. They just had to follow the orders. Until they retire, maybe they will just hide it to themselves, that is a stressful thing."

Despite the setbacks, Sir Roger remains resolute. He plans to review the technical documents thoroughly and cross-check their validity with his own data. If flaws are found or if the LGU was inadequately informed before its decision, he intends to push for a reconsideration of the rezoning.

This story illustrates how the ECAN rezoning process exemplifies broader issues within the PCSD. Originally intended to protect Palawan's ecosystems, the Strategic Environmental Plan (SEP) law is increasingly interpreted to balance conservation with development (PCSD, 2021), often favouring the

latter under corporate and political pressure (Dressler & Smith, 2023). The rezoning highlights how corporate actors leverage their power to reshape land-use policies in their favour, while resistance depends on strategic navigation within this contested force field.

5.2.2 Indigenous Rights and Mining Regulation

This section examines the intersection of Indigenous rights and mining regulation, focusing on the role of the NCIP. It delves into the dynamics of the Free, Prior, and Informed Consent (FPIC) process, uncovering irregularities, the involvement of the NCIP and mining companies, and the strategies employed by the movement against mining in Brooke's Point to navigate and respond to these forces. Box 2 briefly explains the mandate and function of the NCIP.

Box 2. The National Commission on Indigenous Peoples (NCIP)

Mandate:

The National Commission for Indigenous Peoples (NCIP) is a government agency mandated by the Indigenous Peoples' Rights ACT (IPRA) to *"protect and promote the interests and wellbeing of Indigenous Peoples with due regard to their beliefs, customs, traditions and institutions"* (NCIP, 1997). IPRA recognises the rights of Indigenous Peoples to their ancestral domains and lands. This includes the right to ownership, possession, management, and conservation of these areas. The NCIP has national, provincial and regional offices.

Key functions regarding mining:

- Oversees the Free, Prior, and Informed Consent (FPIC) process to ensure Indigenous Peoples consent to projects affecting their ancestral domains.
- Issues Certification Preconditions (CPs), confirming that the FPIC process has been completed before mining or other activities proceed.
- Represents Indigenous Peoples in legal disputes and advocates for their rights.

Free, Prior, and Informed Consent (FPIC) Process

Before any mining company can operate, it must secure a Certification Precondition (CP) from the NCIP, which confirms that the FPIC process has been completed. The FPIC is a crucial mechanism to ensure that Indigenous Peoples freely consent to projects on their ancestral land after being fully informed of the impacts. Globally, there has been a growing emphasis on the importance of FPIC processes; however, research has shown that the organization of this process often falls short of establishing the robust structures, systems, and decision-making practices required to uphold this standard (Kemp & Owen, 2017). The case of Brooke's Point underscores this gap. Currently, two mining companies are operating in Brooke's Point, one of which is set to start in 2025. Both companies have undergone FPIC processes, but there have been complaints of irregularities in these processes, particularly in the validation of community leaders. The NCIP is responsible for confirming the legitimacy of community leaders who will represent the indigenous communities in the FPIC process. Indigenous peoples in Brooke's Point have accused the NCIP of recognising "fake leaders" who are favourable to mining interests. The Indigenous communities recognise their traditional leaders, known as panglima; the fake

leaders the NCIP has reportedly validated are called chieftains (Novellino, 2014). Pastor Job believes that the mining company and the NCIP *"don't really invite the concerned citizens"*. Consequently, community members felt that their opinion was not adequately considered during the FPIC process (fieldnotes, May 23), raising serious doubts about the integrity of the process. This aligns with broader patterns in which spaces designed for dialogue and collaboration between state agencies and society are increasingly constrained. Consultative mechanisms, like the FPIC process, can legitimize state or corporate actions, without genuinely addressing community concerns (Van der Borgh & Terwindt, 2012).

During the community consultations for the certification precondition of Ipilan Nickel Corporation in 2022, logistical and procedural choices made by the NCIP contributed to significant flaws in the FPIC process (Cabico, 2022). Firstly, upland Indigenous peoples faced considerable challenges reaching the meeting venue, as they had to travel long distances from the mountains. Upon arrival, they found that the NCIP had not adequately provided food and accommodations, leading some participants to decide against attending future consultations. Secondly, the NCIP implemented a majority voting system, which contradicted the traditional consensus-building practices of the Pala'wan tribe (Novellino, 2014). Additionally, not all participants were given the opportunity to speak during the consultations. Thirdly, translation services were unavailable for those who did not understand Tagalog, preventing some indigenous peoples from making informed decisions. Fourthly, the NCIP faced accusations of allowing individuals who were not part of the affected communities to attend the consultation meetings. Finally, there was confusion regarding whether the consent process was related to renewing the mineral production sharing agreement for the Ipilan Nickel Corporation in 2025 or its current mining operations.

Next to the unjust representation and process failures, the FPIC processes were flawed with bribery. Vice Mayor Feliciano recalls a statement of an Indigenous person admitting he was bribed by the company to vote yes during the FPIC procedure in 2005:

"The reason why he voted yes was because he received money, 100 pesos each for him and his family. So 10 members of his family. And he said, if mining is good, why do they have to resort to bribery? Why do they have to pay people just to vote for a yes? If that project is really good, why do they have to resort to buying people's vote?"

When referring to the FPIC process of 2022 a religious leader sternly stated that *"mining companies buy decisions of people"*. Ate Belle, a community organiser from ELAC, even says that the bribes were exposed and admitted during the Memorandum of Agreement (MOA)⁴ process: *"They admitted, they put it in the signage. They announced it, that this mining company got there because they gave us 300 pesos and a kilo of rice. They even put that in the signage [of the MOA]."*

Similar to the FPIC process, the MOA process between Indigenous communities and mining companies has also been marked by significant points of contention. Members of the Women Environmental Defenders (WEDs) expressed frustration over their exclusion from this process, highlighting that meetings were often scheduled without adequate notice, which prevented critical community members from participating in key negotiations (fieldnotes, May 23). Following the MOA process, a

⁴ In the memorandum of agreement, the mining company and affected communities make agreements about royalty payments and community development programmes.

major issue was the lack of transparency regarding the agreements made. According to Belle, only the pro-mining leaders received a copy of the MOA, leaving other community members in the dark about its final contents. The lack of transparency led to rumours that only family members of chieftains who were in favour of mining received scholarships from the mining company. The NCIP was criticised for the lack of transparency and was asked by the WEDs to have proper documentation of these processes and outcomes. This lack of transparency has fostered confusion and dissatisfaction with the agreements made, further diminishing trust in the NCIP's handling of mining issues.

With support from NGOs like ELAC, Indigenous peoples collect complaints from community members regarding irregularities in the FPIC processes and formally document these issues in letters addressed to the NCIP. This approach serves as a method of holding the NCIP accountable. However, Attorney Anda expresses frustration with the NCIP's lack of responsiveness, accusing them of prioritising communication with mining companies while ignoring the concerns of Indigenous communities raised in these letters. Despite this, the strategy remains an important tool for challenging the legitimacy of the FPIC process and documenting grievances. This documentation can serve as evidence in future legal cases.

Allegations of Corruption and Influence

The NCIP has been accused of having close ties to mining companies, leading to suspicions of corruption within the agency. According to Nem Singh and Camba (2020: 245), *"the NCIP, tasked at promoting indigenous rights against private companies, has remained underfunded with little enforcement capacity to effectively guarantee the FPIC process"*. As a result, the agency feels pressured to accept funding from the private sector, including mining companies, to be able to fulfil its duties, creating a significant conflict of interest between corporate interests and the protection of indigenous rights (Nem Singh & Camba, 2020). Sir Roger recalls a conversation with an NCIP official who suggested that mining royalties could fund their Ancestral Domain Plan:

"We presented the ancestral domain plan and we showed them [NCIP] that if we would like to implement this plan, we need something like 100 million over the next 10 years or 50 million. Then he [provincial officer NCIP] said, that can be funded by the royalty. So, you see that NCIP person telling me, if you need money, mining can provide that money."

Rumours of bribery within the NCIP compound these allegations. According to Belle, *"There are also bribes inside the NCIP... even in the upper offices."* Sir Roger adds to these allegations that he heard the NCIP has been offered office supplies like computers by the mining company a welcoming 'gift' for an underfunded government agency. Such claims highlight the distrust between the Indigenous communities and the NCIP, which many feel has shifted from being a protector of their rights to a facilitator of mining interests.

According to Attorney Anda, the NCIP's internal workings are marked by complex dynamics, making it difficult to understand the agency's actions fully. She notes that even NCIP officials themselves may be restricted in their ability to act and speak out due to internal constraints and political pressure. Moreover, NGOs also face a balancing act. They must maintain a working relationship with the NCIP to secure permits for their own projects, while remaining critical of the NCIP's handling of the FPIC processes of the mining operations. As pastor Job explains, NGOs often experience delays in their projects, as the NCIP prioritises the applications of mining companies over other initiatives:

"Before the mining company asked for FPIC, like the process of getting the approval of the communities, we already passed our application. But the NCIP prioritised all the mining companies before they accessed our application. So, it's very hard for my company."

These dynamics highlight the complex and restrictive environment in which members of the anti-mining movements must operate. They are forced to carefully navigate relationships with government institutions while simultaneously remaining critical of the same government agencies. The NCIP itself is caught in a force field shaped by the national pro-mining narrative, which exerts significant pressure on the agency to prioritize the interests of mining companies. This again shows the dominant position of the mining sector in the force field (Fligstein & McAdam, 2011), as well as the role of state bureaucracy and procedures in shaping the force field (Nuijten, 2005). The national-level narrative reverberates at the regional level, where the NCIP's prioritization of the mining sector over NGOs and grassroots movements reinforces the marginalization of anti-mining activists. As a result, the movement against mining in Brooke's Point must contend with forces that systematically advance mining interests, both nationally and regionally, creating barriers to their advocacy and resistance efforts.

5.2.3 Department of Environmental and Natural Resources

The Department of Environment and Natural Resources (DENR) is another government agency that regulates mining operations and issues permits, such as tree-cutting permits and Environmental Compliance Certificates (see box 3). Its actions regarding mining have drawn sharp criticism, especially from the anti-mining movement, for neglecting its duty to assess environmental risks adequately and prioritize protection. While the DENR is supposed to regulate mining operations to safeguard the environment, the agency's actions often align with the interests of the mining sector, enabling mining companies to operate in sensitive ecosystems without sufficient research and monitoring. This dynamic

Box 3. The Department of Environmental and Natural Resources (DENR)

Mandate:

The DENR is the primary government agency responsible for the conservation, management, and development of the Philippines' natural resources. It oversees the enforcement of environmental laws and ensures sustainable use of resources (DENR, n.d.). The Mines and Geoscience Bureau (MGB) falls under the DENR and regulates the mining industry. Next to the national department, the DENR has regional and local offices.

Key Functions related to mining:

- Issues Environmental Compliance Certificates (ECCs) for projects, including mining operations, ensuring compliance with environmental regulations.
- Grants tree-cutting permits required for land-use activities, including mining.
- Approves or revokes Mineral Production Sharing Agreements (MPSA). Under a MPSA, the government grants a mining company the right to conduct mining operations within a specified area (Mining Act, 1995).
- Monitors and regulates mining operations to mitigate environmental impacts.

reflects the influence of the pro-mining narrative from the national political force field, where mining interests often take precedence over environmental concerns.

Pastor Job expresses his frustration with the DENR's failure to conduct proper environmental studies:

"Now the fisher folks are complaining that the laterite is already building up in the seashore. The DENR did not do any studies there before they allowed them [the mining company] to put up their causeway, the pier. [...] And besides that area there is a protected marine sanctuary. It was declared as a fish sanctuary because of the very good corals around that and so many fish there but the government ignored everything."

This negligence has led to the destruction of marine habitats, including coral reefs and seagrass beds, which are crucial to local livelihoods and biodiversity. People like Alayma have lost their livelihoods because of this causeway. Moreover, the DENR has been accused of facilitating the cutting of trees for mining operations, even as it punishes local residents for much smaller-scale environmental infractions. Activists and local officials, such as Vice Mayor Feliciano, have expressed deep frustration with the DENR, accusing them of failing to do their duty: *"Government agencies who are supposed to protect the forest. But they are the conduits or the enabler of these mining companies to be able to cut the trees legally."* This perceived double standard, where mining companies receive permits to cut thousands of trees while locals face harsh penalties for cutting trees for personal use, has fostered feelings of injustice and inequality among the citizens. Alayma's words capture this anger:

"Why is it when we cut trees to use for our houses, there's a huge chance that we can be imprisoned? But why was it when mining companies cut thousands of trees and it's allowed? Why is the government letting this happen? It hurts, it's unfair to us."

In some cases, the DENR has withdrawn cases against mining companies, further fuelling accusations of complicity with mining operations and the failure of the agency's commitment to enforcing environmental laws. For example, a forestry case involving illegal tree cutting by a mining company was dismissed despite clear violations, leaving environmental advocates like Attorney Anda disappointed by the government's lack of action. Community members also claim that the DENR personnel and other government officials are afraid to take decisive action against the mining companies, further diminishing trust in the agency's ability to regulate the industry effectively.

The DENR's division of responsibilities with other agencies, like the Mines and Geosciences Bureau (MGB), the NCIP and the PCSD, has added to the confusion and frustration. Communities, particularly the Women Environmental Defenders, feel that their concerns are passed from one agency to another without any agency taking full responsibility. This lack of direct answers and action from the DENR has left many disillusioned, questioning whether the agency truly prioritises environmental protection or if it is complicit in advancing the interests of the mining sector in Palawan (fieldnotes, June 4).

The actions of the DENR can be understood as part of a broader force field where the pro-mining narrative exerted by national political forces influences the agency's behaviour. This force field constrains the DENR's ability to act independently and in the public's interest, leading to barriers for the movement against mining, which must navigate a force field where key regulatory agencies are seen as enablers of mining operations rather than protectors of the environment. Frustrated by the DENR's failure to fulfil its legal duty to protect the environment, the anti-mining movement has increasingly turned to independent scientific research to challenge the agency's findings and support their advocacy for environmental justice in Palawan.

5.2.4 Congress on Mining and the Environment

In April 2024, the provincial government of Palawan organised a three-day congress titled *The Palawan Stakeholders' Congress on Mining and the Environment*. The event brought together a diverse range of stakeholders, including mining companies, government officials, NGOs, and representatives from the church. The congress aimed to create a platform for dialogue about mining's impact on Palawan's environment and communities (PIO Palawan, 2024).

For the anti-mining movement, participating in such events is a useful platform for criticising mining policies and operations. These gatherings provide opportunities to engage with influential stakeholders, demonstrate the consequences of mining, and advocate for reforms. Members of the anti-mining movement, such as Attorney Anda, who spoke on behalf of affected communities, used the event to voice strong criticism of the current state of mining regulation in the province. She highlighted serious concerns, including irregularities in the issuance of permits, the ECAN rezoning that benefits mining companies, violations of FPIC protocols, and the lack of capacity of government agencies like the DENR, PCSD and the NCIP to monitor and enforce mining compliance effectively and the lack of response to complaints petitioned to these agencies. She states that there are numerous laws that should protect the forest, but that implementation is lacking. She, among other critics of mining, questioned the suitability of mining in Palawan: "*We do accept that mining is an industry,*" Anda stated, "*but in the last ecological frontier? That we need to seriously ask.*" (PIO Palawan, 2024).

The congress concluded with the signing of a declaration of commitments, which included promises to impose a moratorium on new mining explorations and Mineral Production Sharing Agreements (MPSAs) in Palawan, increase penalties for violations by existing mining operations, raise the royalty shares allocated to indigenous communities, and enhance civil society representation in the monitoring of mining sites (Thicke, 2024).

Governor Victorino Dennis Socrates was pivotal in ensuring that all voices, including those critical of mining, were heard during the congress. Unlike his predecessors, who were more openly pro-mining, Socrates positioned himself as a mediator, emphasising the need for balanced discourse. In an interview with Palawan News, Governor Socrates, recognised that the outcomes of the congress "*reflects the sentiment of the overwhelming majority of our fellow Palawenos*" and that he personally will do everything in his "*capacity to follow and implement the declaration*". These are strong words in favour of stricter mining policies. Despite the strong push for a moratorium, anti-mining advocates remain sceptical about the sincerity and enforceability of these commitments. They note that the declaration is not legally binding, raising doubts about whether these promises will translate into action. Their scepticism was soon validated when a proposed ordinance to enact the moratorium failed to pass in the provincial council due to the pro-mining majority in the council. Vice Mayor Feliciano of Brooke's Point criticised the lack of government representatives at the congress, which she saw as an indication of the limited political will to address the concerns raised (Thicke, 2024).

This outcome highlights the challenges faced by anti-mining activists in navigating a regional political landscape where pro-mining interests hold significant power. While the congress provided a platform for dialogue, its ultimate impact on mining policies in Palawan remains uncertain. In a joint pastoral letter, the three bishops of Palawan advocate for the moratorium on mining in Palawan. In the letter they say: "*This is the cry of Mother Nature; this is the cry of the farmers, fishermen, and indigenous*

peoples affected by the destruction brought by mining". The bishops ask the residents of Palawan to sign a petition calling for the moratorium (Desk, 2024).

The movement against mining in Brooke's Point sees an ally in the current governor of Palawan, Socrates. He has voted against the ECAN rezoning in Brooke's Point, and he is doing his best to fulfil the commitments of the declaration of the mining congress. In 2025, there will be provincial elections. The movement would like to see that Governor Socrates stays in office. Sir Roger believes that *"if the current governor will win the next election, I feel like we can somehow put more pressure on the mining companies. And probably we will be able to reduce the number of mining projects being approved."* This highlights the role of political elites, as emphasised by Tarrow (2011), who notes that the support of influential allies can create political opportunities for movements. The governor is able to negotiate on behalf of the anti-mining movement in the provincial council.

Above, I outlined key processes within the regional political force field that shape the mining conflict in Brooke's Point, as well as the positioning and power dynamics of the various actors involved. In the following section, I examine the local political force field.

5.3 Local Political Force Field

In Brooke's Point, the struggle over mining is deeply embedded in the local political arena. Over the years, local government officials have played a crucial role in shaping the dynamics of resistance to mining, navigating a complex web of shifting political allegiances, corruption, and influence of national mining policies. The local political force field is characterized by constant negotiation, with pro-mining and anti-mining actors competing for influence and control. This section examines how the actions of local political figures, corporate influence, and the overarching pro-mining narrative at the national level have intersected.

Attorney Anda noted that the anti-mining community in Brooke's Point has remained one of the strongest in the region for over two decades, with local politicians playing a crucial role. Before 2010, the municipal council maintained a relatively neutral stance on mining, but this changed when Mary Jean Feliciano became mayor in 2013. Feliciano, an environmental lawyer and advocate for Indigenous Peoples, led a council with a majority of anti-mining members. During her time as mayor, the council successfully delayed the operations of Ipilan Nickel Corporation (INC) for years by refusing to issue the necessary permits. However, in 2021, Feliciano was suspended for alleged abuse of authority. INC had filed a complaint with the national ombudsman, accusing her of misusing her position by issuing closure, cease-and-desist, and demolition orders against the company. Some believe the timing of Feliciano's suspension was no coincidence, linking it to President Duterte's lifting of the mining moratorium, which increased pressure to expand mining operations across the country (Dressler & Smith, 2023). This signals how the broader pro-mining narrative shaped by national political forces can pressure local governments and create a force field that stifles anti-mining activism. Despite protests from Brooke's Point residents, Feliciano was suspended for a year, dealing a major setback to the anti-mining movement. A month later, a pro-mining politician became acting mayor, and shortly after, she issued the mayor's permit to INC, enabling the long-delayed mining operations to start (Miranda, 2022).

Following her suspension, Feliciano ran for vice mayor in the 2022 elections alongside Cesareo Benedito, who ran for mayor. Both won, which at first felt as a major victory for the movement against mining in Brooke's Point, because one of the first actions of Feliciano as vice mayor was to file a resolution to revoke the mayor's permit for INC (Fabro, 2022). However, despite the mayor and the vice mayor being on the anti-mining side, the dynamics in the municipal council had shifted. The once anti-mining majority had flipped; Vice Mayor Feliciano explained the shift:

"I have less power because my power depends on the council members. And it was unfortunate that initially, we were the majority [anti-mining]. But when the new sets of IPMR (Indigenous People Mandatary Representative), SK (Sangguniang Kabataan) federation, and the new representative of the Liga ng Barangay came, one of our original members shifted sides. Now, the pro-mining group holds the majority in the council."

Vice Mayor Feliciano also acknowledged that bribery played a role in the 2022 elections. She stated:

"We knew that money exchanged hands during the selection of the youth representative or the Sangguniang Kabataan representative. Some SK chairpersons who stayed with us told us they were offered money."

Attorney Anda confirmed that vote-buying has been common over the last 20 years, affecting both politicians and voters, highlighting the dominant power of the pro-mining forces within the local political field.

Despite the pro-mining majority in the council, the anti-mining movement still receives some support from the municipal government. In October 2023, the municipality issued a cease-and-desist order against INC. Mayor Benedito, though anti-mining, is less vocal than Feliciano. He admitted that he is cautious about his stance, fearing suspension like Feliciano (Miranda, 2022), especially after INC filed a case against him for not renewing the mayor's permit; the case is still pending. Vice Mayor Feliciano also changed her strategies a bit. She will not lead any rallies anymore, but still supports the activists. Her thoughts after her suspension:

"I just visited them [at the barricade] because, just like what had happened when I was the mayor, when I was there in the middle of the fight. I was the one who led them actually to fight the mining companies. If I did not do that, maybe they would not have found a loophole where they can sue me. I made myself vulnerable to lawsuits. So, I said, was it a good thing that I was the one who actually led the rally or there should be another person who should have done it instead of me so that I could remain in the office? Those are my thoughts after my suspension. Did I do the right thing? Was it a good strategy?"

Despite some ongoing support from local politicians, the pro-mining forces in the council have maintained a dominant position, evident in their recent vote to approve the revised ECAN map, which opened up previously restricted core zones to mining operations. . This decision underscores the strength of the pro-mining majority in the council.

The movement against mining in Brooke's Point navigates the local political landscape by actively engaging both online and offline to resist pro-mining policies. On social media platforms like Facebook, activists publicly expose local councillors who vote in favour of pro-mining initiatives, holding them accountable to the public (Brooke's Point Defender, 2024). In addition, the movement highlights corruption within the political system, often travelling through barangays to inform and educate

communities about bribery. During election periods, the movement campaigns for and supports anti-mining politicians.

Conclusion

This chapter explored the political force field in which the movement against mining in Brooke's Point operates. The movement navigates a multi-scalar political force field shaped by national, regional, and local dynamics. These different scales intersect and influence each other. At the national level, the government's increasingly pro-mining stance, driven by arguments for economic growth and the global energy transition, is viewed as one of the movement's biggest challenges. Activists feel the *"pressure from above,"* as national policies set the tone for regional and local politics. The alignment of political elites with the mining sector enhances this pressure (McAdam, McCarthy & Zald 1996), confirming that the political environment constrains a social movement and limits its operational space (Kriesi, 2004; Van der Borgh & Terwindt, 2021). Despite these limitations, petitions are submitted to national government agencies, and the movement builds alliances with national organizations like Alyansa Tigil Mina to strengthen their resistance. However, as direct influence on national policy remains limited, navigating the political force field involves maintaining faith in the legal system and hoping for political change.

At the regional level, frustrations are prevalent, especially with government agencies that are supposed to protect the environment but often fail under political pressure, finding loopholes in laws or ignoring regulations altogether. Sir Roger's work in challenging the revision of ECAN zones in Brooke's Point illustrates the political manoeuvring required. He strategically uses arguments and information from the PCSD to build long-term cases, using the system and its resources to his advantage even as regional politics complicate his efforts. This reflects the movement's ability to find room to manoeuvre within the political force field, even when it seems stacked against them (Nuijten, 2005; Fligstein & McAdam, 2011).

On a local level, the anti-mining movement sometimes finds support, such as when the municipal government issued a cease-and-desist order (CDO) against the mining operation of INC. However, this support is inconsistent, and the activists often feel unsupported by local officials. Corruption infiltrates all levels of government, complicating efforts to hold officials accountable. As Attorney Anda notes, *"If only government agencies were doing their job, then we would not have suffered this much."* Activists try to expose corruption, such as through FPIC complaint letters to the NCIP, but the lack of strong evidence often makes it difficult to pursue these cases in court.

Hope plays a pivotal role in the anti-mining movement, functioning as a source of emotional resilience and a political strategy (Wright, 2023). It allows activists to counteract fear and uncertainty by taking action and imagining alternative futures. As Sir Roger puts it, *"There is always hope. As long as there is an opportunity, I'll try."* This sentiment captures the movement's refusal to give up, embodying a determination to persist despite setbacks in a political force field that often seems rigged against them. Hope is also a factor in the movement's legal strategies, which, along with the challenges of the legal force field, are discussed in the next chapter.

6. The Legal Force Field: A Double-Edged Sword

In this chapter, I explore the judicialization of the mining conflict in Brooke's Point. The legal force field both gives opportunities for legal action used by the mining company to criminalize protest, as well as legal activism "from below" (Eckert, 2006) strategically used by the movement against mining in Brooke's Point, turning law into "a means of resistance" (Hirsch and Lazarus-Black 2012) to fight the mining operations. This all takes place in what I call the legal force field, inspired by Nuijten's (2005) force field approach in which both the anti-mining movement and the mining company use their different set of resources to assert their power in the legal force field to achieve their goals (Nuijten, 2005; Fligstein & McAdam, 2011).

In the first section, I describe the criminalisation the anti-mining movement is facing in the form of lawsuits against members of the movement and the act of red-tagging and how the movement navigates this. Furthermore, I explain how the mining company gets away with non-compliance with the law. In the second section I turn to the legal opportunities the movement uses and the challenges it faces while employing this legal activism.

6.1 Dynamics of Criminalisation: Legal Repression and Corporate Impunity

NGO reports and academic literature have documented widespread cases of criminalisation of activists globally (Rasch, 2017; Moore et al., 2015; Scheidel et al., 2020). Criminalisation refers to actions by state or non-state actors that frame activist behaviours as criminal, serving as a repressive tool to suppress dissent (Vegh Weis, 2021; Moore et al., 2015). Criminalisation operates in two distinct yet interconnected ways: over-criminalization and under-criminalization. Over-criminalization refers to the disproportionate legal attention and punitive measures directed at marginalized groups, including activists, Indigenous communities, and their allies, often criminalizing actions with minimal social harm (Vegh Weis, 2021). This process contributes to shrinking operational space for social movements (Lindt, 2023; Van der Borgh & Terwindt, 2012). In contrast, under-criminalization refers to the selective inaction toward crimes committed by privileged groups, such as corporate actors, who often benefit from impunity due to their financial and political resources (Vegh Weis, 2021; Ruggiero & Welch, 2009). This neglect is manifested in weak law enforcement and limited prosecution of harmful actions by powerful actors.

In Brooke's Point, this dual mechanism of criminalisation is evident in the struggle against mining. Activists face excessive legal threats, including lawsuits and red-tagging (labelling activists as communists or terrorists), exemplifying over-criminalization. Meanwhile, mining companies exploit their influence by bypassing regulations and evading accountability, illustrating under-criminalization. The interplay of these dynamics reveals a legal force field shaped by corporate dominance and political complicity, where those responsible for social and environmental harm often go unpunished, while those resisting such harm are disproportionately targeted. This section explores how these intertwined processes of over- and under-criminalization impact the movement against mining in Brooke's Point, highlighting the challenges of navigating a terrain where legal tools are used both as weapons of repression and shields for impunity. I now first turn to two forms of over-criminalisation: punitive and preventive measures

6.1.1 Lawsuits: “They're trying to tie our hands and our mouths.”⁵

Van der Borgh and Terwindt (2012) distinguish between punitive and preventive measures used to criminalise activists. Both are evident in the case of Brooke's Point, where lawsuits have become a key instrument for shaping the legal force field. This section focuses on punitive criminalisation, which involves the use of lawsuits to prosecute activists, which can result in fines or imprisonment. These lawsuits, filed by powerful mining corporations like Ipilan Nickel Corporation (INC), operate as a form of force to suppress dissent and reshape the resistance by exploiting legal mechanisms. Drawing on the example of a lawsuit filed by INC against anti-mining protesters, I examine how punitive criminalisation alters the balance of power within the legal force field. The lawsuits silence individual activists and disrupt the movement's capacity to mobilise and strategise. This analysis illustrates how corporate actors leverage their financial and legal resources in the force field, increasing the risks and costs of resistance by draining the human and financial resources of the anti-mining movement.

Lawsuits Following the Barricade

Lawsuits have become a legal tool used by mining companies to suppress anti-mining protesters, politicians and government agencies who act against the mining company. The use of lawsuits by the Ipilan Nickel Corporation (INC) increased after the February 2023 barricade at the company's mining site entrance. Almost a month after the protest began, INC filed for and obtained a Temporary Restraining Order (TRO) to halt the barricade. Despite the order, the protesters continued, empowered by a rally permit from the mayor and their conviction that the company was operating illegally without the required Certificate Precondition and local permits (Alabi, 2023).

After the barricade ended, INC intensified its legal actions, filing multiple cases against the protesters. Twenty-two persons, community leaders, farmers' association leaders, and women and youth representatives, were sued for damages to the company's property and ordered to pay ten million pesos (around 160.000 euros). The company argued that the barricade halted their operations, allegedly causing losses of 498 million pesos (around eight million euros). Pastor Job, who had a leading role in organising the barricade and got sued, believes the goal of the company is to silence the protesters and discourage public participation:

“I believe that it's just the problem that we don't have money. [...] And when they [the mining company] files a case they can file against 70 persons. If I'm the only one, it's easy, I can support myself, but what about the others? I don't have money for them, only for myself. That's the problem. The company knows this. They're trying to tie our hands and our mouths, using the cases against us, so that we cannot speak. Literally now I can feel it.”

Although several cases were dismissed, the burden of these legal battles had financial and strategic consequences for the anti-mining movement. Attorney Anda observed that the lawsuits increased as more people mobilized to assert their rights, providing the company with more targets. The financial and emotional strain of these cases affects both the individuals involved and the broader movement. First, defending against lawsuits is costly; the community members often lack the resources to hire lawyers, so they depend on the volunteer lawyers and resources of organisations like ELAC. For ELAC, handling these cases diverts resources from advocacy, strategic litigation, and other essential work. Attorney Anda highlighted this strain: *“Like ELAC, we suffered a lot from that [the lawsuits], because*

⁵ Quote from interview with Job Lagrada, who got sued by the mining company after a public protest.

the deliverables we had in one project were not achieved last year.” On the contrary, for the company the costs of suing are like an investment, like Belle puts it: *“With the billions that they earn [...] The case, it's nothing for them”*. The difference in financial resources illustrates that financial capital shapes the power dynamics in the legal force field (Fligstein & McAdam, 2011; Bourdieu, 1992); agents in the field rely on such resources to elicit action.

Second, the lawsuits have a “chilling effect” on the people and thus slowdowns the movement. Belle explains the effect it has on community members:

“It has a chilling effect on the community. In the Philippines, if you get sued, it's scary for most of us. Because if you're just a farmer, you wouldn't know what the repercussions are. [...]. When you get a notice, you're like, what's this? And even your dignity would be at stake in the community. Oh, you know that person got sued. Even if actually, you're innocent, it sticks to you.”

Belle's observation aligns with Van der Borgh and Terwindt's (2012: 1071) idea that *“criminal trials can have a stigmatising effect”*. The personal consequences of the lawsuits have effect on the whole movement as a nun actively supporting the anti-mining movement explains:

“We were not able to plan rallies anymore because most of our leaders have cases. So, it has implications if they [the leaders] would come [to the rally]. There are still people who really want to express themselves through rallies to express their opposition against mining. But according to the lawyers, ELAC lawyers, we have to slow down on those things and focus first on the cases that we have already filed and still have to be filed.”

Also, Marlon, who got sued himself sees the immediate effect of the cases: *“From the 22 [defendants], there are some that totally withdrew their participation on the physical side of the movement.”* Those activists now deliberately only work on the background of the movement.

Next to protesters being sued, the mining company also targeted politicians and other people who aligned themselves with the anti-mining movement. For example, the mayor of Brooke's Point got sued for not issuing the mayor's permit, needed by the mining company to continue its operations (Formoso, 2023). With the suspension of his predecessor Feliciano in the back of his mind, he admitted that he tries to be extra cautious so as not to suffer the same fate as her (Miranda, 2022). Furthermore, a nun got several lawsuits against her. She thinks she got sued because the company sees her as a threat because she educated the indigenous people about their rights. Her lawyers advised her not to attend any public protest actions; however, during the barricade she felt she needed to support the people, and she visited to bring food, wearing other clothes than her usual habit to not be recognized by the company's guards.

SLAPP Defence

Despite these challenges, the anti-mining movement has leveraged its legal expertise as a resource to strengthen its position within the legal force field and counter the lawsuits. Under the Rules of Procedure for Environmental Cases, issued by the Philippine Supreme Court in 2010, defendants can argue that lawsuits are Strategic Lawsuits Against Public Participation (SLAPP) and seek their dismissal. The Supreme Court defines a SLAPP as:

“An action whether civil, criminal or administrative, brought against any person, institution or any government agency or local government unit or its officials and employees, with the intent

to harass, vex, exert undue pressure or stifle any legal recourse that such person, institution or government agency has taken or may take in the enforcement of environmental laws, protection of the environment or assertion of environmental rights."

Many cases against the Brooke's Point protesters have been dismissed on this basis. Attorney Fransel described the SLAPP defence as a vital tool: *"It was coined as a defence mechanism for the people, recognizing that strong companies sue people for damages to install fear because they have no money."* However, not all cases are successfully dismissed. In the case after the barricade with the twenty-two defendants, the judge ruled that the lawsuit was not a SLAPP, leading to speculation about the judge siding with the mining company, because for the defendants' lawyers it was a clear case of a SLAPP. This outcome highlights the dominant position of the mining company within the legal force field, as it appears to have leveraged its political or financial capital to influence the judge's decision. Such dynamics underscore the uneven power relations at play, where the company's resources and influence can undermine the effectiveness of legal protections designed to safeguard activists from harassment and intimidation.

Attorney Fransel explained during the interview that when a lawsuit is not dismissed on the basis of the SLAPP defence, the lawyers of the defendants try settle the case out of court, through a mediation process with the company. The reason behind this is to avoid prolonged and expensive court battles. However, in the mediation process of the barricade case, the company tried to curb the freedom of expression and demonstration rights of the protesters by demanding a public apology and the restriction to never protest in front of their company gates again, like the protesters did during the barricade. Moreover, within the mediation process the companies tried to financially burden the protester even more. In one instance, the INC insisted that all twenty-two defendants would be present at the meeting, and not only the two representatives. So all twenty-two traveled from Brooke's Point to Puerto Princessa, which takes around four to five hours. However, the company representatives in the mediation did not show up, leaving the defendants and the movement with unneeded transportation and accommodation costs and time spent away from their duties in Brooke's Point. Eventually the mediation got delayed and the judge was convinced that settlement through mediation was no longer feasible, so the case will proceed to court. Attorney Fransel who represents the defendants argues that this is not to the advantage of the defenders, because: *"It will take time. So much time. And then if we lose, these people [the defendants] have to pay around 12.5 million pesos. So, it's better not to go to trial. Even if we win the case by trial, we'll not get anything, not a single centavo"*.

In sum, punitive criminalisation in the form of SLAPP cases remains a potent tool for mining companies to suppress dissent and intimidate activists. The movement against mining in Brooke's Point continues to navigate this legal force field by using laws as a defence mechanism in their favour. Although they have achieved victories in dismissing some cases, the lawsuits have altered their strategies and limited their capacity for direct action. This aligns with Tarrow's (2011) argument that threats, defined as the risks and costs associated with action, are analytically weighted with the potential success of an action. In Brooke's Point, the lawsuits have increased the perceived costs of protest, leading activists to evaluate the costs and risks of disruptive actions against the likelihood of achieving their goals success, ultimately reshaping their strategies for resistance. The mining company holds a dominant position in the legal force field due to its abundant financial resources. With the deliberate strategy of suing mining opponents, the company pushes the anti-mining movement in a defensive position.

6.1.2 Red-tagging

The second form of over-criminalisation evident in Brooke's Point is a type of preventive criminalisation. This form of criminalisation operates through broadly defined terrorism laws, which create room to label activists as threats, thereby legitimising actions taken against them (Van der Borgh & Terwindt, 2012). Within the legal force field, this mechanism can be seen as a way for state actors to reshape the boundaries of resistance by strategically positioning activists as dangerous actors or intimidating them. In the Philippines, this type of criminalisation primarily takes the form of red-tagging.

As documented in a report about the human rights situation in the Philippines in the context of climate change by the United Nations High Commissioner for Human Rights, the practice of red-tagging is systematically used against environmental human rights defenders and has been a persistent and powerful threat to the freedom of expression (Fry, 2024). Red-tagging is defined as *“the act of labelling, branding, naming and accusing individuals or organizations being left-leaning, subversive, communists, or terrorists used as a strategy by state agents, particularly law enforcement and military against those perceived to be ‘threats’ or ‘enemies of the State’”* (Zarate v. Aquino III, 2015). The special rapporteur of the UN stated that the act of red-tagging is also used against people who oppose mining operations. This tactic illustrates how state and corporate actors within the legal force field leverage their political and institutional power and use a broad definition of the law to delegitimise resistance and create new constraints on activists' actions. Under President Duterte's administration, red-tagging escalated, affecting environmental defenders and anti-mining advocates alike (Fry, 2024).

Several environmental defenders I spoke to had been red-tagged in the past. They did not experience severe consequences of the red-tagging, although they all took extra security training and are more careful. When they were red-tagged or they suspected that they were on a red-tag list, they took measures and had conversations with the police, military and/or regional intelligence units. When asked if he had experienced consequences of the red-tagging, Sir Roger responded:

“I think those actions that I did when I came were effective in preventing further intensification of tagging me as an agent of communism. Because I made it sure, we made it a point that we are accredited with the local government. They recognize IDEAS as a legitimate NGO and we participate in the local government consultations. So, I think those preventive measures were effective in putting aside us being red-tagged”

Sir Roger played an open book with the military, explaining who he is and what his projects are about. Mhar, a youth leader from Brooke's Point, had a similar experience. He believes that he was marked as an NPA rebel⁶ because he was protecting the forest. His name was cleared after an extensive interview with the regional intelligence unit. Although he marked being red-tagged as a negative experience of being an activist, he also notes it had no severe consequences. Although not having experienced red-tagging herself, Attorney Fransel recalls that two priests who were vocal in environmental protection in Palawan were red-tagged, and that is the reason they are less active in the movement now: *“They disengaged in social media. You know, the typical effect of red tagging is you push people to get back on their shelves, hide themselves.”* Belle added to this that red-tagging does not stop the movement, but it can slow it down: *“it would have a chilling effect on the community. Because they would really be apprehensive, if they know that they got already monitored. You get monitored even if you're just*

⁶ New People's Army: the military wing of the communist Party in the Philippines.

expressing that you're against mining." These dynamics reveal how red-tagging functions as a tool for state actors within the legal force field to exert pressure on activists, and discouraging resistance.

Red-tagging has reportedly decreased under President Marcos's administration. The president declared Palawan "rebel free" in 2023, which, according to Attorney Anda, would not justify any new red-tagging. Moreover, in 2024, the Supreme Court declared that red-tagging *"threatens a person's right to life, liberty, or security"*, marking a positive development for environmental human rights defenders. However, concerns persist; during a film screening for young environmental defenders, an ELAC employee reported witnessing an individual suspected to be from the intelligence service taking photos and videos of attendees (fieldnotes, August 7).

These developments illustrate the evolving dynamics of the legal force field (Nuijten, 2005), where the interplay between legal rulings, state surveillance, and activist strategies continually reshapes the opportunities and constraints faced by different actors. I have discussed over-criminalisation by both state actors and corporate actors, demonstrating how tools like red-tagging and SLAPP suits are used to create obstacles for resistance. These mechanisms highlight the ways in which state and corporate actors leverage their positions of power to delegitimise and suppress activism. Having explored over-criminalisation, I now turn to the concept of under-criminalisation, examining how the lack of accountability for corporate violations within the legal force field further constrains activists and shapes their resistance strategies.

6.1.3 Corporate Impunity: "the government is scared of these companies."⁷

The criminalisation of activists goes hand in hand with the impunity of violations by corporate actors. Inspired by Vegh Weis (2021), I call this neglect of punishment under-criminalisation. The legal system focuses on punishing the resistance while neglecting to address the actions of the actors that provoke this resistance. Ruggiero and Welch (2009) argue that those with more resources have greater power to define others as criminals while protecting themselves from similar labels. In this section, I show how the dominant position of the mining company in the legal force field allows the company to not comply with regulations and exploits legal loopholes to its advantage, leading to impunity for violations of the company. The company's influence over government agencies, such as the police, further amplifies the risks and threats activists face, complicating the anti-mining movement's position.

In August 2023, the NCIP issued a Cease-and-Desist Order (CDO) against the Ipilan Nickel Corporation (INC), CDOs are administrative directives designed to halt the activities of an individual or company, such as mining operations. The NCIP issued the CDO on the grounds of violating the IPRA law, because it lacked free, prior and informed consent, so the company's Certification Precondition (CP) was invalid. This move initially appeared to be a victory for the anti-mining communities, who felt supported by the NCIP's action. However, environmental lawyer Anda raised concerns about the sincerity of this action. Despite the CDO, INC continued its operations without facing any legal consequences, leading Anda to believe the CDO was more symbolic than substantive:

"The cease-and-desist order is coming from the NCIP. But did they do anything? Did they file a case against the mining company? No. After a year, more than a year, they issued the CP. After they issued the cease-and-desist order, they issued the certification precondition. So,

⁷ Quote from interview with ELAC employee Belle.

what does that tell you? In terms of the message, that the cease-and-desist order was what? Part of a script? Pardon me for saying it, but was it really genuine?"

Also the municipality tried to leverage its legal power by issuing a CDO against the mining company (Thicke, 2023). The mining company refused to comply with the CDOs, thus effectively undermining the authority of the regulatory bodies. Pastor Job, who was present when the municipality officials put up the CDO at the company's entrance, said that the company's guards tore down the order within thirty minutes. The company argues that only the DENR can stop them from operating because they issued the MPSA (Global Ferronickel Holdings, 2023).

The company appears to exploit legal loopholes to its advantage. A lawyer of ELAC explained that the company argues that it is not required to comply with the IPRA law because its MPSA was issued in 1993, prior to IPRA's enactment. However, if this reasoning is accepted, their MPSA would have expired in 2018, after the 25-year term. Despite this, the company contends that amendments to its operations extend its validity until 2025. If this claim holds, the company would then be obligated to comply with IPRA. This selective use of legal arguments highlights the company's strategy to prioritize its own benefit, which the anti-mining movement tries to expose as flawed and contradictory

The non-compliance with the law is made possible by the political environment favouring extractive industries. National pro-mining sentiment and close ties with political elites provide a shield against enforcement. For example, rather than halting its operations, the company sued the head of the regional NCIP for issuing the CDO, effectively using legal action as a stalling tactic and an intimidation measure. Ate Belle's explanation of the situation shows the different forces at play and the power the company has over the government using legal strategies:

"That's how arrogant they [INC] are. [...] In your country, if the government says stop, you have to stop, right? But in the Philippines, it's not like that, there's the CDO, and they didn't stop. So, who should make them stop? Who should sanction them? The national government? It's supposed to be, but they're also not assertive. They [the government] are even scared. The company filed a case against the head of the regional NCIP, it's like a harassment case. So yes, that's the reason why these offices are scared. Imagine the government is scared of these companies. Isn't it ridiculous?"

The reluctance of the NCIP to pursue legal sanctions further reveals the systemic weaknesses in governance and enforcement. In addition to the government agencies being afraid of lawsuits against them, they lack the resources to sue the company. If they would sue the company, the lawsuit would take a long time, because of the backlog of the justice system itself (Croissant, 2022) (in the regional court in Brooke's Point, 1300 cases are backlogged). In the meantime, the mining company can continue its operations. This weak enforcement of the law and the dominance of the company in the legal force field enables the company to act with impunity.

The non-compliance and the failure of the government to enforce the CDO also have to do with the role of the police, illustrated by the acting of the police during the dispersion of rally in October 2023. Multiple interviewees told me that the police sided with the mining company. According to them, the police were present during the rally, but left after a while; this was the time that the security guards of the mining company and the protesters clashed and some people got injured (GMA Integrated News, 2023). When the commotion was over, the police came back to the site. Mhar, a youth leader who was present at the rally, expresses his frustration with how the police acted or in fact did not act: *"The role*

of the police officer is to protect the community. Not to deprive the rights of the community". In an interview Vice Mayor Feliciano expresses her concerns that *"the company really has the power over the police"*, and that the mayor, who should be in charge of the police, lost his power over the police. She believes that the police were bribed, because they got new computers and fuel from the company. Moreover, the police officers are afraid of getting lawsuits against them filed by the company, Feliciano explained; a police officers told her he is afraid of lawsuits, because his *"salary is not enough to hire a lawyer"*.

The case illustrates the over- and under-criminalisation mechanism (Vegh Weis, 2021) and the dominance of the company in the legal force field: companies leveraging weak enforcement systems, political connections and financial resources to continue operations, while affected communities and activists bear the burden of resisting these injustices. Although some protesters told me that this will not stop them from protesting, the growing violence during protests and not getting the protection of the police can lead to fewer people being willing to protest in this context. Together with the SLAPP cases, this leads to a protest strategy away from mass mobilisation and street rallies.

In sum, the criminalisation of protesters and the impunity of the mining company show the part of the legal force field that underscores the dominance of the mining company, mostly due its financial and political capital. This aligns with the ideas of Fligstein and McAdam (2011) and Ruggiero and Welch (2009) that the position of the dominant actor in the force field is reinforced by their control over resources, allowing them to shape the rules in their favour. The anti-mining movement attempts to reshape the power dynamics by using legal means like the term SLAPP as a defence mechanism, and by using strategic litigation, which I discuss in the next section.

6.2 Legal Opportunities

As discussed in the previous section on criminalization, the legal force field presents significant threats to the anti-mining movement. Corporate impunity is reinforced by government agencies' failure to act, further entrenching the dominance of mining companies in the field. Despite this corporate impunity facilitated by the government, the movement has sought to hold companies accountable through strategic litigation, using the law as a tool for resistance. The legal system offers avenues to hold both companies and government agencies accountable. This aligns with Eckert's (2006) concept of *"legal activism from below,"* where marginalized groups employ legal strategies as a means of resistance (Hirsch and Lazarus-Black, 2012). These legal opportunities offer a means to shift the power in the legal force field in favour of the anti-mining movement. However, leveraging these legal opportunities requires substantial resources, collaboration with allies, and facing political and structural obstacles, making it both a hopeful and challenging endeavour. This section explores how the movement against mining in Brooke's Point leverages legal avenues as a way to counterbalance the forces acting against it within the legal force field, balancing optimism about the power of law with the practical challenges of its implementation.

6.2.1 Tree-Cutting Case: “To compel the mining company to stop cutting.”⁸

The first legal opportunity I discuss is the tree-cutting case in Brooke’s Point. This case shows how the anti-mining movement utilizes litigation to hold mining companies accountable for environmental and social damage, but that this is thwarted by political and structural dynamics. In this case, ELAC represents five residents and a farmers’ association, seeking compensation for damages and an Environmental Protection Order to compel the mining company to stop cutting trees and rehabilitate the mined-out area. The case, filed in 2017 when the company began its operations, remains unresolved after seven years, reflecting the slow pace of the justice system in the Philippines.

The plaintiffs argue that the company’s tree-cutting was illegal at the time of filing because their Environmental Compliance Certificate (ECC) and Special Tree Cutting Permit had been revoked, and they lacked the required Free, Prior, and Informed Consent (FPIC) from the affected Indigenous communities. However, subsequent shifts in government agency decisions have complicated the case. Over time, the DENR, PCSO, and NCIP issued the necessary permits to the mining company. As Attorney Anda explains, “*The changing behaviour of our administrative agencies is the most challenging aspect of that case [...] all the permits which were absent when we filed the case are present now.*” Attorney Anda suspects that national politicians pressured regional agencies to issue permits to the company. Evidence of such pressure includes the DENR’s decision to sue the mining company for violating the Forestry Code and the Chainsaw Act, but failing to present evidence, leading to the dismissal of those cases, underscoring the interplay between the political and legal force fields.

This case illustrates not only the legal strategy of the anti-mining movement but also the complex entanglement of political and legal, challenges they face in pursuing justice.

6.2.2 Writ of Kalikasan: constitutional right to a balanced and healthful ecology

The second legal opportunity I examine is the Writ of Kalikasan. This case demonstrates how communities can assert their constitutional rights, but economic incentives and the company’s dominance in the legal force field hinder meaningful change. A Writ is a formal written order issued by a court, commanding a party to perform or refrain from performing a specific act. The Writ of Kalikasan, which derives from the Tagalog word *kalikasan* meaning “nature,” is a legal remedy available when the “*constitutional right to a balanced and healthful ecology is violated or threatened*” by unlawful actions, whether by public officials, employees, or private entities. It is specifically invoked when environmental damage of such magnitude endangers the health, life, or property of inhabitants across two or more cities or provinces (Rules of Procedure for Environmental Cases, 2010). The judicial status of the writ is that once granted by the court, it requires the government or private entities responsible for the environmental damage to take corrective action or cease harmful activities. However, despite the granting of the writ, its impact may be limited by various factors such as political influence, the financial power of companies, and the motivations of the petitioners themselves. In this case, while the Writ of Kalikasan was issued against the Department of Environment and Natural Resources (DENR) and the mining company in Brooke’s Point, the legal victory is complicated by settlements and ongoing

⁸ Quote from Attorney Anda, who represents the plaintiffs in the tree cutting case.

challenges that affect its potential for real change. I explore the significance of the writ for the anti-mining movement and discuss the complexities and effectiveness.

In 2023, the Supreme Court of the Philippines issued a Writ of Kalikasan against the Department of Environment and Natural Resources (DENR) and the mining company operating in Brooke's Point (ICC of BICAMM v. DENR et al., 2023). The petition was filed by two tribal leaders representing the Indigenous Cultural Communities (ICCs) from several barangays from Brooke's Point—Barong-Barong, Ipilan, Calasaguen, Aribungos, Mambalot, and Maasin (collectively referred to as BICAMM). The petitioners presented several arguments: 1) the mining operations overlap with protected areas, 2) the Mineral Production Sharing Agreement (MPSA) was illegally extended by the DENR, 3) the mining company cut trees without the necessary permits, 4) the mining operation lacked a Certificate of Precondition (CP), and 5) environmental destruction resulted from both the DENR's inaction and the actions of the mining company, Ipilan Nickel Corporation (INC) (Supreme Court, 2023).

In its ruling, the Supreme Court acknowledged that INC's operations *"may cause irreparable environmental damage,"* potentially endangering the residents of Brooke's Point, and that the DENR after several complaints *"shows their indifference to the rights of the ICCs to a balanced and healthful ecology,"* and thus the highest court granted the Writ of Kalikasan. This ruling was initially seen as a victory for both the environment and the Indigenous communities of Brooke's Point. For example, reports from Mongabay and the International Union for Conservation of Nature (IUCN) framed the decision as a milestone legal verdict in favour of nature and Indigenous rights, with headlines celebrating the potential for positive change (Fabro, 2023; IUCN, 2023). However, reactions from local anti-mining activists and legal experts paint a more complex picture. Vice Mayor Feliciano of Brooke's Point and Attorney Anda, Executive Director of ELAC, have expressed critical perspectives. Attorney Anda argues that the granting of the Writ of Kalikasan alone does little to halt the mining operations in Brooke's Point, as the Supreme Court did not issue a Temporary Environmental Protection Order (TEPO). She further notes that the two petitioners in the case, whom she suspects to be pro-mining and questions their legitimacy as the true traditional leaders of the communities, settled with the mining company outside of court, undermining the potential impact of the legal victory (Thicke, 2024).

Vice Mayor Feliciano echoed these concerns, stating, *"From the very beginning, I knew it's not going to prosper. Because I know the reason why they are filing that case. It's not really because they want to protect the environment, it's because they want to get the money that was promised to them."* According to Attorney Anda, while the granting of the writ may have been a legal win for Palawan, the fact that the petitioners *"compromised with the company"* by accepting a settlement, means the petitioners of the writ will not pursue any lawsuits against the mining company, and thus the mining operation will continue. Although there is still a possibility that members of the anti-mining community could intervene in the case as new petitioners, as the Court of Appeals is expected to decide on this matter, Attorney Anda remains sceptical about the outcome. She points to a similar case in Sibuyan, where the Court of Appeals revoked the Writ of Kalikasan on the grounds that it only affected one province, whereas the writ requires that at least two provinces or cities be impacted.

The Kalikasan case shows that it is possible for affected communities to assert their constitutional rights. However, economic incentives of community members and the financial power of the mining company, illustrating its dominance in the legal force field, stand in the way for real change. Because of this Attorney Anda is not very hopeful about the impact of the Writ of kalikasan. She believes it may be

more effective to move on from this case and focus on other legal avenues, such as the Writ of Mandamus, which I discuss in the next section.

6.2.3 Writ of Mandamus: *“compel the government to do its job”*⁹

The Writ of Mandamus is the third legal opportunity I discuss and the most hopeful one for the movement against mining in Brooke’s Point. It offers an avenue for the movement to address the government’s neglect of its duty to protect the environment and the rights of indigenous peoples. Attorney Anda explained that the Writ of Mandamus is a legal action where you want to compel a government agency to implement its mandate, *“to order or compel the government to do its job”*. Unlike cases targeting mining companies, this case identifies the government as the duty bearer, holding it accountable for failures in governance. ELAC plans to file a petition for mandamus to the Supreme Court with the prayer for a writ of continuing mandamus, seeking to compel the Department of Environment and Natural Resources (DENR) and the National Commission on Indigenous Peoples (NCIP) to *“do its job”* (interview Attorney Anda) in enforcing laws protecting the environment and indigenous rights. Since the case has not yet been filed, I cannot go into detail, but I will explore the motivation, process, and challenges of filing the case.

In several conversations with Attorney Anda, she repeatedly said that the laws are on their side and on *“the side of the forest”*. This gives her hope that this kind of strategic litigation cases can be effective. However, as Attorney Anda points out *“laws are only as good as their implementation”*. The base of the mandamus petition is that the PCSD, DENR and NCIP are not doing their duty in the implementation of the laws, because, according to Anda, they are *“allowing mining in old-growth forest, while there are laws that protect this forest.”* In Anda’s view the mandamus case allows the communities in Brooke’s Point *“to assert their rights to protect their forests and to avoid any disaster in the future”*.

While the legal basis appears strong, with laws clearly mandating the protection of natural forests and biodiversity, the process of filing the case is a challenge. Filing such a case requires significant preparation, including gathering scientific evidence, expert testimony, and community support, which are resource-intensive and time-consuming. With limited resources and staff available to ELAC, this is a challenge. Attorney Anda hoped the case had been filed a while ago: *“It’s actually very long overdue. It should have been filed last year but we did not get experts and also seasoned lawyers to lead the writing. I’m extremely busy doing administrative work and advocacy work.”*

The effect of the SLAPPs is visible here as well. First, because the lawyers affiliated with the anti-mining cause have been busy handling the SLAPPs, this meant that there was less time available to work on the case built up for the Mandamus petition. Second, some people are hesitant to participate in the case as a petitioner or witness because the mining company is suing them after the barricade. After explaining these are two different cases and that in the mandamus case they are on the offence side and not in the defence, the witnesses wanted to sign the affidavit after all. There are rumours that the company is trying to intervene on another level as well, according to Attorney Fransel: *“the problem is that it seems that two of our witnesses are changing their minds or getting afraid or getting something now from the company.”*

Attorney Fransel explained that it is necessary to build up a case that includes scientific evidence. The movement uses different methods to gather scientific data. First, they approach and interview

⁹ Quote attorney Anda explaining the writ of mandamus.

scientists directly, in which the scientist functions as a witness in the case. Second, they use data provided by government agencies to challenge those same agencies. However, the government is not always transparent about their findings or are slow in providing the data, so thirdly, the movement tries to organize independent, multi-stakeholder monitoring of the mining site surroundings to collect data. Attorney Fransel explained what this is and how the movement against mining initiated it. To the DENR they proposed a collaborative approach that involves representatives from the mining company, local government units (LGUs), community members, and the private sector. Independent scientists are invited to collect soil and water samples, with all stakeholders present to ensure transparency. Each party is allowed to take portions of the samples for independent testing. This mechanism is supported by financial backing from local private donors. The church plays an active role in engaging with laboratories and coordinating logistics, because it is seen as an institute with integrity. If the results exceed acceptable limits, the DENR is expected to act by halting operations until corrective measures are taken. When the DENR does not act, this can be used as a strong argument in the court case. The last method for data collection is through collaboration with community members who patrol and monitor the forests, collecting their own data to strengthen their case. Gathering information is a way for the movement to strengthen their position in the legal force field. Despite its limited financial resources, it finds ways to get extra data by forming alliances and cunningly using the data it gets from government agencies. This illustrates the relational forces in the field and the struggles to better their positions to achieve their goals (Nuijten, 2005; Fligstein & McAdam, 2011).

Vice Mayor Feliciano stressed that only the Supreme Court, where fear and local pressures are less pervasive, can bring about meaningful change. Although slow and highly technical, strategic litigation like the writ of mandamus remains a hopeful yet frustrating strategy, which some see as a “last resort”. Attorney Anda emphasises, *“We are not hopeless, we have hope. It is a frustrating process, but the law is on our side.”*

In sum, while the movement against mining in Brooke’s Point places significant hope in strategic litigation, the reality reveals that legal activism is hindered by practical obstacles, such as limited human and financial resources, as well as structural power imbalances. The mining company’s dominance in the legal force field, driven by its substantial political and financial resources, continues to undermine the movement’s efforts. Despite the legal expertise within the anti-mining movement, this alone is insufficient to counter the company’s entrenched influence.

Conclusion

This chapter demonstrated how the legal force field regarding the mining conflict in Brooke’s Point operates as both a source of empowerment and disempowerment for the anti-mining movement (McCann, 2006). The legal system is a double-edged sword: it hinders the movement through criminalisation while simultaneously providing avenues for holding the mining company and government agencies accountable.

Mining companies weaponize the legal system by filing SLAPPs against activists, politicians, and even government agencies to suppress opposition and maintain dominance in the legal force field. These legal threats not only drain the movement’s financial resources, but also create a chilling effect, limiting the ability of leaders and communities to mobilise effectively. In line with Tarrow’s (2011) insights, the movement weighs the risks and costs of public protests against their potential for success. Consequently, the movement against mining in Brooke’s Point has increasingly shifted away from using

mass public protests as a strategic tool. This over-criminalisation of activists goes hand in hand with the under-criminalisation of the mining sector (Vegh Weis, 2021). The non-compliance with the CDOs issued against the mining company and the power the company has over the police further illustrates this under-criminalisation and reveal the dominance of the company in the legal force field, due to financial and political influence (Ruggiero & Welch, 2009). This dominance reflects a broader pattern of state-corporate entanglement, where authorities align with corporate actors to protect political and economic interests, as seen in the criminalisation of dissent and the use of anti-terrorism rhetoric to suppress environmental activism (Ruggiero, 2020; Szalai, 2022). Such tactics illustrate the systemic challenges the anti-mining movement faces, where entrenched power structures work to silence resistance and uphold the interests of the political elite and the mining sector. These mechanisms decrease the operational space of the anti-mining movement (Van der Borgh & Terwindt, 2012).

The movement against mining in Brooke's Point strategically uses the legal system to challenge the mining company's operations and demand accountability from government agencies. Cases like the writ of Kalikasan and the planned Writ of Mandamus illustrate the movement's reliance on environmental legal activism (Karim, Vincents & Rahim, 2012), to uphold environmental and Indigenous rights. As shown by Scheidel et al. (2020), protest diversification, the use of multiple tactics, including legal action, leads to higher success rates for activist groups. However, these legal efforts are constrained by systemic barriers, including resource limitations, legal backlogs, and the influence of political dynamics. While the movement remains hopeful that *"the law is on their side,"* this hope is tempered by the reality of the constraints the movement faces.

The interplay between the legal and political force fields is central to understanding this dynamic. Mining companies, empowered by political alliances and the broader pro-mining sentiment in national politics, use their power to bypass accountability. This dominance underscores the importance of situating the legal force field within the broader political context, as the struggles within one field are deeply entangled with the dynamics of the other. The legal force field thus operates as a battleground where power dynamics between the anti-mining movement and state-corporate actors are continuously negotiated. The movement uses litigation as a tool to assert its rights, while the entanglement of political, legal, and corporate interests often undercuts its efforts. Ultimately, the legal force field is not static (Nuijten, 2005). It is shaped by the evolving strategies of the anti-mining movement, the mining company, and state institutions, each adapting to shifts in power to achieve their goals.

7. Conclusion

In this research, I aimed to explore how an anti-mining movement in the Philippines shapes its strategies in the political and legal landscapes it is part of. I did this through a case study of the movement against mining in Brooke's Point in the province of Palawan through the force field approach inspired by Nuijten (2005). The central question guiding this research is: "How does the movement against mining in Brooke's Point shape its strategies in the political and legal force fields?"

Over the course of three months, I conducted ethnographic fieldwork in Palawan, specifically in Puerto Princesa and Brooke's Point. My research delved into the perspectives of members of the movement against mining in Brooke's Point, examining their views of the movement, the challenges they face, and how these factors shape their strategies. In this chapter, I conclude my findings, beginning with examining the composition of the movement against mining in Brooke's Point, the motivations of its members, and the repertoire of contention they employ, which addresses the first sub-question. I then move on to answer the second sub-question, exploring the political force field that influences the movement's strategies. Finally, I address the third sub-question, discussing the legal force field, which both hinders and provides opportunities for the movement. I conclude by integrating the insights from all three sub-questions to answer the central question.

The first sub-question, "How does the movement against mining in Brooke's Point look, and what are its resistance strategies?", reveals the internal dynamics of the movement. The movement against mining in Brooke's Point is a multi-levelled movement, similar to other social movements in the extractive sector (Bebbington et al, 2008). It includes grassroots organizations, local politicians, church-based groups in Brooke's Point, and various NGOs primarily based in Puerto Princesa. This broad coalition results in a diverse repertoire of contention (Tilly, 1978), which can be categorized into three types: everyday forms of resistance (Scott, 1985; Vinthagen & Johansson, 2013), disruptive tactics, and conventional tactics (Taylor & van Dyke, 2004; Tarrow, 2011; Della Porta & Andretta, 2002). Everyday forms of resistance are employed by residents in the barangays affected by mining, and are often gendered (Jenkins, 2017). People living in areas affected by mining operations are confronted with its impacts on a daily basis, leading them to adopt strategies that fit seamlessly into their everyday lives. These everyday forms of resistance are embedded in their routines and provide avenues to address their concerns and the lived experience of the mine's presence in their daily lives. In contrast, collective strategies, such as protests or legal actions, are more occasional and event-specific. However, everyday resistance complements these collective actions by offering a way to cope with and push back against the effects of mining on a smaller, more continuous scale. This highlights how resistance is not only organized or collective but also deeply rooted in the everyday experiences of those directly affected. Disruptive tactics, such as protests and direct actions, are initiated by grassroots organizations, including farmer associations, women's groups, and youth organizations, with support from formal social movement organizations (Bebbington et al., 2008). Conventional tactics, which are widely used and range from legal action to public advocacy, are primarily organized by formal organisations that have more financial and organizational resources than grassroots groups. The active involvement of NGOs with legal expertise and lawyers has broadened the movement's strategic scope, incorporating tactics grounded in legal frameworks (Conde, 2017; North & Young, 2013). These include educating local communities about their legal rights, advocating for policy and legal reforms, and filing lawsuits against the mining companies or government agencies. However, the movement faces significant

constraints due to limited financial and human resources. These limitations restrict its capacity to conduct large-scale campaigns, engage in extensive advocacy work, and carry out legal activism.

The movement against mining in Brooke's Point shapes its strategies in the political force field by navigating the political dynamics at national, regional, and local levels, which both give rise to opportunities, but mostly constraints their actions (Kriesi, 2004; McAdam, McCarthy & Zald (1996). This is addressed by the second sub question: "How does the movement against mining in Brooke's Point shape its strategies in the political force field?". The political force field encompasses a network of actors and processes operating across the three levels.

At the national level, policies promoting mining have become one of the most significant challenges for the movement. In recent years, a pro-mining sentiment has developed, supported by economic and sustainability narratives that emphasize the need for minerals like nickel to advance the global energy transition. Influential politicians with personal stakes in the mining industry further shape these policies, reinforcing a system that prioritizes mining interests. This "pressure from above" weakens the enforcement of environmental regulations by key governmental agencies such as the Department of Environment and Natural Resources (DENR), the Palawan Council for Sustainable Development (PCSD), and the National Commission on Indigenous Peoples (NCIP). These agencies, under national influence, including direct pressure from the president, have issued permits to mining companies despite environmental concerns or violations of the rights of Indigenous Peoples. This confirms with the idea of McAdam, McCarthy and Zald (1996), that the elite groups in society shape political opportunities.

The movement is impacted by these pro-mining dynamics. While they regularly submit petitions and complaint letters about violations by mining companies and weak enforcement by government agencies, these efforts often fall on deaf ears. However, the movement against mining in Brooke's Point, strives to capitalize on political opportunities, despite significant challenges (Tarrow, 2011). At the regional level, the movement leverages opportunities such as participating in councils like the Palawan Council for Sustainable Development (PCSD). This provides a platform to introduce anti-mining perspectives and arguments that might otherwise be absent and allows the movement to monitor whether processes are conducted transparently and in compliance with regulations, pushing for greater accountability. However, these efforts are often hindered by corruption and the influence of strong pro-mining forces, which limit the movement's room to manoeuvre. Another opportunity is the regional moratorium on mining in Palawan. The movement has found an ally in the governor, with whom it collaborates to advocate for the moratorium's approval in the provincial council. This partnership demonstrates the movement's ability to identify and work with political allies to advance its goals. According to Tarrow (2011), the availability and the formation of coalition with these allies are important dimensions that trigger mobilization.

At the local level, in Brooke's Point, political sentiments have shifted from anti-mining to pro-mining. This shift is widely attributed to suspected corruption, including vote-buying and mining companies financially supporting pro-mining council members during their election campaigns. Despite these setbacks, the movement retains a strong ally in the vice mayor, a vocal opponent of mining. Looking ahead, the movement seeks to harness political opportunities by supporting anti-mining politicians in upcoming elections, aiming to restore a more favourable political landscape at the municipal level. However, the movement is aware of its limited financial resources in comparison to the abundant financial resources the mining company has. This imbalance of financial resources is a recurring aspect in multiple processes and levels of the resistance, that shape the position of the actors

in the political force field (Jasper, 2004; Fligstein & McAdam, 2011). As a result, the mining company had a dominant position in the force field.

Answering the third sub-question, “How does the movement against mining in Brooke’s Point shape its strategies in the legal force field?”, this research finds, in line with McCann (2006), that the legal landscape serves as both a source of empowerment and disempowerment. Disempowerment arises from the legal challenges the movement faces. Protesters are criminalised by both the government and the mining company. This dynamic reflects a broader global trend of over- and under-criminalisation (Vegh Weis, 2021). In Brooke’s Point, the company employs Strategic Lawsuits Against Public Participation (SLAPPs) to suppress opposition, deterring activists from participating in public protests. Although many of these cases are ultimately dismissed, they impose significant financial burdens on defendants and the movement, steering strategies away from disruptive tactics. This reflects Tarrow’s (2011) argument that the risks and costs associated with action, are carefully analysed in relation to the likelihood of success.

Another form of criminalisation is *red-tagging*, the practice of labelling activists as communists or terrorists, a method widely used in the Philippines against environmental defenders. Several members of the movement in Brooke’s Point have been red-tagged, although they managed to get “cleared” and removed from such lists without severe consequences. Encouragingly, no new cases of red-tagging have been reported under the Marcos administration.

The mining company further shapes the legal force field by non-complying with regulations and orders, including two cease-and-desist orders issued by the National Commission on Indigenous Peoples (NCIP) and the Municipality of Brooke’s Point. Despite these orders, the company continues its operations with impunity, allegedly due to bribery or fear of lawsuits among government agencies and the police. This reflects a broader pattern of under-criminalisation (Vegh Weis, 2021), where powerful actors evade accountability. The company’s financial and political resources enable it to manipulate the legal system, exerting pressure on regulatory bodies and law enforcement to overlook violations (Ruggiero & Welch, 2009). These legal threats, to protesters, government officials, and regulatory bodies highlights the company’s dominance in the legal force field illustrating how the company uses its power in constraining resistance.

The empowering aspect of the legal system for the movement lies in its ability to use the law to its advantage (Karim, Vincents & Rahim, 2012), particularly through strategic litigation, such as suing the mining company or government agencies. A key element in this process is the gathering of scientific data to support their court cases. The movement sees these legal actions as hopeful strategies and strongly believes that the law is on their side, as well as on the side of the forest. However, this legal activism is also constrained by several factors. The movement faces financial limitations, a lack of human resources, and a backlog in the Philippine justice system. Additionally, the mining company’s financial power allows it to settle cases out of court, often resulting in outcomes that fail to benefit the environment or Indigenous communities (Ruggiero & Welch, 2009).

This research highlights the dynamics of the movement against mining in Brooke’s Point as it navigates political and legal force fields dominated by the mining sector. Both force fields are heavily shaped by a state-corporate entanglement, a relationship that protects the political and economic interests of elites (Ruggiero, 2020; Szalai, 2022). Although the Philippines has robust environmental and Indigenous

rights laws, their implementation and enforcement is weak, in part due to the political influence of the mining sector. The anti-mining movement strategically seeks to leverage these legal provisions to hold mining companies and government agencies accountable. However, the systemic entrenchment of state-corporate interests, as well as the mining sector's financial power and limited financial resources of the movement, creates structural barriers that hinder these efforts. This shows that access to resources shapes the relative positions in the force field (Bourdieu, 1992; Nuijten, 2005; Fligstein & McAdam, 2011; Jasper, 2004). The movement faces structural constraints within both the political and legal systems, limiting its capacity to influence outcomes effectively. Yet, alliances with influential political elites provide a critical pathway for advancing the movement's goals. These alliances align with Tarrow's (2011) framework, which emphasizes the importance of elite allies who can act as negotiators on behalf of the movement, enabling the social movements to put their concerns on the agenda. This research shows the dual role of legal frameworks as both an opportunity and a constraint, illustrating McCann's (2006) notion of the law as a double-edged sword. While legal avenues empower the movement to challenge mining operations, these strategies are significantly constrained by resource limitations, systemic corruption, and the mining sector's capacity to evade accountability. This tension reflects broader patterns observed in other extractive conflicts (Bebbington et al., 2008; Scheidel et al., 2020), where entrenched power structures and elite alliances often dictate the balance between resistance and repression.

This research demonstrated how the integrated approach of force field theory and social movement theory exposes the power dynamics and structural constraints faced by resistance movements. By focusing on the anti-mining movement in Brooke's Point, this study contributed to the empirical understanding of social movements in the extractive sector, revealing how entrenched state-corporate entanglements limit civil society's operational space and suppress dissent (Van der Borgh & Terwindt, 2012; Ruggiero, 2020; Szalai, 2022). These findings align with the global trend of criminalisation, where protesters are increasingly targeted, while powerful actors evade accountability. Exposing these dynamics is a crucial first step toward addressing the imbalance and countering the shrinking operational space for civil society (Van der Borgh & Terwindt, 2012; Vegh Weis, 2021).

Applying a force field approach has proven effective in identifying power imbalances and mapping the ways in which access to resources shapes actors' positions and strategies (Nuijten, 2005; Fligstein & McAdam, 2011). While the anti-mining movement demonstrates resilience and strategic adaptability, the structural dominance of the mining sector within political and legal force fields severely constrains its room for manoeuvre. Nevertheless, the movement's ability to form alliances with political elites and strategically leverage legal frameworks offers hope for progress.

By uncovering how environmental movements navigate systems of entrenched power, this research highlights both the potential and limitations of resistance in such contexts. In a world where extractivism is likely to intensify, along with the associated conflicts, this study underscores the importance of understanding power imbalances in these conflicts. Such an understanding is essential for addressing these dynamics and paving the way toward more equitable and sustainable outcomes in the future.

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