The Discourse of Water Governance in Chile

The Case of Petorca and The Dark Side of The Avocado Boom

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Summary

The following thesis is about the role of discourses in the area of water governance in Chile, where water has been privatized since 1981. The study takes point of departure in the conflict over water in the Petorca region as avocado agribusinesses have been accused of causing draught and depriving water from citizens. The discourse of water governance is investigated by answering the following problem statement: How is the conflict over water in Petorca constituted in the struggle between the neoliberal discourse and the discourse around increasing social awareness in water governance? And consequently, what are the implications of the conflict on the discourse of water governance in Chile?

First, the thesis reviews the existing literature on the subject, on which it bases its understanding of the neoliberal discourse and the discourse around increasing social awareness in water governance, which is essential in order to conduct research on the matter.

Next, the thesis outlines its methodological foundation, which rests on the three-dimensional conception of discourse by Fairclough. This is used as a tool to reveal how the discourse of water governance has been constituted in a struggle between a neoliberal discourse on water governance and a social discourse on water governance.

Following the methodology section, the thesis presents and analyzes three episodes of a discursive event around the conflict over water in Petorca. These three episodes stem from the actors involved in the conflict: The avocado agribusinesses, the Chilean government and a social movement, which is fighting against the agribusinesses’ overexploitation of water. The discursive event was taken as a case study to expose the underlying dynamics and power relations, which are present within the discourse of water governance in Chile to understand why water is privatized in spite of its social implications. Through the analysis of the discourses applied by the three actors, it is revealed that the avocado industry possesses a position of power, which allows it to establish the neoliberal discourse on water governance as the dominant discourse on water governance, and thereby protect the free market conditions, which the industry is operating under today.

Finally, the findings of the analysis are critically discussed to assess the implications of the conflict over water in Petorca on the order of discourse on water governance in Chile. This includes a discussion of an indication of a change found in the neoliberal discourse of the avocado industry towards more social awareness.
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1. Introduction

In 2017, The Danish supermarket chains ALDI and Dansk Supermarked announced that they would immediately stop their import of avocados from the Petorca region in Chile (Straka, 2017). The reason for this decision was that a handful of agribusinesses had been revealed in diverting water from the local rivers to irrigate their crops, thereby violating local water regulation and causing drought in the already dry province. Besides having an evident negative impact on the environment of the province, the agribusinesses’ water abuse also has severe impact on the lives of the local citizens (Facchini & Laville, 2018).

Arriving from the media’s coverage of the story, three major issues can be identified: First, as there is limited water available in the area, more than 3000 citizens have to get water delivered by truck provided by the Chilean government. However, residents only receive very limited amounts, which cannot satisfy their daily needs and people are continuously getting sick by drinking the water despite that it is promised to be potable (Guiloff, 2013). Secondly, since 2007, approximately 2000 small-scale avocado farmers have had no other choice than to give up their plantations, as it is no longer possible to sustain cultivation of their land. Therefore, unemployment has risen, and in order to secure livelihood people are forced to move away to find jobs elsewhere (Voller, 2017). Finally, a group of local residents have tried to stand up against the agribusinesses by creating the social movement MODATIMA, but in response to their criticism, several of the activists have been threatened on their lives (Facchini & Laville, 2018). On that basis, a conflict involving the following actors can be identified: The Chilean government, the avocado agribusinesses, and the citizens of Petorca represented by MODATIMA.

As an explanation to the situation in Petorca, both the media (Voller, 2017) and academic scholars (Budds, 2008; Guiloff, 2013) point to the privatization of water. In Chile, water has been regulated by the Water Code since 1951, but in 1981, during Chile’s almost 20 years long military dictatorship, the Water Code was reformed. The new Water Code was built on neoliberal principles, and it established that it should be possible to buy, sell, mortgage, inherit and transfer water rights. Private property rights were thereby strengthened, and a free market for water was created (Bauer, 2004).

Today, almost 40 years after the implementation of the 1981 Water Code, water is a top priority and a key focus point on the sustainable development-agenda. This can for example be seen in The United
Nations’ determination of water as a human right (United Nations (UN), 2010) and its prioritization of water security in Sustainable Development Goal no. 6, which declares that everybody should have clean water and sanitation (United Nations, 2019). International scholars warn against the risk of “water wars”, others refer to it as a “global water crisis”, when discussing the intensified competition for water among water users, and international organizations, business communities, and academic scholars agree that the achievement of water security is an issue of governance (Araral & Wang, 2013; Griffin, Peck, & Maestu, 2012; Woodhouse & Muller, 2017). The Chilean model represents a unique way of dealing with water governance, as it is the only country in the world, which has fully privatized it water resources. It has furthermore been used worldwide as an example to follow or to avert, making it an interesting case to study in order to understand the social implications of privatization of water.

As a result of the international media’s coverage of the conflict over water in Petorca in 2017-2018, a chain of communicative events started in June/July 2018. First, a delegation representing the avocado industry published a press release via the trade association ASOEX announcing that they would go to Europe to visit importers, supermarkets and media to confront the “false” accusations against them, and ensure them of their responsible operations (ASOEX, 2018). In reaction, the social movement MODATIMA answered with a critical comment on the delegation’s attempt to “clean up their image” (Modatima, 2018). The Minister of Agriculture also interferes in the chain of communication: In an interview, he was quoted for saying “you wash your dirty clothes at home”\(^1\) as a comment to the inclusion of international media to shed light on the conflict in Petorca (El Desconcierto, 2018).

The conflict in Petorca therefore represents a discursive event (Fairclough, 1992), which I will investigate through an analysis of the discourses applied by the three actors involved in the conflict. Through the use of Fairclough’s critical discourse analysis, I will combine linguistic analysis with social analyses as a tool to reveal the role of the discursive practice in the conflict, and thereby explore the implications of the conflict on the discourse of water governance in Chile. By focusing on a discursive event, which revolves around a conflict, it will be possible to identify opposing discourses, and place them in the social context in which they take part.

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\(^1\) Original text: *La ropa sucia se lava en casa* (app. 2, l. 44)
The conflict in Petorca is just one of many conflicts over water in Chile (Bauer, 2004; Borgias, 2018; Prieto & Bauer, 2012). However, this is the only cases where an international demand for a specific product, avocados, is the source of conflict, and can be said to have a direct influence on the Chilean citizens’ livelihood. The case will thus be explored to understand how water can be privatized when it has a visible impact of the lives of citizens of Chile, or more specifically, the citizens of Petorca.

The important question that arises from this conflict is: How is the conflict over water in Petorca constituted in the struggle between the neoliberal discourse and the discourse around increasing social awareness in water governance? And consequently, what are the implications of the conflict on the discourse of water governance in Chile?

1.1. Limitations

This study does not evaluate whether or not it is true or false that the agribusinesses have illegally diverted water away from the rivers in Petorca or if they have misused the Water Code. It can therefore be considered a limitation to the study. In order to provide evidence for the accurateness of the accusations against the agribusinesses, it would be necessary to conduct a more positivistic study.

The thesis neither study the ethical considerations behind the Danish supermarkets’ termination of procurement nor does it seek to provide an assessment of how supermarkets should act in situations, where a product is linked to violations as the ones seen in the case of Petorca. This is therefore another limitation to the study.
2. Literature Review

The following section will review the existing literature on the management of water resources in Chile to introduce relevant knowledge and create a common frame of reference. First, the section will introduce the concept of water governance, before elaborating on the central elements of water governance in the light of Chile’s neoliberal movement as well as the area of water conflicts, which is the primary focus of literature today. Finally, the last section will present the literature of the conflict over water in Petorca in order to identify a scientific gap and introduce the outline of this study.

The Chilean Water Code has been widely studied, especially by economists, who have emphasized the Water Code as a textbook example of a free market model to water governance (Pereira, 2007). It has also been recommended by World Bank economists as a model for other countries to follow (e.g. Briscoe, Salas, & Peña, 1998). As the majority of international scholars studying the Chilean Water Code has been economists, there has been a large focus on the Chilean water markets and water rights trading (Bauer, 2004, p. 74). I will briefly touch upon the issue of water markets in order to understand water governance in Chile in the light of neoliberalism. Furthermore, I will in this chapter point my attention towards the research committed to investigate the area of managing water resources and the current institutional framework for water governance in Chile.

2.1. Water Governance

To understand the issue of water management in Chile, it is necessary to first look generically on the concept of water governance. The purpose of this section is therefore to clarify how existing literature defines water governance and what this definition implies for research.

In literature concerned with the management of water resources, the two concepts water management and water governance are widely used and also often used intertwined. However, Pahl-Wostl (2015) distinguishes between the concepts. She defines water management as “the activities of analyzing and monitoring, developing and implementing measures to keep the state of resource within desirable bounds” whereas water governance “sets the rules under which management operates” (p. 5). The concept of water management is thus concerned with technical aspects of water resources management such as planning, building and operating water infrastructure (Bauer, 2004; Woodhouse & Muller, 2017). In comparison, water governance leaves out the technical aspects and suggests a
broader approach to the management of water resources by also including also social, political, and institutional aspects. The literature on water governance thus focuses more on actor networks, power constellations, the role of private and public actors in policy making, institutions, regulatory structures, etc. Water governance is therefore not simply an issue, which concerns the field of natural resources or ecology, but an issue, which must be dealt with in an interdisciplinary manner (Pahl-Wostl, 2015).

For many years, the concept of water management was the key concept in the debate about integrated water resources management (IWRM) and the core principle in the 1992 Dublin Principles on water and sustainable development (Woodhouse & Muller, 2017). The IWRM approach promoted “(1) an integrated approach across sectors and different uses and users; (2) a balance of the three pillars of sustainability – economic, social and environmental concerns; (3) participatory approaches and the involvement of women” (Pahl-Wostl, 2015, p. 4). The Dublin Principles furthermore established that water should be recognized as an economic good (Bauer, 2004).

The last 20 years, the concept of water governance has been the most applied in international debate, which can partially be explained by the prioritization of water security and the human right to water on the sustainable development agenda (Araral & Wang, 2013). In line with Pahl-Wostl’s distinction between the two concepts, The United Nations Development Program’s Water Governance Facility (2019) defines water governance as “the political, social, economic and administrative systems in place that influence water’s use and management. Essentially, who gets what water, when and how, and who has the right to water and related services, and their benefits”. As I wish focus on the social implications of the privatization of water in Chile, I will apply the concept of water governance throughout this study.

2.2. Water – An Economic Good?

A central debate in water governance is whether water should be treated as a public or private good, and as with the Chilean Water Code, there is a clear distinction between proponents and opponents of the use of markets and pricing in water governance.

According to opponents of water markets, water should not be traded, because it is a moving resource. For that reason, water does not possess traditional concepts of ownership as for example land, and
the appropriateness of treating water as a private and economic good is therefore limited (Woodhouse & Muller, 2017). Woodhouse and Muller (2017) further argue that because water is a moving resource it is impossible to create a system, which can achieve the goals of efficiency, equity and sustainability as proponents of water trading will claim it can.

According to proponents of treating water as an economic good, water trading is a way to deal with water management, and it is said to be contributive to the efficiency of water use, as it can couple economic growth and water use, and thereby contribute to environmental flows (Griffin et al., 2012). Furthermore, Donoso (2012) argues that market mechanisms represent a good means to allocate water. Firstly, because it secures transfer of water from low-value activities towards higher-value activities, and secondly, because the water user will be responsible of information collection and thereby problems of asymmetric information will be avoided, which he argues to be common in centrally planned situations. Donoso (2012) does however argue that for water trading to work properly, well-developed institutions are needed to oversee trading activities and to resolve conflicts when they arise.

The perspective of the proponents of water markets is closely associated to the field of neoliberal politics. Neoliberalism is a political philosophy characterized by a belief in free markets and less government interference. It is often associated with the University of Chicago and Milton Friedman and is most famously known for being endorsed by Margaret Thatcher in Britain and Ronald Reagan in the 1980s. However, Chile is often characterized as the neoliberal experiment, where neoliberal policies were tested before being implemented elsewhere. Chile was the first country in Latin America to implement neoliberal policies in large scale under the Pinochet dictatorship from 1973-1990 (Liverman & Vilas, 2006).

The neoliberal movement was also promoted by international organizations like the World Bank through the Washington Consensus. The Washington Consensus sets out policy prescriptions with special attention to the implementation of structural adjustments in the developing world. The neoliberal philosophy builds on liberalism as defined by Adam Smith, who defended private property rights, unrestricted trade and competition and reduced government intervention in the economy (Liverman & Vilas, 2006). The key word in neoliberal thinking is freedom, where economic freedom according to Friedman is an “indispensable means toward the achievement of political freedom”
(2002, p. 10). It is believed that markets are more cost-efficient than governments, and public regulation should therefore ensure the optimal functioning of markets by protecting property rights and creating a good environment for investing instead of limiting with for example tariffs and pollution limits (Liverman & Vilas, 2006).

In regard to environmental regulation, neoliberal policy has brought about privatization and commoditization of unowned, state-owned or common property, as for example water, as well as opening of trade and investment and transfer of environmental management to nongovernmental institutions. So even though, environmental regulation was not included in the neoliberal paradigm of Friedman, it has inevitably been affected by the neoliberal movement. First, because reduced state intervention also means less environmental regulation. Secondly, because many economic sectors are dependent on the natural environment (Liverman & Vilas, 2006), just as we see in this case of avocado production in Petorca. Liverman and Vilas (2006) however conclude their study with neither evidence for a significant negative impact of neoliberal policy on the environment nor with results indicating that reestablishment of state regulation would be economically possible or more effective in the global economy.

The literature therefore shows that the management of water resources, and especially in regard to marketization, is indisputably a question of political conviction (Pahl-Wostl, 2015).

2.3. Water Governance in Chile
As previously mentioned, the World Bank has been a strong believer in the neoliberal movement, which can also be seen in its support of the 1981 Water Code. In the late 1990’s, The World Bank argued that Chile with “remarkable success” had followed an export-oriented and market-based approach to economic development. At this time, they placed the privatization of water as an essential player in Chile’s economic success, as the country had managed to transform water into an economic good, which was a core principle in the World Bank’s water management principles. The World Bank did acknowledge the complexities of managing water resources and identified issues within the Chilean model, but did however conclude that “The DGA (General Directorate of Water) and DR (Directorate of Irrigation) have clearly identified both the strengths and weaknesses of the “Chilean model”, and are taking appropriate and innovative measures to build on the considerable successes they have achieved to date” (Briscoe et al., 1998, p. 11). For many years the World Bank has thus
been an indisputable proponent of the Chilean model. However, in its newest report ‘Chile: Diagnosis of Water Resources Management’ it provides a more critical analysis than seen before. Among other challenges, the report points on a need to improve resolution of water conflicts. It also argues that it is necessary to improve hydrological security of water rights in order to avoid discrepancies between allocated water rights and actual available water, as this is a growing source of conflict for example in the province of Petorca (Bauer, 2015).

The most comprehensive study of water governance in Chile can be found in the book ‘Siren Song: Chilean Water Law as a Model for International Reform’ (Bauer, 2004), which provides an extensive review of the development of the Chilean Water Code from the country’s first Water Code in 1951 until the publication of the book in 2004. On the basis of the of the first 20 years of the 1981 Water Code, Bauer (2004) concludes that: The Chilean model has been a song of the sirens to water policy reformers in other countries because it seems so attractive that people fail to see its dangers (p. 120). He further argues that the Chilean model to water governance has had economic benefits, which might attract the supporter of neoliberal policy. These economic benefits are: First, an increased legal security of private property rights, which has encouraged private investment in water use, for both agricultural and nonagricultural uses, and secondly, a freedom to buy and water rights, which has led to the reallocation of water resources to higher-value uses. This freedom has however only been actively used in few areas in Chile. The institutional framework, which should support the water markets, has on the other hand proven to be inefficient in handling issues in regard to managing river basins, solving water conflicts and providing environmental protection. Finally, Bauer (2004) argues that especially peasants and poor farmers have not received the economic benefits as intended by the model. He therefore points to a lack of social equity as a severe weakness of the current framework. In an later article, he furthermore argues that public assistance must be strengthened in order to improve social equity in matters of water rights and water markets (Bauer, 2012).

For many years, the political and academic literature on water governance in Chile has been focused on water markets. However, in the later years there has been growing interest in the area of water conflicts (Bauer, 2015). In Bauer’s 2015 review of the Chilean Water Code, he divides water conflicts into four categories:

1) Conflicts between consumptive and non-consumptive rights in river basins, where multiple users of surface water are in conflict about who have the first priority to the application of
water. These conflicts are common in central and southern Chile between irrigators, who have consumptive rights to divert and consume water to sustain agriculture, and hydropower companies, who have non-consumptive rights to pass water through their turbines to create energy and then has to return the water to the stream. A fee for nonuse was implemented as a response to this type of conflict but did not succeed in clarifying the distinction and prioritization between consumptive and non-consumptive rights. This type of conflict has received the majority of academic attention (e.g. Borgias, 2018; Prieto & Bauer, 2012). What is remarkable about these cases is that it is the agricultural irrigators who tend to be the weak player against the hydropower companies, as hydropower is favorized by the energy law.

2) Conflicts where groundwater systems are overexploited due to an overallocation of rights to primarily large-scale mining projects, agriculture or urban growth. Bauer (2015) uses the example of avocado production in the valleys of La Ligua and Petorca in the Petorca region to illustrate this type of conflict.

3) Conflicts concerning bigger social and environmental issues than water use, but where water remains the central issue. As for example in conflicts between mining companies and local communities.

4) The final type of conflicts is a broader type of conflict, which is often also present in all of the abovementioned conflicts. These are political conflicts, where the water law is in focus and its fundamental rules, principles and ideology.

A general issue in the resolution of these conflict is that they are treated in ordinary civil courts, where the judges do not have expertise in water law (Bauer, 2015).

One way to deal with water conflicts is through civil society resistance, and social movements are increasingly filling the streets of Chile with public protests to make their voices heard in formal decision-making forums. In a recent study, Borgias (2018) introduces the concept of subsidiary state to describe the role of social movements in the Chilean water governance systems. The concept belongs to theories of neoliberal political design to describe how governments defer its regulatory role to decentralized organizations and provide only limited regulatory power, when absolutely needed. This is to empower and emancipate the market. It this way regulatory voids are created, which can be filled by non-state actors. In the study of the social movement’s Citizen Coordinator for the Rivers of Maipo (henceforth: CCRM) protests against a hydropower project, Borgias (2018) however finds that instead of feeling empowered and emancipated, CCRM is left with a feeling of frustration.
over the government’s favoritism of private investments. The movement has experienced many challenges in its confrontations against the state both from state actors and from the company involved in the hydropower project. Furthermore, the group lacks funding, expertise, and authority to compete with these powerful corporations. As an example, one informant describes CCRM’s limited means of influence in the Alto Maipo project as “the institutional structure is a wall that we are running into over and over again” (Borgias, 2018, p. 97). However, through strong mobilization and constant monitoring of the project, the group has found legitimate evidence of the adverse social and environmental impacts of the hydropower project, which they have been able to use against state agencies and international investors and thereby force them to address the issues.

This study therefore gives an indication of the challenges, which social movements are faced with in its protests against the institutional framework, which is governing water in Chile. The social movement MODATIMA has similarly gained national recognition for its protests against water governance in Petorca and the Water Code in general (Bauer, 2015). However, no research provides insight into the interaction between the actors involved in the conflict, who holds different perspectives on the issue of water governance. For that reason, I will investigate the discourses applied by the three actors involved in the conflict over water in Petorca to understand what the interaction of discourses implies for the discourse of water governance in Chile.

2.4. The Conflict Over Water in Petorca

The purpose of the last section is to present the research, which has already been conducted on the conflict over water in Petorca as a few scholars already have focused on the conflict over water in Petorca to shed light on water governance in Chile.

One of these is law professor Matías Guiloff from Universidad Diego Portales in Santiago, who studies the Water Code and applies the case of Petorca. Taking a human rights perspective, Guiloff (2013) points to an issue of institutional capacity in the management of water resources, which consequently affects the international obligated human rights of the citizens of Petorca. This study focuses on how the water scarcity affects the entire community, and Guiloff (2013) presents the primary issues as the limited amount of water received by truck, the quality of water, which has doubled the amount of cases of diarrhea among kids, and finally, the loss of cultivation among small-scale farmers. He furthermore points to the issue of illegal pipes in the river basins in the area, and
argues that the size of the fines sentenced for illegal extraction of water is very limited. He therefore concludes his study by stating that the Chilean state is incapable of respecting, protecting and meeting the human right to water in accordance to International Covenant on Economic, Social and Cultural Rights.

Another example is Budds (2008), who provides a thorough insight into the conflict over water resources in her study of La Ligua river basin, which is located in the region of Petorca, from the perspective of political ecology, where she analyzes how the conflict is affected by social power, discourse and nature as a social entity. The key argument of the study is that the application of hydrological assessments of water availability, which strictly focuses on the environmental problems in Petorca, fails to capture the complexity of the conflict over water. As a consequence, there is an uneven socio-ecological allocation of water in the area. The study therefore concludes that the allocation of water rights lacks consideration of the political conflict over water as well as the social implications of allocation of rights based on order of submission. She finally concludes that the water rights system ignores the importance of socio-economic status in the access to the water rights application system.

Budds (2008) also initiates a debate on the importance of discourse and social power relations in conflicts about water. The focus of her study is on the local actors involved in the conflict; commercial farmers, who run export-oriented fruit plantations, and peasant farmers, and the arguments that the two parts apply in the feud. Among the most contentious debates in the conflict is whether there is actually a problem of water scarcity and one informant in the study states that “if all agriculture were using advanced irrigation technology, there would be no water scarcity” (Budds, 2008, p. 69). Budds (2008) conclude her study arguing that the issue of contested water scarcity has created socioecological inequalities resulting in a depoliticized allocation of water rights. In this way, the study shows how the actors involved in the conflict in Petorca have different perceptions of reality.

On the basis of this literature review, it can be concluded that the issue of water governance in Chile is profoundly studied from many perspectives and different academic disciplines. Many of these studies are build on years of research in the country, and in-depth access to information from governmental institutions within the area of water governance. The presented research will therefore constitute the foundation of this thesis. It is, however, possible to identify two gaps in the literature.
on water governance in Chile, which I will seek to fill in this thesis: First, building on the importance of discourses in the analysis of water conflicts, which Budds (2008) has established, I will zoom out, and situate the discourses applied by the participants in the conflict over water in Petorca – both in the political and historical context. Secondly, building on Borgias’ (2018) study on the role of social movements in the Chilean water governance systems and the concept of subsidiary state, I will investigate the interaction between different perspectives on water governance to understand the implications of water conflicts on the discourse of water governance in Chile.

By portraying the case of Petorca as an example, this study will, through a critical discourse analysis, contribute to the literature on water governance in Chile by investigating: (1) How the three actors construct the conflict over water in Petorca, and (2) how the conflict is constituted in the struggle between the neoliberal discourse and the discourse of increased social awareness in water governance, (3) in order to finally discuss the implications of the conflict in Petorca on the discourse of water governance in Chile.
3. Methodology: Critical Discourse Analysis

In the following section, I will present the methodological considerations behind the study of discourses in the conflict over water in Petorca. I use the word methodology about critical discourse analysis, because it contains elements of both theory and method (Jørgensen & Phillips, 2012). The analysis is a theory-driven process, where the objects of research are constructed for the specific research topic, and not just selected and applied on a pre-established method (Fairclough, 2010). Before going into the description of the applied methodology, I will first establish the philosophical position, which I will take in this study based on the applied theories and methods. After the presentation of the methodological framework, I will present the research design including my methodological considerations behind the use of a case study and in regard to the choice of material for the analysis.

3.1. Philosophy of Science

In discourse analysis, theory and method are intertwined. It is therefore important also to be aware of the philosophical position of the theories included, when conducting a discourse analysis. The field of discourse analysis can be ascribed to arrive from a social constructionist starting point, as it is believed that discourses play an active role in constructing the social world, which includes knowledge, identities and social relations. However, to argue that discourse influences reality does not mean that there exists no reality or fixed constraints and regularities in social life. On the other hand, discourse analysis understands the social field as both rule-bound and regulative and believes that a physical reality is present but that meaning of this reality is gained through discourse (Jørgensen & Phillips, 2012). To understand discourses, and thus reality, it is necessary to use one’s interpretation (Fairclough, 1992). This also means that there cannot be said to be an objective truth about our knowledge of world as believed by positivists. Despite this, there will always be a relative inflexibility in the contingency of knowledge and identities as it is restricted by what is considered meaningful in the social institution in question (Jørgensen & Phillips, 2012). The social constructionist’s view on knowledge therefore constitutes the ontological foundation of this research.

The researcher is inevitably also subject to the socially constructed reality and must therefore aspire to distance herself from the material in order to discover the reality behind the discourses. Jørgensen & Phillips (2012) suggest to work as an anthropologist and explore what is being said or written as a foreign universe by setting aside one’s pre-established understanding of the subject, as this will
improve the validity of the research. In order to do so, it is necessary to build a theoretical foundation, which can be used to understand the established rules and regulations in the social world. However, when including different academic approaches, it is crucial also to be aware of their philosophical, theoretical and methodological position in comparison to discourse analysis. If done well, the inclusion of other perspectives will provide the researcher with a broad understanding the field of study, which will allow the researcher to set aside her pre-understanding of the subject and produce a scientific qualified account of reality that can broaden the understanding of the subject in question (Jørgensen & Phillips, 2012).

3.2. Discourse Analysis

The study of discourses is concerned with understanding how people’s utterances can be structured under different patterns depending on which domain in social life they take place; e.g. political discourse (Jørgensen & Phillips, 2012). It is widely recognized that discourses are linked to wider social and cultural processes, and that analysis of language use therefore can be used to study social change (Fairclough, 1992). Jørgensen & Phillips (2012, p. 1) defines discourse as “a particular way of talking about and understanding the world (or an aspect of the world)” and the purpose of discourse analysis is thus to understand the reality behind the discourse. However, there are as many definitions of discourse as there are different types of discourse analysis. The field of discourse analysis is broad, and many different types of studies exists, which can be used to explore many different social domains (Jørgensen & Phillips, 2012).

The origin of discourse analysis can partially be credited to the social theories of Michael Foucault, who plays an essential role in the development of discourse analysis as a method, and most later discourse analyses build on Foucault’s theories in one way or another – either by quoting, commenting, modifying or criticizing his work (Jørgensen & Phillips, 2012). Foucault’s work can be divided into two phases: In his earlier archaeological work, he focuses on types of discourse and sociohistorical variables, which he defines as the rules that determine whether statements are accepted as meaningful and true in a certain historical period (Fairclough, 1992). In his later genealogical work, he changes his focus towards the relationship between knowledge and power.
Foucault’s theory of discourse can also be ascribed to social constructionism. He sees truth as constructed by discourses, and therefore believes that it is not possible to gain a universal truth as everybody talk from a position of discourse (Jørgensen & Phillips, 2012).

3.3. Research Methodology: Critical Discourse Analysis

Fairclough’s critical discourse analysis also builds on Foucault’s theories of discourse but seeks to modify it by including more detailed textual analysis. This is done with the aspiration to develop a methodology, which is easier to use in practice than Foucault’s (Fairclough, 1992). In other words, he wants to put “Foucault’s perspective to work” (Fairclough, 1992, p. 38), and it is exactly for that reason that Fairclough’s critical discourse analysis will be applied in this study. Many of the concepts that are found in Fairclough’s critical discourse analysis, origin from Foucault’s work, and these will be presented in the following section.

In Fairclough’s understanding of discourse, both texts and spoken language are considered as discourse. These are referred to as discursive events. However, simply analyzing the linguistic aspects of a discourse language is not enough. The discourse must be seen as a form of social practice, which means that the discursive events is a mode of action, which is placed within a social and historical context of other discourses. Moreover, a discursive event should not be seen as an individual activity, rather it should be seen as people acting upon each other as well as a representation of the world they are a part of. A discourse is therefore both constituted and constitutive. Constituted because discourses are shaped by the historical and social context it is a part of, and constitutive because the discourse becomes a part of this historical and social context and thereby shapes it. Thus, there is a dialectical relationship between discourse and social structures, where discourse constitutes social identity, entities and relations as well as the other way around (Fairclough, 1992).

When exploring the patterns and relationship between discourses and the social context, they are a part of, it is possible to identify which elements of discourse that are maintained, and which are transformed. It is thereby possible to say something about how the social world is changing or staying the same. The notion of change as a product of discourse is essential in Fairclough’s critical discourse analysis (Jørgensen & Phillips, 2012). Critical discourse analysis can thus be described as a tool to study the relationship between discourses and socio-cultural change (Fairclough, 1992).
The understanding of discourse as being both constitutive and constituted also tells us something about Fairclough’s philosophical position – if discourse was seen as only constitutive, it would be equivalent to claim that social reality is created in people’s heads as claimed by social constructivists. On the other hand, it is believed that the use of words, which are not normally being used to describe a theme, can challenge the existing social structures and create changes. This understanding can be ascribed to a post-structural position. It is also possible to find traces of a more poststructuralist position in the inclusion of language theory to the field of discourse analysis. However, critical discourse analysis diverges from other poststructuralist methods as it suggests performing a very systematic analysis of language (Jørgensen & Phillips, 2012).

Furthermore, Fairclough’s understanding of discourse implies that discourse is just one aspect of many social practices. He therefore distinguishes between discursive and non-discursive aspects of discursive events. Other social aspects than discourse must according to Fairclough be analyzed with other tools than discourse analysis, as they are bound to other social logics. Critical discourse analysis is therefore a multidisciplinary approach. However, Fairclough (1992) does not provide any answer to which social analyses should be applied, and the researcher therefore needs to look for theories within the field of social sciences to cast light on the most relevant issues for the topic of research in question. For example, analysis of the institutional context or the economic logics at play in the given situation (Jørgensen & Phillips, 2012).

It should also be noted that the discursive event belongs to an order of discourse, which is defined as the “totality of discursive practices of an institution, and relations to them” (Fairclough, 2010, p. 96). This could for example be the order of discourse of the university or the order of discourse of the media. Naturally, there is a difference in the exposure of such orders of discourses. Academic literature is written in an advanced and highly theoretical language, whereas mass media seeks to present knowledge in an easily understandable manner about issues of everyday life. This means that there is a difference in the power of discourses, which Fairclough explains through the concepts of ideology and hegemony inspired by Althusser & Gramsci’s Marxist theory. As these concepts belong to the analysis of social practice, they will be described later in the introduction to Fairclough’s framework (Fairclough, 1992).
Finally, I will touch upon the notion of *criticism* in critical discourse analysis. The aim of critical discourse analysis is to provide explanatory critique. It is characterized as critical because it seeks to reveal the role of discursive practice in the maintenance or reestablishment of the social world. Critical discourse analysis can thus be said to rest on a belief that discursive practices contribute to the creation and reproduction of unequal power relations between social groups. It is therefore concerned with the dialectical relationship between continuity and change as well as how power is exercised through language (Fairclough, 1992; Jørgensen & Phillips, 2012). The methodology therefore implies a normative view on society, as the purpose of the analysis is to investigate something, which is wrong in a specific society, and which impedes human well-being and flourishing. Through the analysis of discourse, the issues will not only be addressed, but by identifying elements of societal change or maintenance, the researcher will point towards a way to mitigate these issues (Fairclough, 2010). The methodology can therefore be said to be committed to social change, and will seek to raise the voice of oppressed social groups (Jørgensen & Phillips, 2012).

Building on the presented concepts, Fairclough (1992) suggests structuring the analysis of discourse in a three layered framework, which will be described next.
3.3.1. The Three-Dimensional Framework

The critical discourse analysis framework sees discourse as three-dimensional. It includes properties of text, features of discourse practice and features of social practice, and seeks to establish the connections between the three elements. It is thus a tool for empirical research on communication and society (Fairclough, 1992).

![Three-dimensional conception of discourse](image)

*Figure 1: The three-dimensional conception of discourse* (Fairclough, 1992, p. 73)

Here the text is understood as “the written or spoken language produced in a discursive event” and the discursive practice as “the production, distribution and consumption of a text” (Fairclough, 2010, p. 95). The discursive practice, through which the text is produced and consumed, takes part in a wider social practice, which is the third element in the analysis. The social practice dimension is concerned with understanding the social world and the circumstances that shapes the discursive practice.

All three elements in the framework are mutually connected and overlapping. First of all, the text influences the production and the consumption process and thereby the discursive process. Secondly, the discursive practice should be seen as intermediate between the text and the social practice as it is
through this that texts are either constituted or constitutive. Finally, there is a dialectical relationship between discourse and social structure, which affects the constitution of social identities, relation, and entities. There is no fixed order in the analysis of the three elements, however, Fairclough suggests a progression from (1) discursive practice to (2) text analysis to (3) social practice (Fairclough, 1992). I will therefore introduce the elements of analysis in the following order in the next sections.

**Discursive Practice:**

The analysis of discursive practice is as mentioned concerned with the production, distribution and consumption of texts, which belongs to the micro-sociological, interpretative tradition of sociology (Fairclough, 1992). At this level of analysis, the focus is on the influence of existing discourses in the creation, consumption and interpretation of texts. Relevant questions to be asked could be what types of texts are they (e.g. newspaper articles), where and how are they produced, which changes does the texts go through during the process from event to publication, and where and how are they consumed? (Jørgensen & Phillips, 2012).

At this level, Fairclough (1992) suggests three aspects, which can be analysed at this level: Force, coherence and intertextuality. In this study, I will focus on the element of *intertextuality*, which is defined as texts’ connection to elements and discourses of other texts (Fairclough, 1992). This will thus be used as a tool to identify the influence of previous texts on the text in question, and thereby find the constituted and constitutive aspects of discourses. Intertextuality can be found either explicitly as *manifest intertextuality*, e.g. through citations, or more indirectly through *interdiscursivity* by being a configuration of conventions within a specific discourse (Fairclough, 1992). Through the analysis of *intertextual chains*, it is possible to identify how a text takes part in a larger conversation and in this way understand how texts are produced and consumed (Jørgensen & Phillips, 2012).

**Text Analysis:**

At this level systematic, linguistic analysis of the language used in the text will be performed (Jørgensen & Phillips, 2012). Fairclough distinguishes between four categories of linguistic aspects, which can be investigated in the textual analysis of discourses to understand how participants in
discursive events construct social relations. These are: Vocabulary, grammar, cohesion and text structure.

The first aspect, vocabulary, will be central in this analysis of the discursive event. Here the researcher explores the words, which are used in a text. On the basis of an analysis of vocabulary, it can be investigated what the chosen words may signify for the author in the analysis of the discursive practice. This therefore represents an example of the interconnectedness of the elements in the critical discourse analysis.

The concept of *ethos* will furthermore be central in the analysis section. According to Fairclough (Fairclough, 1992) the construction of social relations has received limited attention in discourse analysis, but must be perceived as an important discursive aspect of cultural and social change. The constitution of ethos will therefore be analysed to understand how the participants in the discursive event construct social identities. Fairclough argues that the analysis of ethos can be used as a tool to explore how different textual elements are used to construct a particular version of the self and it therefore transcends the befoermentioned four categories (Fairclough, 1992). Ethos is defined as the receiver’s perception of the sender, and can thus vary from receiver to receiver. There are three stages of ethos: Initial, derived and terminal. Initial ethos is the ethos, which the sender has prior to the beginning of a communicative event. Derived ethos is produced during the act of communication either directly by informing about one’s own credibility or indirectly by showing that you have legitimacy to talk about a specific issue through the use of proofs, examples, etc. As a result of their communicative event, the sender will possess a terminal ethos, which is a product of the interaction between the initial and derived ethos. Aristotle defines three virtues of ethos to describe different character traits, where *phronesis* describes the constitution of ethos as a knowledge person in relation to subject in question, *arete* describes how a sender appears sympathetic and finally, *eunoia*, which is defined as benevolence, where the sender shows that she is working in the interest of the receiver. Even though the ethos of a sender lies in the hands of the receiver, the sender can attempt to affect the constitution of his ethos by deriving on the three virtues of ethos (Gabrielsen & Juul Christiansen, 2010).
Social Practice:
The last step in the analysis is the study of social practice, where the analysis of discourse is placed within the economic, political, cultural, historical or ideological context it takes part of. This belongs to the field of macro-sociological analyses. The purpose of including social practice in the analysis of discourse is, firstly, to map the non-discursive, social and cultural structures that constitute the wider context of discursive practice, and it is on this level, it is necessary to include other theories. Secondly, it is at this level of analysis, the researcher will arrive at the conclusions and be able to answer whether the discursive event is constitutive or constituted (Fairclough, 1992) – if it restructures the existing order of discourse or if it reproduces the order of discourse and finally, what this implies for the broader social practice. It is also at this level of analysis, that the researcher will be able to conclude whether the discursive event preserves or challenge unequal power relations in society. The latter could be done by presenting reality and social relations in a new and different way (Jørgensen & Phillips, 2012)

Fairclough (1992) introduces two concepts from Althusser & Gramsci’s Marxists theory that should be considered in the analysis of social practice: Ideology and hegemony. The first, ideology, is defined as “significations/constructions of reality, which are built into various dimensions of the forms/meanings if discursive practice” (Fairclough, 1992, p. 87). Moreover, he states that ideology contributes to the production, reproduction or transformation of power relations. According to Fairclough (1992), not all discourses should be seen as ideological. There are discourses, which are naturalized and are seen as common sense. However, he argues that discursive practices are ideologically invested as they do impact power relations. Ideology can for example be found where discursive practices within the same institution are in contrast to each other.

The second concept, hegemony, is used to describe power and is defined as leadership and domination across economic, political, cultural and ideological domains of a society. Hegemony is never permanent but will always be in an unstable equilibrium as there constantly will be sought to construct alliances to achieve something more than the current state. Looking back at the concept of intertextuality, which argues that texts can transform earlier written texts and thereby restructure existing conventions, the concept of hegemony would argue that such restructuring is not always available for all people as a “limitless space for textual innovation and play” (Fairclough, 1992, p. 103). However, power structures will determine who has the possibility to change existing
conventions. The concept of hegemony is therefore a tool to identify the power relations present and thereby to understand the nature of the social practice, which the discourse is a part of (Fairclough, 1992).

The theories of water governance and neoliberalism’s role in the construction of the Chilean water governance system, which were described in the literature review, will serve as the theoretical foundation for the analysis of social practice.

3.4. Research Design
Before going into the analysis of the discourses applied in the conflict over water in Petorca, I will present the methodological considerations behind my research design. This will include considerations about the use of a case study and the choice of material for the research.

Although the use of a single case study is viewed by some as problematic and unable to provide reliable conclusions, I will apply the understanding of social science as consisting of context dependent knowledge, which can only be obtained through the study of cases (Flyvbjerg, 2006). The conflict over water in Petorca will be applied to contextualize the analysis of the discourse of water governance in Chile and is selected because it represents an extreme case. First, because Chile is the only country in the world, which has fully privatized its water resources (Aagaard & Ravnborg, 2006). Secondly, because it is the only case in a Chilean context, where international demand for a specific product can be seen as the source of the conflict and can be said to have a social impact on the Chilean citizens’ livelihood. Through the study of an extreme case it is possible to reveal more information about the case, as they activate more actors and more basic mechanisms in the situation studied. In this way, it is possible to identify the deeper causes behind a problem (Flyvbjerg, 2006).

Research on the discourses of water governance in situations of water conflict is still limited, thus, a case study on a conflict, where the actors involved present opposing discourses can provide valuable information to water governance theory. It is possible to view this case as an example of the institutional dynamics, which are at play in water governance when conflicts over water resources occurs. Against this backdrop, the findings can contribute to a deeper and more general understanding of the area of water governance in Chile in situations of conflicts.
As I mentioned in the introduction, I will analyze the three following texts to shed light on the conflict over water in Petorca:


II. Article with statements from the Minister of Agriculture published by the Chilean news media El Desconcierto July 11, 2018: “Must Be Very Disloyal”: *Minister of Agriculture Shoots at MODATIMA for Bringing the Water Crisis in Petorca Overseas* (El Desconcierto, 2018).


On page 36-39, I will provide a further description of the texts that are analyzed as this takes part of the analysis of the discursive practice.

The texts have been chosen because they represent a *moment of crisis*, which is “*where there is evidence that things are going wrong: a misunderstanding which requires participants to “repair” a communicative problem*” (Fairclough, 1992). They are furthermore chosen because they are original texts written by the participants involved in the conflict in reaction to the exposure of the conflict in international media. They texts are therefore available to everybody who would have an interest in the case. Furthermore, the texts provide references to each other and they all refer to the same order of discourse, water governance, however, in very different ways according to their own perspective and interests in the issue. Furthermore, they are written within a period of 2-3 weeks, which shows how the actors seek to repair a communicative problem.

In this period, the conflict was widely covered in Chilean media. However, to get an understanding of perspective of the participants involved in the conflict, I have selected texts, which are published by the participants themselves with the exception of the article by El Desconcierto, which provides oral statements from the Minister of Agriculture. In the analysis of this text, I will therefore only consider the quotes, which are marked with quotation marks in the article as the material for analysis. It is important to be aware that it is not the minister or the Ministry of Agriculture, who has written the text, chosen the words and their structured, but the journalist from news media. However, it must be assumed that the quotes from the Minister of Agriculture are cited correctly.
In regard to the press release from ASOEX, it was originally published in an English version in the industry magazine, Fresh Produce Journal (Fresh Plaza, 2019). However, I choose to analyze the Spanish version, which is the first language of the sender, as I believe it will facilitate the comparison of the texts. Especially in regard to the comparison of wording. Furthermore, the text from MODATIMA refers to an article in the newspaper El Mercurio published June 25th, which briefly informs about the delegation of avocado producers and exporters trip to Europe (El Mercurio, 2018). However, as this only is a very brief account of the trip, which does not provide any statements from the members of the delegation, the press release published by ASOEX is selected for analysis instead.

The main analytical limitation to this study regards the narrow focus on the discursive event, which took place in the summer of 2018. Previous discursive events could have been included to get a broader understanding of the conflict. However, the discursive event is chosen as this is the only situation, where the actors participate in a conversation about the conflict in Petorca.
4. Critical Discourse Analysis

The discourse analysis will be structured in accordance to Fairclough’s suggested progression from (1) analysis of the discursive practices to (2) analysis of texts to (3) analysis of the social practice, of which the discourses are a part (Fairclough, 1992).

However, before going into the analysis of the discursive event, I will establish the historical and political context, which constitutes the social foundation of the conflict over water in Petorca. According to Fairclough, historical and political systems, which do not have the character of discursivity, can influence discursive practices (Fairclough, 1992), and therefore, it is necessary to understand the political and historical context to understand the conflict over water in Petorca. Furthermore, I will return to this political and historical context in the last part of the critical discourse analysis, where I will discuss how the discourses are constituted by the social practice, which they take part of, as well as how the discourses constitute the social practice and the discourse of water governance in Chile.

The section builds on the theoretical foundation laid out in the literature review revolving around the issue of water governance as well as the role of neoliberal theory in the construction of the Chilean water governance system.

4.1. Historical and Political Context

4.1.1. Chile’s Road Towards Neoliberalism

To understand the historical and political context, it is necessary to look back even further than the constitution of the 1981 Water Code – all the way to the 1960’s, which, as in many other places of the world, can be described by an aspiration for change and revolution. During this time, there were many public protests against the political system from both the right and the left, and in 1970 the socialist candidate from La Unidad Popular, Salvador Allende, won the presidential election (Correa, Figueroa, Jocelyn-Holt, Rolle, & Vicuña, 2001). In the following years, the socialist government worked hard to fulfil its program of redistributing wealth to the lower-paid and poor and heavily increased social spending. Another element in this strategy was to nationalize the country’s industrial base and eradicate all large private corporations. However, the transition to socialism quickly changed into a deep economic crisis, which together with increasing oppositional conflicts, industrial and agricultural degradation, food shortages, and public discontent, severely challenged Allende and his
government. In September 1973, the growing crisis led to the breakdown of the political system and on September 11th, armed forces seized power and took over governmental control. For the next 17 years Chile was subordinate dictatorship under General Augusto Pinochet (Collier & Sater, 1996). These years represent Chile’s road towards neoliberalism, which included a complete reconstruction of the political system.

After the coup d’état, the military junta’s first priority was to stabilize and reactivate the economy, but they quickly realized that they did not possess the competencies to do so. Consequently, they turned to a group of economists from the Catholic University in Santiago. These economists were closely affiliated with the University of Chicago, and they were therefore referred to as the Chicago Boys. A handful of these economists were given official posts under the military regime, and due to their close alliance with General Pinochet, they had great freedom to carry out their neoliberal policies. The Chicago Boys believed that the prior trend of state-intervention had held back economic growth, so their first goal was to open up the economy and foster a comparative advantage for the country in export markets. By 1974, the privatization of more than 400 state-owned and state-controlled companies had been initiated, very liberal foreign investment laws were implemented, and import tariffs were brought down, from an average of 70 percent in 1974, to being one of the lowest in the world with only 10 percent, by the end of the decade (Collier & Sater, 1996).

The agrarian sector was also subject to neoliberal reform with the purpose to adjust the market to export and international trade. As a result, the agrarian sector became dominated by highly capitalized, labor-intensive commercial farms. Rural poverty therefore intensified, which forced approximately one-third of all small-scale peasant in the country to sell their farms and find labor elsewhere. The new dynamic, economic structure therefore left the poor as “the victims of capitalist modernization” (Collier & Sater, 1996, p. 369).

While the Chicago Boys worked to create a free market, the military government imposed a strict rule, where the civil society was subject to severe repression, all public protests were violently suppressed, and according to Bauer (1998)“the contradiction between economic liberty and political repression is at the heart of the Chilean model” (p. 16). In 1988 a national plebiscite was held in order to determine if General Pinochet should continue in office for another eight years. The “no” side did however win with 54%, which meant a defeat for the dictatorship, and that presidential and
congressional elections again should be held in late 1989. On March 11th, 1990, Patricio Aylwin took office as the first democratically elected president since the coup d’état 16½ years before (Collier & Sater, 1996). In the years, which have followed the return to democracy, the civil society is still given limited room to carry out civil resistance, and public protests have been framed as undermining the country’s efforts to rebuild the political system and move forward (Borgias, 2018).

Today, the President of Chile is Sebastián Piñera – a representative of the liberal conservative party Renovación Nacional (Gobierno de Chile, 2019b; Kirby, 2003). Since his inauguration in 2017, he has worked to restore the country’s economic growth. This should be seen in reaction to a period where economic growth decreased to an average of 1.7%, between 2013-2017, in comparison to an average of 5% in the years 2010-2013, where Sebastián Piñera served as the President of Chile for the first time. The president promotes the Chilean model and the market democracy, and in this way moves away from a political focus on reducing inequalities, which had been the key concern of the previous governments (The Economist, 2018). It can thus be argued that Piñera’s political program resembles the reconstruction of the economic system, which took place under Pinochet’s government. It is furthermore another example of how the pendulum swings from the left to the right in Chilean politics as it did in the 1970’s from Allende’s socialist movement to Pinochet’s neoliberal program.

4.1.2. Neoliberalism and Water Governance.

The 1981 Water Code was passed under the Pinochet dictatorship as part of a larger constitutional reform in 1980. Only few minor changes have been made since then, so today’s Water Code highly resembles the Water Code of 1981. Neoliberal theory therefore stands as an essential theory to understand the political background of the conflict over water in Petorca. The purpose of this section is therefore to present the role of neoliberalism in Chilean water governance.

Again, it is necessary to look back further than the constitution of the 1981 Water Code to understand the development of Chilean water governance. As mentioned in the introduction, water has been regulated by the Water Code since 1951. This first Water Code combined public regulation and private property rights and can be seen as a centre position in Chilean water regulation. In 1967, the Water Code was reformed as part of a large agrarian reform, which expanded governmental authority over water use and management on the expense of private property rights. The 1967 Water Code thus represents a left position in water regulation (Bauer, 2004). In 1981, the military government...
reformed the Water Code, strongly inspired the neoliberal policies of the Chicago Boys, and thereby tilted water governance towards the right. The 1981 Water Code separated water rights from land property rights and made it possible to buy, sell, mortgage, inherit and transfer water rights. In this way, a free market for water was created. The General Directorate of Water (Dirección General de Aguas, henceforth: DGA) is the public authority responsible of the management of water resources and the allocation of water rights. The DGA is obligated to grant private rights of water, free of charge, whenever physically and legally available, and gives full autonomy in regard to water use (Bauer, 2004).

After the return to democracy in 1990, the center-left coalition government under Patricio Aylwin was committed to reduce poverty and social inequality while still providing a good environment for export- and market-oriented growth (Bauer, 2004), which had flourished during the 1980s (Collier & Sater, 1996). An important issue on the government’s agenda was to reform the Water Code, which they believed contained neoliberal features that were too extreme to fit into their new socially oriented program. However, despite several attempts and many different reform suggestions, the government did not succeed with reforming the Water Code as it was restricted to follow the 1980 Constitution (Bauer, 2004).

During this period, the discussions about the Water Code revolved around two key issues: first, the legitimacy and fairness of the basic legal rules and definitions of the Water Code, and secondly, the code’s economic efficiency and practical implications (Bauer, 2004). Especially, the use-it-or-lose-it rule became center of attention during the 90’s debate on water reform. A use-it-or-lose-it rule requires the owner to make use his obtained water right. Such rule had previously been included in the Chilean Water Code but was removed in the 1981 Water Code. The coalition government believed that the lack of such rule created incentives for private speculation, hoarding and monopoly of water rights. The government’s suggestion to include a use-it-or-lose-it rule however received fierce resistance, and, in this case, it was particularly private sector interest groups representing agricultural water users, which were protesting (Bauer, 2004, p. 57).

Among the government’s opponents, it has been agreed that the Water Code had its problems, but the opposition believed that these problems should be solved with economic instruments such as taxes or fees, and not with a legal requirement, which they believed would cause inefficient water use and
allocation. The debate the following decade therefore focused on whether there should be a fee for nonuse or a general annual tax on water rights, independent of usage or non-usage (Bauer, 2004, p. 58). Bauer (2004) however argues that there is not institutional capacity in Chile to implement such water rights tax system. This is supported by former DGA head lawyer, Pablo Jaeger, who, on the Chilean Water Law Conference in 2001, stated “to insist on taxes instead of fees for nonuse, in present-day Chile, is really to oppose any reform at all” (Bauer, 2004, p. 73).

After many years of political discussion and stalemate, the government finally received political support for a reform of the Water Code in 2005. This reform included increased provisions to improve record keeping and information about water rights owners, to strengthen the management of groundwater and regulatory authority of DGA over future grants of water rights, to increase focus on ecological flows, and finally the establishment a fee for non-use. The latter was the most controversial change and was implemented to address the increasing number of water conflicts in Chile (Bauer, 2015). However, according to Bauer (2015), the government did not manage to touch on the core issues of the water code such as the principle of private property rights, market forces, and a weak state, and therefore did not improve the institutional capacity for water governance. Hence, the free market and strong private property rights remain intact this day (Bauer, 2015).

In 2011, a working group was established under the centre-left government of Michelle Bachelet with the purpose to propose another regulation of the Water Code. At this time, the main topic of discussion was if water rights should have an expiration date and how to make human consumption number one priority in water governance (CNN Chile, 2019a). The latter reflects the general development in water governance, which increasingly is focusing on the human right to water (United Nations (UN), 2010).

Today, a reformation of the Water Code is still under negotiation, and in January this year (2019), the Minister of Public Works announced that the government wishes to preserve the perpetuity of water rights. The reason behind this decision was that the current government believes that strong private property rights is the best incentive for water rights owners to use water in a responsible manner (CNN Chile, 2019b). This decision has been widely criticized, for example by former minister of Public Works under Michelle Bachelet, Alberto Undurraga, who worries that the perpetuity of water rights will lead to increased speculation in water rights in a time where Chile is experiencing water scarcity and increased demand for water. He therefore repeats that the first priority
of water governance must be human consumption (CNN Chile, 2019a). Arriving from the review of the historical context, it can thus be concluded that the discussions of water governance still revolve around the same issues as they have done the last 30 years, since the return to democracy – whether water should be treated as a private economic good or not. The political transitions, which have been presented, should be seen as the mechanism, which drives changes in the order of discourse of water governance and a reflection of the development, which has occurred in the order of discourse through time.

4.1.3. Water Governance in Petorca

Water governance is the central issue in the conflict over water in Petorca, where avocado agribusinesses have been accused of illegally diverting water away from local rivers and thereby causing drought and depriving citizens of the right to water. In this section I will therefore create the context of the water conflict in Petorca and explain how water has been governed in the region since the establishment of an export-oriented agroindustry in the 1980-1990’s.

With its 4,588.9 km² the Petorca region is one of the biggest regions in Central Chile (Instituto Nacional de Estadísticas Chile, 2017). The biggest city in the region is La Ligua. The city is placed just by the river La Ligua, which, together with the Petorca-river, is centre of attention in the conflict over water in the Petorca region. The area is characterised by its semi-arid climate and has historically been affected by droughts approximately every seventh year (Budds, 2008).

Economic activity in the province is primarily based on agriculture. For many years, fruit cultivation was placed in the valleys, whereas animals, primarily goats,
grassed on the steep mountain sides. As a result of the export-oriented program implemented during the 1980s, there was a shift from production of crops such as beans, maize, potatoes and wheat to the domestic market, towards more established fruit plantations cultivating avocados, citrus fruits and nuts for export markets (Budds, 2008).

The area holds three types of farmers: Long-established farmers with large estates (100-300 hectares), small-scale peasant farmers with land parcels (5-20 hectares), and newer commercial farmers with varying sized farms. Since 1990, the group of newer commercial farmers has started to cultivate the land on the hillsides, which became possible because of the availability of a new irrigation technology that enabled up-hill irrigation. As the land always had been perceived as inapt for cultivation it was very cheap to acquire, and on top of that, temperature is slightly higher on the steep valley slopes, which makes it optimal for cultivation of avocados (Budds, 2008). Today, 67% of Chile’s total export of avocados comes from Petorca (Camilo, 2014).

As mentioned, the new irrigation technology made it possible to expand avocado plantations and with that followed an increased demand for water. At this time, all water rights to surface water had already been allocated. Instead groundwater became the primary source of water for irrigation purposes, which was also cleaner and more reliable. This means that most farmers today have at least one irrigation well on their property. Furthermore, many of the newer commercial farmers, who acquired the up-hill land, have purchased land on the valley floor to drill their wells, as groundwater is too deep on the hillsides (Budds, 2008). These farmers often have the financial resources to construct deeper wells, which allow to extract water from lower levels than the majority of citizens in Petorca (Bartlett, 2019).

Despite the abovementioned improved irrigation technology, water availability is identified to be a key constraint to agricultural development and a constant concern for farmers in the area. Furthermore, as a consequence of the increased demand for groundwater rights, DGA made an assessment of the groundwater balance, and on that basis stopped the allocation of groundwater in 1996 (Budds, 2008). It was however still possible to regulate historic water rights, which according to Budds (2008) has been widely abused by large farmers, who have falsely claimed to own water rights. She further argues that the DGA has no regulatory power to intervene and control the illegal
extraction of water and in this way, the foundation for the conflict over water in Petorca has been built.

During the next three sections, I will analyze how the three actors involved in the discursive event, ASOEX, MODATIMA and the Minister of Agriculture, present the conflict over water in Petorca. The three selected texts all form part of an order of discourse, which revolves around the subject of water governance. Based on the social context, which I have now outlined, I assume that the texts will represent different discourses, or perspectives, on the question of how to control water.
4.2. Discursive Practice

As described in the methodology section, the discourse practice is the process, which describes how texts are produced, consumed and interpreted. This process should be seen as a mediator between the text and the social practice, which the text takes part of.

I will initiate my analysis of the discursive event at the level of discursive practice by showing how the conversation between ASOEX, MODATIMA and the Minister of Agriculture constitute a discursive event. This will be done through the analysis of intertextuality, which is defined as the property texts have of being full of snatches of other texts (Fairclough, 1992 p. 84) and can thus be used as a tool to identify the influence of previous texts on the text in question. At this level of analysis, the focus is on identifying elements of other texts either explicit (for example through citation as manifest intertextuality) or more indirect through interdiscursivity by being a configuration of conventions within a specific discourse (Fairclough, 1992).

The communicative event, which forms the basis of this analysis, can be defined as an intertextual chain, as the texts all incorporate elements from the articles published by international media (Fairclough, 1992). However, the texts also contain additional intertextual links to each other as well as to other texts. The purpose of this section is therefore to identify how the texts respond to existing texts and existing discourses.

I will begin the analysis with an outline of the chain of events, which constitutes the discursive event around the conflict over water in Petorca as well as a description of the actors involved.

4.2.1. The Discursive Event

The discursive event in 2018 should be seen as a reaction to the coverage of the conflict by international media. In a Danish context, the event dates back to early 2017, where the media Danwatch published the report *Avocados and the Stolen Water*. In this report, Danwatch describes the discovery of 65 illegal pipes diverting water away from the rivers of Petorca, the privatization of water in Chile and the practical implications for the citizens of Petorca, who are left without potable water. To carry out the report Danwatch interviewed citizens, small-scale farmers, professors, mayors as well as Rodrigo Mundaca from MODATIMA (Voller, 2017). Immediately after the publication of the Danwatch report, Danish supermarkets declared that they would terminate all purchasing from
the affected areas (Straka, 2017). However, it was first when the English media, The Guardian, published the article “Chilean villagers claim British appetite for avocados is draining region dry” on May 17th, 2018, that the avocado producers answered back.

This happened on the 27th of June 2018, where ASOEX, published a press release on its webpage. The press release informed about a delegation of avocado producers’ and exporters’ trip to Europe (ASOEX, 2018). The delegation consisted of:

- **Ronald Bown**, President of ASOEX. ASOEX is a trade association representing more than 350 Chilean companies, which produce and export fresh fruit, and ASOEX does therefore represent 90% of total fresh fruit export from Chile (ASOEX, 2019).

- **José Luis Oyanadel and Guillermo Peña**, avocado producers from Petorca. It has not been possible to find more information about the two avocado producers nor about their companies.

- **Alfonso Ríos**, President of Agropetorca. Agropetorca is a trade association representing agricultural producers in the region of Petorca.

- **Francisco Contardo Sfeir**, Managing Director of the Comité de Palta Hass de Chile. The trade association also represents Chilean farmers and exporters but is focused on the production of the Hass avocado (“palta” in Chilean), which is the most typical avocado sort in Chile. In the season 2017-2018 Chile produced approx. 225,000 tons of Hass avocado and 70% of these was exported outside Chile (Comité de Paltas de Chile, 2019).

The visit in Europe in June 2018 involved a series of meetings with importers, supermarkets, distributors, and other actors, who take part in the import of avocados from Chile. The meetings took place in London, Copenhagen, Berlin and Rotterdam (El Mercurio, 2018). The announcement of the delegation was originally published in Fresh Produce Journal in an English-written article (Fresh Plaza, 2018). However, for this analysis, the Spanish version will be used.

Besides the President of ASOEX, Ronald Bown, the press release also presents statements from José Luis Oyanadel, Alfonso Ríos, and Francisco Contardo Sfeir (ASOEX, 2018).

Two weeks after the publication of the press release, the Minister of Agriculture commented on the situation in Petorca in an article published by El Desconcierto on July 11th, 2018. The Minister of Agriculture, Antonio Walker, is an independent candidate who was appointed as minister by President Sebastián Piñera in 2018 (Molina, 2018). The Minister has previously possessed the roles as Deputy Chairman in the Federación Nacional de Productores de Fruta de Chile (The National
Federation of Chilean Fruit Producers), Director of the farmer’s association Sociedad Nacional de Agricultura (National Agriculture Society), and Chairman in the Asociación Gremial de Productores de Fruta de la Región del Maule (Trade Association of Fruit Producers from the Maule Region) (Gobierno de Chile, 2019a).

The article describes the minister’s reaction to reportages about avocado production in Petorca as well as a meeting between the Minister of Agriculture, Antonio Walker, the president of ASOEX, Ronald Bown; Managing Director of the Comité de Palta Hass de Chile, Francisco Contardo Sfeir; and Alfonso Ríos, President of Agropetorca. The article contains oral statements from the Minister of Agriculture as well as a few commenting statements from the president of Agropetorca, Alfonso Ríos (El Desconcierto, 2018).

Finally, in response to the delegation’s trip to Europe, MODATIMA published a comment on its webpage on July 13th, 2018. The article is signed by Rodrigo Mundaca, Rodrigo Faúndez and Alexander Panez, who are all members of MODATIMA (Modatima, 2018).

MODATIMA, which is an abbreviation for El Movimiento de Defensa por el acceso al Agua, la Tierra y la Protección del Medioambiente (The Defense Movement for the Access to Water, the Earth, and the Protection of the Environment), was founded in 2010 in the province of Petorca. Rodrigo Mundaca, who was interviewed by Danwatch in 2017, is the general secretary of the organization. The purpose of the movement is to fight for the rights of small-scale farmers, workers and citizens of Petorca, who are affected by the agricultural industry’s exploitation of water. MODATIMA believes that the powerful agribusiness owners are working in coalition with politicians and that they are protected by the constitutional framework. For that reason, MODATIMA sees the privatization of water and the 1981 Water Code as a core issue in the conflict over water resources in Petorca (MODATIMA, 2019).

The primary tool in MODATIMA’s fight is public protests and marches to create awareness of the conflict over water in Petorca on a regional as well as on a national level, where they call for El agua no se vende, se defiende (you do not sell the water, you protect it) and El agua es un derecho, no una mercancía (water is a right, not a commodity). As a result of their protests, they have been invited to the present their case in different entities of the National Congress. Today, MODATIMA has
broadened its focus and is also fighting for the right to water in other areas of the country, where citizens are affected by water scarcity and lack of potable water (MODATIMA, 2019).

To create an overview of the discursive event, I have sketched a timeline:

I will now proceed to the analysis of intertextuality in the text by ASOEX as it chronologically represents the first text in the discursive event.

4.2.2. ASOEX

As already mentioned, the press release published on ASOEX’s website on June 27th, 2018, is a direct response to the article in The Guardian about avocado production, and it is therefore possible to identify manifest intertextuality in the text. Already from the title of the text: “Chilean Avocado Producers and Exporters Travel to Europe to confront accusations of causing drought in Petorca²”, it is possible to see that this text is written in response to an event, which has happened in the past. In this way, ASOEX makes an implicit intertextual reference to the reportages from the international

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² Original text: Productores y exportadores chilenos de palta viajan a Europa para enfrentar acusaciones sobre sequía en Petorca (app. 1, ll. 1-2)
media. Moreover, in the introduction of the press release, ASOEX explicitly mentions that they are responding to the allegations against avocado producers in The Guardian as well as in other European news media\(^3\). From the very beginning of the text it can thus be seen that ASOEX argues that the allegations against avocado production are false. As receivers, we can therefore expect that the purpose of this press release is to present evidence for the incorrectness of the allegations.

During the text ASOEX, comments on the two allegations presented in the article by The Guardian in a very formal manner as it is typical in the press release genre:

I. *The reportages informed about allegations of an intensive avocado production that has caused a regional drought, which had left citizens solely with contaminated water delivered by truck\(^4\).*

II. *In regard to the reports about death threats against persons who are talking against the avocado producers, Francisco Contardo Sfeir, managing director of Comité de Palta Hass de Chile, clarifies that they have not received any official complaints thereon\(^5\).*

In the first quote, it can be seen that ASOEX is simply paraphrasing the allegation and does not comment on the accuracy of the allegations. In the second quote, it can on the other hand, be seen that the correctness of death threats against activists from MODATIMA is denied. Although still in a very formal manner.

In regard to the accusations of death threats against avocado producers, it is possible to identify another manifest intertextual link. In the second quote it can be seen that ASOEX refers to “the reports about death threats”. This is a reference to a source from Amnesty International used in the article by The Guardian to describe the death threats against Rodrigo Mundaca as well as other activist from MODATIMA (Amnesty International, 2019). Despite Amnesty International and the Guardian’s acknowledgement of the death threats against Rodrigo Mundaca, ASOEX does not acknowledge the validity of these accusations, as they have not been carried out through official complaint

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\(^3\) See app. 1, l. 12  
\(^4\) Original text: *Los reportajes informaron de denuncias sobre una producción intensiva de paltas que habría desencadenado una sequía regional, dejando a los lugareños dependientes de agua potable contaminada, entregada en camiones aljibes* (app, 1, ll. 17-19).  
\(^5\) Original text: *Con respecto a los informes de amenazas de muerte contra personas que hablan en contra de los productores de paltas, Francisco Contardo Sfeir, gerente general del Comité de Palta Hass de Chile, precisó que no han tenido ninguna queja oficial al respecto* (app, 1, ll. 44-46)
mechanisms. It is furthermore remarkable that ASOEX neither mentions MODATIMA nor Rodrigo Mundaca by name. ASOEX only refers to “the persons who are talking against the avocado producers”, despite the fact that Rodrigo Mundaca is a very visible voice in the article by The Guardian and is also the face of Amnesty International’s “Stand with the brave”-campaign. Arriving from this representation, it can be argued that ASOEX places itself in opposition to the discourse of international media, which seeks to present how citizens in Petorca are affected by avocado production.

Besides obvious intertextual references to the articles by The Guardian and other international media, ASOEX also refers to an article from Fresh Produce Journal, which is where their press release was originally published (Fresh Plaza, 2018). Fresh Produce Journal is a media source, which is specialized in the fresh produce industry, and where the industry has the opportunity to spread awareness of press releases, job postings and other news (Fresh Plaza, 2018). It is also in this way ASOEX presents the source: In the following we will reproduce information published in the media specialized in fresh products, Fresh Produce Journal⁶. ASOEX thereby presents Fresh Produce Journal as a trustworthy source. However, the article is written in very poor English and it appears like it is translated via Google translate, which makes it appear less professional. The reference to a source, which represents the fresh product industry, can moreover be argued to be in line with ASOEX’s discourse, which is seeking to convince the reader that the avocado producers are operating in a responsible manner to secure a profitable business.

At first sight, it can thus be concluded that ASOEX communicates through a formal and professional discourse in order to defend the avocado industry, which is threatened by the accusations presented in international media. However, at the end of the article ASOEX argues that the negative attention towards avocado production will affect the small-scale farmer in Petorca:

Negative attention will only have an adverse effect on small producers in Chile. It is going to have a human effect on the small fruit producers, and therefore, we are here to oppose the unfair image, which is being created of our business. We do not understand this representation⁷.

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⁶ Original text: A continuación reproducimos información publicada por medio especializado en productos frescos Fresh Produce Journal (App. 1, l. 4-5)
⁷ Original text: Cualquier atención negativa solo tendrá un efecto adverso en los pequeños productores de Chile. Va a tener un efecto humano en los pequeños productores de fruta, y es por eso que estamos aquí en contra de este injusto retrato de nuestro negocio. No entendemos esta representación (app. 1, ll. 60-62).
In this way, ASOEX expresses solicitude for a group of farmers, which have been presented as the victims in the conflict over water by reportages in international media. By doing so, ASOEX applies a discourse, which distinguishes from the discourse focused on protecting internal interests, and it is therefore an example of interdiscursivity. I will return to this quote in the text analysis, where I will go in depth with the words ASOEX applies to describe the effects of the reportages.

In the next section, I will analyze the statements of the Minister of Agriculture in the article by El Desconcierto as it represents the next episode in the discursive event (see timeline p. 39). Here, I will seek to identify similarities and differences between ASOEX’s and the minister’s discourse.

4.2.3. Minister of Agriculture

As previously mentioned, the material that is considered in the analysis is solely the statements from the Minister of Agriculture and the President of Agropetorca, which is marked as quotes in the article from El Desconcierto. I will therefore not consider all intertextual references present in the text, but only the ones, which are present in the statements from the participants involved in the conflict. However, the analysis of intertextuality does provide insight into the discourse applied by the Minister of Agriculture.

The article in El Desconcierto presents the Minister of Agriculture’s comments on the situation in Petorca. This can be seen in the title of the article: Minister of Agriculture shoots at MODATIMA for bringing the water crisis in Petorca overseas\(^8\), where there can be traced manifest intertextuality to the reportages in international media. However, in comparison to ASOEX, the minister points the attention towards MODATIMA, and not the Guardian, and thus makes MODATIMA responsible for the negative attention on the region’s avocado production. During the article the minister further criticizes MODATIMA for internationally proclaiming that Chilean agricultural production is not sustainable\(^9\). As the Minister of Agriculture, he thus makes it clear that he serves as a representative of the Chilean agriculture industry and aims to defend the interests of this sector.

\(^8\) Original text: \textit{Ministro de Agricultura disparó contra MODATIMA por denunciar crisis del agua de Petorca en el extranjero} (app. 2, ll. 3-5)
\(^9\) See app. 2, ll. 45-46
The Minister of Agriculture furthermore refers to a private meeting between himself, Ronald Bown from ASOEX, Francisco Contardo Sfeir from El Comité de Palta Hass de Chile and Alfonso Ríos from Agropetorca\(^\text{10}\). The meeting was held in reaction to the international attention on Chilean avocado production and the minister’s reference to the meeting must therefore be considered a manifest intertextual reference. The purpose of the meeting was to dissolve the conflict in Petorca. According to the minister, MODATIMA had also been invited to participate in the dialogue about the conflict in Petorca but had not responded to the invitation\(^\text{11}\). In this way, the Minister again demonstrates how he is on the same side as the representatives of the avocado industry and places himself in opposition to the discourse applied by MODATIMA.

I will now turn to the investigation of the last episode in the discursive event (see timeline p. 39). The focus of this analysis is how MODATIMA responds to the discourses applied by ASOEX and the Minister of Agriculture.

4.2.4. MODATIMA

The article from MODATIMA is a response to the series of actions performed by large avocado producers, steered by ASOEX, in reaction to the reportages about the social implications of avocado production in Petorca. This can be seen in the title, where MODATIMA asks “who is the one who really hurts the country?”\(^\text{12}\), which is a reference to ASOEX’s accusations against the international exposure on the Petorcian avocado industry of causing negative impact on small-scale farmers. The other part of the title, “the theft of water in Petorca”\(^\text{13}\), also contains an intertextual link to the reportage by Danwatch, which is called *Avocados and the Stolen Water* (Voller, 2017). Hence, MODATIMA’s response can be described by the concept of manifest intertextuality to the series of events in the wake of the conflict over water in Petorca.

\(^{10}\) See app. 2, ll. 25-28

\(^{11}\) See app. 2, ll. 48-50

\(^{12}\) Original text: ¿Quién es el que realmente daña más al país? (app. 3, ll. 2-3)

\(^{13}\) See app. 3, l. 2
MODATIMA describes the actions of ASOEX and the rest of the delegation as:

*The trade association of large agricultural producers from the Province of Petorca made a chain of actions and lobby with public entities, national and international media as well as a tour around Europe to “clean up their image”*\(^{14}\).

This statement shows how MODATIMA perceives the reaction from the avocado producers as a typical risk management process by a business corporation. It is also interesting to remark that MODATIMA in this quote leaves out ASOEX’s name, just like ASOEX did not mention MODATIMA by name in its press release. MODATIMA does however refer explicitly to ASOEX and its president, Ronald Bown, throughout the text.

In regard to the relation between this text and the other texts, it should be noted that MODATIMA’s response is not a direct response to the press release published on ASOEX’s website but does instead refer to an article in the newspaper, El Mercurio, which was published on June 25\(^{th}\), two days before the publication of ASOEX’s press release (El Mercurio, 2018). The article is entitled *Contraataque Paltero*, and it briefly describes that a delegation of avocado producers is going to Europe with the purpose to evaluate the situation of avocado production, which is challenged by avocado production’s need of water resources. MODATIMA describes the article as having a “warlike” title\(^{15}\) and places it in opposition to the articles from the international media, which associates avocado production with robbery and violation of the human right to water.

Besides the article in El Mercurio, MODATIMA also refers to a meeting between members of the delegation and range of governmental entities including the DGA, the Office of Foreign Affairs, and the Office Agricultural Research and Policies. A meeting, which was also described by the Minister of Agriculture. Finally, MODATIMA refers to a statement from Ronald Bown, president of ASOEX, in CNN Chile on July 7\(^{th}\), where Mr. Bown repeats the accusation made in the press release – that the international attention on avocado production in Petorca affects the small-scale farmer. MODATIMA’s references to the article in El Mercurio, the meeting between representatives from

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\(^{14}\) Original text: *el gremio de grandes productores agrícolas de la provincia de Petorcarca hizo una serie de gestiones y lobby con servicios públicos, medios nacionales e internacionales, así como una gira por Europa para “limpiar su imagen”* (app. 3, l. 14-15)

\(^{15}\) See app. 3, l. 6
the avocado industry and state actors, and the news episode in CNN Chile all represent examples of manifest intertextuality.

To provide evidence for avocado production’s responsibility for the drought in Petorca, MODATIMA refers to a range of different sources, which all represent examples of manifest intertextuality:

I. MODATIMA refers to a restriction on the provision of water rights in the Petorca-river passed in 1997 by DGA as well as a restriction on provision of water rights in the Ligua-river passed in 2004. In both cases the regional DGA office continued distributing water rights until 2016. In this way, MODATIMA argues that the DGA also carries a large degree of responsibility for the drought in Petorca as it has distributed more water rights than what was available in the aquifers of La Ligua and Petorca.

II. Next, MODATIMA refers to a report published by the DGA, which investigates the existence of illegal extraction of water. The report is named Identification of groundwater and water derivation structures in the area La Ligua-Petorca through techniques of aerospace remote sensing and was published in 2011. The investigation made by the company GEOSENG identified 65 drains and 456 wells, which divert water away from the rivers in the area. Among the identified drains and wells, there are cases, where the responsible person possesses a water right but has drains, which allows the person to extract more water than permitted. There are also cases of wells without water rights, where derivation structures are hidden beneath land structures and therefore are not possible to detect by remote sensing. The remote sensing investigation solely identifies drains and wells and does not link them with registries of water rights. It is thus the responsibility of DGA to identify illegal water extraction based on the investigations (Ministerio de Obras Publicas: Dirección General de Aguas, 2011). In 2018, the DGA made another investigation, where the irregular extraction of water was confirmed. In this investigation, 53 wells were inspected and among these, 27 of them caused suspicion for irregularities. If these are found guilty in illegal water extraction, the responsible will risk a fine on 1000 UTM (equivalent to DKK 480,000).

16 An aquifer is an underground layer of water-bearing rock, which acts as reservoirs for groundwater (National Geographic, 2019)
17 See app. 3, l. 43 + 48.
18 See app. 3, l. 61-64
19 See app. 3, ll. 80-82
III. MODATIMA also refers to academic sources, for example the study by professor Matías Guiloff in the University Diego Portales’s 2013 report on human rights, which was presented in the literature review. The study revealed violations on the human right to water and does therefore support MODATIMA’s accusations\(^\text{20}\). To provide further evidence for violations on the human right to water, MODATIMA also refers to a report from The National Institute of Human Right (INDH), which argued that the situation in Petorca represents a textbook example of the violation of the human right to water\(^\text{21}\). MODATIMA finally refers to a second investigation by INDH, which provided evidence for the agriculture industry’s responsibility in the deprivation of water from the communities in Petorca. MODATIMA furthermore informs that they were told about the investigation at a private meeting with former INDH-director, Lorena Fries\(^\text{22}\), which indicates a close relationship between MODATIMA and INDH. By referencing to these three sources, MODATIMA places itself within an academic arena, where profound investigations provide foundation for the knowledge, which is produced. Finally, the references show how MODATIMA focuses on the human right to water in its protests against the avocado industry and the water governance system in Chile.

IV. Finally, MODATIMA returns to the articles from the international media and argues: *The reportages by Weltspiegel, Danwatch and The Guardian mirror and confirm what we have denounced for years: that the overexploitation and the theft of water in the Province of Petorca are closely related and extensively proven to be connected to a group of specific large avocado producers*\(^\text{23}\). In this way, MODATIMA shows that all the well renowned, international newspapers agree with the truth, which MODATIMA presents. It should furthermore be noted that, in comparison to ASOEX, MODATIMA refers to reportages in Denmark and Germany, besides the article in the British news media, The Guardian\(^\text{24}\). Thereby MODATIMA shows how the conflict over water in Petorca has spurred interest all over Europe.

\(^\text{20}\) See app. 3, ll. 65-67
\(^\text{21}\) See app. 3, ll. 67-69
\(^\text{22}\) See app. 3, ll. 70
\(^\text{23}\) Original text: *Los reportajes de Weltspeigel, Danwatch y The Guardian reflejan y confirman lo que por años venimos denunciando: la sobreexplotación y el robo de agua en la provincia de Petorca están extensamente evidenciados e íntimamente vinculados a un grupo particular de grandes productores de paltas* (app. 3, ll. 83-86)
\(^\text{24}\) See app. 3, l. 9
On the basis of the presentation of references used in MODATIMA’s article, it is possible to identify a similarity between the discourses applied in these sources and the discourse applied by MODATIMA. Furthermore, the large number of manifest intertextual links, which MODATIMA uses to provide evidence for the social implications of the current water governance system in Chile, shows how the organization is focusing on increasing social awareness in the Chilean governance system. I will return to the use of intertextuality in the next section, where I will carry out the text analysis. Through the textual analysis, I will seek to provide an explanation to the large number of references to other texts, which is found in the article by MODATIMA.
4.3. Text

To understand the construction of the conflict over water in Petorca, I will focus on how social identities and social relations are manifested in discourse. This will be used as a tool to reveal how discourses contribute to processes of cultural change (Fairclough, 1992). I will therefore investigate how the actors construct representations of themselves, as well as of the other actors involved in the conflict, through their language.

First, the focus will be on wording, where I will examine the words chosen to describe a specific meaning. Secondly, the focus will be on the construction of ethos, where I will investigate how the actors construct the social identity of the participants in the interaction, including their own (Fairclough, 1992). As defined in the methodology section, ethos is the receiver’s perception of the sender. Ethos can vary from receiver to receiver and from time to time, and can therefore be evaluated on three stages: Initial ethos, before the communicative event, derived ethos, during the communicative event, and terminal ethos, after the communicative event. Despite the fact that perception of ethos lies in the hands of the receivers, the sender can attempt to affect the receiver’s perception of ethos during the communicative act. The construction of social identities can be influenced through the three virtues of ethos: Phronesis, which is the constitution of ethos as a knowledge person in relation to subject in question, arete, which describes how a sender appears sympathetic, and finally, eunoia, which is defined as benevolence, where the sender shows that he is working in the best interest of the receiver (Gabrielsen & Juul Christiansen, 2010).

Finally, I will comment on the use of metaphors, which is defined as an implicit comparison between two things of a different nature but with something in common (Helder, 2011, p. 205). According to Fairclough (1992), metaphors can provide insight into the values and preoccupations of a culture in cases where the relative social equilibrium is disturbed.

The press release by ASOEX will again be analyzed first to understand the avocado producers’ presentation of the case and see how they react on the allegations of responsibility for causing drought in the region. Afterwards, the two other texts, by MODATIMA and the Minister of Agriculture, will be analyzed in order to identify points of parity and points of disparity between the discourses of the three actors.
All examples from the texts, which are presented during the analysis will be marked with italics. When there are specific words that I wish to emphasize in a quote, these words will be set in bold type. When oral statements from the actors involved are quoted in the texts, these quotes will similarly be marked with quotation marks in the analysis.

4.3.1. ASOEX

**Wording:**

From the very beginning, and throughout the entire text, ASOEX emphasizes the word “injustice”\(^{25}\). ASOEX applies the word to describe the situation that the organization’s members are subject to as a result of the exposure by international media. The allegations against the avocado producers are also described as “unjust”, and for that reason, they are sending a delegation to Europe. ASOEX further states that the purpose of the trip is to “assure their clients that they are operating in a *just manner*”\(^{26}\). In this way, the “unjust” accusations from the international media are placed in opposition to the “just” nature of operations within the Chilean avocado industry.

In continuation of the focus on “injustice”, it is emphasized that the accusations against the agribusinesses are false. This can for example be seen in ASOEX’s representation of the case, where the word “indicate” is used:

*The Guardian and other European news media have published information, which indicated that producers whose avocados are sold in British supermarkets have been accused of constructing illegal systems of pipes to steal water*\(^{27}\).

In this way, ASOEX implies that there is a degree of uncertainty behind the reports from the international media and implicitly says that there is no proof behind the allegations.

Later in the press release, ASOEX explicitly states that the information, which The Guardian is “spreading” is “incorrect”\(^{28}\). Together with the previous arguments of injustice, the word “spreading”

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\(^{25}\) See app. 1, l. 10, 28, 62.

\(^{26}\) Original text: *Asegurar a sus clientes que están operando de manera justa* (app. 1, l. 22)

\(^{27}\) Original text: *The Guardian y otros medios de noticias europeas, publicaron información indicando que los productores, cuyas paltas llegan hasta los supermercados británicos, habían sido acusados de construir sistemas ilegales de tuberías para robar agua* (app. 1, ll. 12-14).

\(^{28}\) Original text: *Bown y un grupo de productores y exportadores acusan a The Guardian de difundir información incorrecta sobre la producción de paltas en su artículo* (app. 1, ll. 33-34)
gives connotations to the spreading of a disease or other harmful issues, which supports their representation of the case as unjust.

In regard to the accusations of death threats against activists from MODATIMA, the lack of evidence behind these accusations is also highlighted in the press release. Francisco Contardo Sfeir, who is the managing director of the Committee for Avocado Hass from Chile, argues:

“There have been made a lot of noise about this, but the truth is that it cannot be proved. There is no proof of it”

There are several elements to be attentive of in this sentence. First, by using the word “noise”, he implicitly says that the ones, who are behind the accusation, are disturbing the avocado producers’ operations, which further shows that he is not ascribing any importance to the allegation. It is repeated that there is no ground behind the accusations, which he stresses by using the word “truth”. Finally, he repeats the negation by saying that it “cannot be proved” and that “there is no proof”, which shows how important it is for him to stress the incorrectness of the accusation.

ASOEX is on the other hand presented as the owner of the truth, and through the delegation’s trip to Europe, they wish to provide the true, objective “facts”. This can be seen in a statement from Ronald Bown, president of ASOEX, who argues:

“We wish to clearly inform our importers, sellers and customers; give them clear information about this situation and let them know what the facts are”

Note how, he repeats the word “clear” to emphasize that they are open and transparent.

Finally, ASOEX turns its attention towards the “adverse” and “human affect” of the international attention on the conflict in Petorca, which Ronald Bown calls a “smear campaign”:

“Negative attention will only have an adverse effect on small producers in Chile. It is going to have a human effect on the small fruit producers, and therefore, we are here to oppose the

[29] Original text: Se ha hecho mucho ruido con esto, pero en lo concreto es que no hay ningún hecho que pueda demostrarse. No tenemos nada que lo pruebe (app. 1, ll. 51-52)
[30] Original text: Queremos informarles claramente a nuestros importadores, vendedores y consumidores; darles información clara sobre esta situación y hacerles saber cuáles son los hechos (app. 1, ll. 29-31).
[31] Original text: La campaña "difamatoria" afectará de manera especial a pequeños y medianos productores (app. 1, ll. 57-58)
unfair image, which is being created of our business. We do not understand this representation” 32.

In this way, ASOEX does not only criticize the reportages in international media but is answering with an accusation in return to the media for causing negative impact on the small-scale farmer. Furthermore, instead of focusing on the effect on financial results, the impact on the bottom line or other financial terms to describe how the exposure will affect export of Chilean avocados, Mr. Bown applies the words “adverse effect” and “human effect”. These are words that normally would be used to describe how a group of people are socially affected by something, which they cannot control or exert power over. However, Mr. Bown does not elaborate why the campaign affects only small-scale farmers and not all farmers, who export avocados. It can also be questioned why ASOEX is talking about the adverse effects on the small-scale farmers, when they are representing all farmers. That issue will be discussed in the following section, where I will investigate how ASOEX constitutes the ethos of the actors involved in the conflict. Finally, it should be noticed that the media presents the group of small-scale farmers as one of the primary victims in the conflict over water as they have not been able to sustain cultivation of their lands during the drought in Petorca (Voller, 2017).

Ethos:

The investigation of ethos will continue focusing on the above standing quote by Ronald Bown in regard to the impact of the international focus on avocado production in Petorca for the small-scale farmer and elaborate how ASOEX seeks to constitute the social identities of not only themselves but also the other actors involved in the conflict.

By focusing on how the international attention will harm the small-scale farmers of Petorca, ASOEX draws on the ethos virtue arete in an attempt be appear more sympathetic. In this way, ASOEX turns the negative attention away from the agribusinesses towards the actors behind these investigations. This can be described as an action to strengthen the avocado producers’ ethos, which has been severely damaged as a result of the international reportages.

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32 Original text: Cualquier atención negativa solo tendrá un efecto adverso en los pequeños productores de Chile. Va a tener un efecto humano en los pequeños productores de fruta, y es por eso que estamos aquí en contra de este injusto retrato de nuestro negocio. No entendemos esta representación (app. 1, ll. 60-62).
The constitution of arete, the ethos virtue of sympathy, can also be seen in ASOEX’s presentation of the case as “unjust”. By presenting the conflict this way, ASOEX seeks to create a picture of a situation, where it is ASOEX’ members, the reader should feel sorry for and sympathize with, and not the communities of Petorca, as presented by international media. The constitution of arete can be argued to be unlike the otherwise very formal nature of a press release, which typically would seek to create an ethos of being knowledgeable through the virtue phronesis.

In Robert Bown’s accusation against the international exposure it should furthermore be noticed that the agent in the sentence is omitted: “Negative attention will only have an adverse effect on small producers in Chile”33. In this way, he does not explain who is responsible for the creation of negative attention on avocado production in Petorca. The emphasis lies instead on the effects of the international attention on the case, and not on the actor who caused it. However, throughout the entire press release, there are examples of how the reliability of The Guardian’s article is questioned. ASOEX for example argues that the article is built on incorrect information34. However, with an almost 200 years long history (The Guardian, 2017), The Guardian can be argued to be a newspaper with a high initial ethos. This means that the reader prior to the consumption of this text will have a perception of The Guardian as a renowned newspaper with a high legitimacy. It can therefore be questioned if ASOEX is implicitly pointing its criticism towards MODATIMA, even though MODATIMA is not mentioned by name throughout the entire press release. As seen in the analysis of discursive practice there are intertextual links to the article by The Guardian, where Rodrigo Mundaca stands as the primary source, spokesperson and defender of the communities of Petorca. The questioning of the reliability of The Guardian’s article can thus be seen as an attempt to impact MODATIMA’s ethos.

Another attempt to affect the ethos of MODATIMA can be found in ASOEX’s response to the accusations of death threats against members of MODATIMA, where ASOEX refutes the allegations arguing that they have not received any “official complaint”35. In their words, there has only been made a lot of “noise” about the death threats in international media. On the basis of this representation,

33 Original text: Cualquier atención negativa solo tendrá un efecto adverso en los pequeños productores de Chile (app. 1, l. 59).
34 Original text: Bown y un grupo de productores y exportadores acusan a The Guardian de difundir información incorrecta sobre la producción de paltas en su artículo (app. 1, ll. 33-34)
35 See app. 1, l. 47
it should be noticed that ASOEX again criticizes the inclusion of international media. Secondly, ASOEX implicitly say that in order for them to consider the accusations valid, they should have been made through an official complaint mechanism. Hence, as there has not been made an official complaint, the accusations of death threats cannot be true according to ASOEX’s logic.

The analysis therefore shows that ASOEX is attempting to make it very clear that accusations against the avocado industry, which are presented in international media, are false. However, to further convince the reader of its claim, ASOEX provides another explanation to the drought: As the responsibility of the drought cannot be placed on the shoulders of avocado producers, ASOEX instead points its finger on the climate in the region, which is known for regular drought (Budds, 2008).

The primary cause for water scarcity in the zone is a drought, which affected the area between 2007 and 2014.

Here, it is relevant to notice that ASOEX calls it the “primary” cause, which must imply that there also are other causes. However, there is no elaboration of which other causes there might be. Instead, ASOEX informs that more than six million avocado trees were pulled up by the farmers in response to the drought the region was experiencing at that time. In this way, ASOEX indirectly says that the farmers have taken responsibility and shown initiative to fix the situation in order to strengthen the ethos of the farmers. Mr. Oyanadel, avocado farmer from Petorca, adds that they have “prioritized drinking water for the local citizens”, which must be seen as an attempt to appear more sympathetic and thereby eliminate the perception of them as relentless businessmen. Mr. Oyanadel thereby derives on the ethos virtue arete, the ethos virtue of sympathy. In this way, Mr. Oyanadel supports the image that ASOEX is seeking to create of the Chilean avocado industry as responsible and environmentally sustainable.

The creation of a socially responsible image is however counteracted in a quote by Alfonso Ríos, president of Agropetorca, who argues that Chile has been full of illegal pipes, but that they have been closed in Petorca for a long time and says:

36 Original text: La causa principal de la escasez de agua en la zona se deriva de una sequía ocurrida entre los años 2007 y 2014 (app. 1, ll. 24-25)
37 Original text: Hemos dado prioridad al agua potable para los habitantes locales (app. 1, l. 38)
“You can call all the residents of Petorca and I will pay you if you find anyone who does not have running water in their tap”\textsuperscript{38}. Mr. Ríos thereby admits that there have been illegal pipes but sweeps it away as a minor detail and excuses it by arguing that there had been illegal pipes all over the country. Secondly, the fact that he uses his money in his argument creates an image of him as a wealthy business who can pay his way to indulgence. An image, which contradicts the image of a socially responsible business, which has otherwise been sought created. On the basis hereof, it can be argued that he undermines his ethos, and more specifically the virtue of eunoia, as he does not appear genuinely concerned for the citizens of Petorca; the people who constitute the center of attention in the conflict over water. As Mr. Ríos stands as a representative of avocado producers in Petorca, it can be argued that he ultimately creates a risk of damaging the ethos of the entire avocado industry in Petorca.

Another attempt to convince the readers that avocado production is not responsible for the drought in Petorca, comes from Mr. Sfeir, Managing Director of El Comité de Palta Hass, who argues that you only need 389 liters of water to produce a kilo of avocados and not 1000 liters pr. kilo as presented elsewhere\textsuperscript{39}. With this argument Mr. Sfeir derives on the ethos virtue \textit{phronesis}, which refers to the perception as a knowledgeable person. As managing director in El Comité de Palta Hass de Chile, he possesses an initial ethos, where he is expected to know something about exactly how much water is being used to cultivate avocados. The common reader will therefore assume that the amount of water, which Mr. Sfeir states, must represent the truth. Mr. Sfeir thereby implies that if it only takes one third of water to produce a kilo of avocados than presented in the reportages, avocado production cannot logically be responsible for the drought in Petorca. He does however not provide any answer to why the required 389 liters of water to produce a kilo of avocados cannot cause drought in the region and it can be questioned if the drought simply would be even worse than it is if it did require 1000 liters.

A final attempt to enhance the credibility of ASOEX’s claims comes from Ronald Bown, president of ASOEX, who informs that the avocados producers are certified by various regulatory organizations

\textsuperscript{38} Original text: \textit{Las tuberías ilegales fueron cerradas hace mucho tiempo, y que Chile estaba lleno de ellas. "Puedes llamar a los residentes de Petorca y yo te pagaré si encuentras a alguien sin agua corriendo de su grifo", agregó (app. 1, ll. 40-42)}

\textsuperscript{39} See app. 1, ll. 54-55
as for example the Rainforest Alliances\textsuperscript{40}. He thereby seeks to borrow legitimacy from Rainforest Alliance to create a better perception of the avocado industry in Petorca. However, the legitimacy of such certifications is also subject to intense debate these years (e.g. van Vark, 2016).

On the basis of the textual analysis it can therefore be concluded that ASOEX focuses on denying the allegations against the avocado industry in regard to being responsible for the drought in Petorca. In this way, ASOEX places itself in opposition to the story presented by international media, and, as we will see, MODATIMA. Furthermore, by focusing on the social impact of the international exposure on small-scale farmers ASOEX attempts to constitute a strong ethos and create an image of avocado production as a socially responsible business.

It can also be concluded that the association of producers and exporters talk, surprisingly, little about the central issue of the debate, water, and how it should be governed. The Water Code is neither mentioned nor is privatization of water an issue of discussion. In ASOEX’s representation of the case, the Water Code is not a part of the equation – maybe because it creates the right foundation for avocado producers’ operations as it is now, and it is therefore not considered to be a problem.

As ASOEX places itself in opposition to the accusations made by MODATIMA, I will now proceed to the analysis of the article, which the social movement has published in response to the delegation’s trip to Europe and investigate its perception of reality.

\subsection*{4.3.2. MODATIMA}

\textbf{Wording:}

MODATIMA is also quick to set the scene in its response to the delegation’s Europe trip. In the title of the text, it can be seen how MODATIMA names the conflict “\textit{The theft of water}” and rhetorically asks who “\textit{really harms}” the country\textsuperscript{41}. By using these words, MODATIMA shows that it is preoccupied with disclosing who is responsible for the water scarcity in Petorca. Besides using the word “theft” to describe the situation in Petorca, MODATIMA extends its presentation of the conflict

\textsuperscript{40} See app. 1, ll. 63-64
\textsuperscript{41} See app. 3, l. 2-3
by associating the production of avocados with human right violations\textsuperscript{42}. That avocado production, through the deprivation of water from local communities, is violating the human right to water, is also one of the key arguments, which MODATIMA conveys to the international media. Furthermore, it should be noticed that MODATIMA, in comparison to ASOEX, goes more into details in its description of the conflict in Petorca and the social implications of avocado production. MODATIMA for example uses the word "\textit{usurpation}"\textsuperscript{43} of water to define its cause of allegation against the agribusiness owners, which means "to seize or exercise authority or passion wrongfully" (Merriam-Webster, 2019). In this way, MODATIMA says that the agribusinesses are operating against the law.

In regard to the accusation against the exposure of the case by international media for having negative consequences for small-scale farmer, MODATIMA responds:

\textit{The president of Chilean exporters, Ronald Bown, recklessly and without hesitation referred to the organizations that defend the human right to water as “anti-country”, and thereby trying to plant the idea that the citizens that we mobilize, and our exposition of the theft should be considered illegal}\textsuperscript{44}.

ASOEX made this accusation in its press release, but as presented in the analysis of discursive practice, MODATIMA here refers to a news episode of CNN Chile, where Ronald Bown repeated the accusation. By using the words “recklessly” and “without hesitation”, MODATIMA elevates the dramatic nature of the conflict. Secondly, by pointing the attention directly towards Mr. Bown, the conflict becomes more personal. Thirdly, the quote shows how the conflict has changed focus to be a question of national identity, which is seen in Mr. Bown’s reference to the social movements as “anti-country”. Finally, it should be noticed that through this narrative, which MODATIMA presents, it is suddenly MODATIMA that is accused of carrying out illegal activities. In this way, the activities of MODATIMA are criminalized in a similar manner to how the activities of agribusinesses were criminalized in the reportages by international media. However, by using the words “trying to plant the idea”, MODATIMA implies that there is no hold in ASOEX’s accusations against them.

\textsuperscript{42} See app. 3, ll. 10-11
\textsuperscript{43} See app. 3, line 18, 25, 53
\textsuperscript{44} Original text: \textit{El presidente de los exportadores de Chile, Ronald Bown, temerariamente y sin tino alguno ha tildado de “antipais” a las organizaciones que defienden el derecho humano al agua, intentando instalar la idea de que las y los ciudadanos que nos movilizamos y denunciamos ese robo debemos ser considerados fuera de la ley} (App. 3, l. 34-37)
A similarity, which can be found between this text and ASOEX’s press release is the word “injustice”. However, MODATIMA uses the word to describe the social movement’s raison d’etre:

We have exposed the injustice, the inequality, the state’s negligence and the large agribusinesses’ theft of water in the area.45

By using these words to describe what the organization is fighting for, it emphasizes that they are in the world to bring awareness of the social issues associated with avocado production. It is also relevant to notice how the actors are centrally placed in this sentence in order to emphasize who is responsible for which actions, which supports the purpose of MODATIMA’s article. Furthermore, this quote shows that the state also carries a responsibility in the conflict according to MODATIMA.

Another apparent similarity is that MODATIMA, just like ASOEX, claims to be the owner of the truth in the conflict over water in Petorca. MODATIMA however shows this by supporting the investigations of international media:

As with all serious media communication – the investigation, which had formed the basis for the reportages, was created on very high standards, which makes their facts irrefutable.46

Like ASOEX, MODATIMA focuses on “facts”, which can be seen stressed in this example, where MODATIMA defines the international media’s facts as irrefutable and as based on “very high standards”. Therefore, MODATIMA’s representation of the truth stands in contrast to ASOEX’s representation of the truth, who argues that the allegations against the avocado industry are false. Finally, it is relevant to notice how MODATIMA draws on the ethos of the international media, which I will return to in the next section.

The focus on facts is pervasive throughout the article, and after using approximately one page on their representation of the events affected by the international exposure of avocado production in Petorca, MODATIMA turns to a “revision”47 of the facts, which they argue to proof of the agribusinesses’ responsibility in the deprivation of water from the communities. The title of this section is even named “facts on the table”48, and more than half of text is dedicated to this purpose. In this section,

45 Original text: hemos denunciado las injusticias, las desigualdades, la negligencia del Estado y el robo de agua de grandes empresas agrícolas en la zona (App. 3, l.32-33)
46 Original text: Como en todo medio de comunicación serio – la investigación que dio pie a los reportajes tenía estándares rigurosos que transformaban las pruebas en hechos irrefutables (app. 3, l. 27-28)
47 Original text: Revisemos algunos antecedentes (...) (app. 3, l.40)
48 Original text: Hechos sobre la mesa (app. 3, l. 39)
MODATIMA refers to different governmental investigations and academic reports as presented during the analysis of the discursive practice.

MODATIMA ends its response pointing the attention directly towards Mr. Bown from ASOEX for the second time during the article:

Has Mr. Bown taken these facts into account and asked himself who really hurts the country? We invite him to raise the level of discussion and direct attention towards, not only the profit, which the avocado business creates, but also the ethical dimension of agricultural production and the human right to water.

In this way, MODATIMA makes Mr. Bown responsible for the conflict over water in Petorca and the conflict thus becomes very personal. It should furthermore be noticed, that MODATIMA here includes the word “profit” to describe ASOEX’s intentions behind the debate, which is in contrast to ASOEX’s own representation. Looking back at the representation of the conflict by ASOEX, it was found that ASOEX on the other hand attempted to create an image of the avocado industry as ethical and responsible for the environmental impact of their operations. It is therefore possible to identify a discrepancy in the representation of the conflict by the two actors. Finally, it is relevant to notice that MODATIMA invites Ronald Bown for dialogue, which is the center of attention in the Minister of Agriculture’s response as will be seen in the analysis of the next text. It is however important to notice that MODATIMA asks for a dialogue on the premises of MODATIMA, which is a dialogue that focuses on the social implications of the avocado production in Petorca.

Ethos:

To constitute a strong ethos for itself and affect the ethos of the other participants in the discursive event, MODATIMA uses a creative and vivid language to tell the story about what is happening in Petorca. The first example can be found in MODATIMA’s narrative of ASOEX’s reaction on the exposure of the case. To describe the purpose of the delegation’s trip to Europe, MODATIMA uses the phrase: “to clean up their image.” MODATIMA thereby applies a word, which is most often found in discourses of marketing, to describe how the delegation works to change the perception of them created by the international coverage of the story. Secondly, to describe the agribusinesses’

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49 Original text: ¿Acaso el señor Bown ha tomado en cuenta estos antecedentes para preguntarse quién daña al país? Lo invitamos a elevar la discusión y poner la preocupación no solo en las ganancias que genera este negocio, sino en la dimensión ética de la producción agrícola y del derecho humano al agua. (app. 3, ll. 87-89)

50 Original text: Limpiar su imagen (app. 3, l. 15)
response to the stories in the international media, MODATIMA initiates its sentence with: *Well, the trade association for large farmers from the Province of Petorca (...)*\(^{51}\) and in this way, uses its language as it is telling a story to the reader.

Another example can be found in MODATIMA’s description of the meeting between members of the delegation and a range of governmental entities, where it argues that ASOEX and El Comité de Palta Hass de Chile simply made “*a couple of calls*”\(^{52}\) in order to arrange a private meeting. MODATIMA thereby indicates that the presidents of the trade associations are on a direct telephone line with powerful ministries, and implicitly says that it has a perception of a close relationship between the industry and the state. In this way, MODATIMA attempts to show the injustice in the current water governance system as a consequence of the powerful position, which the avocado industry possesses.

The storytelling style is continuously used in MODATIMA’s description of the delegation’s trip to Europe, which appears almost ironic: *They grabbed their bags and said, “We are going to Europe”*\(^{53}\). Finally, we see this style in a comment about the delegation’s meeting with the media during its Europe trip: *Unfortunately for them, they did not receive the response from the media as they hoped for (...)*\(^{54}\), where their tone of voice becomes almost childish.

In line with this style is also MODATIMA’s use of metaphors. MODATIMA for example describes the avocado producer’s coalition with the trade associations in the delegation as: *First they began running to the trade associations*\(^{55}\), which brings associations to a child running to its parent for help. MODATIMA also argues that the delegation returned from its trip “*empty handed*”\(^{56}\). It can however be questioned, how they reach to this conclusion as ASOEX has not said anything about the results of the delegation’s journey. Finally, they argue that the international media has made the large agribusinesses the “*public face*”\(^{57}\) of the impunity in the rivers of Petorca.

\(^{51}\) Original text: Pues bien, el gremio de grandes productores agrícolas de la provincia de Petorca (...)

\(^{52}\) Original text: Hicieron un par de llamadas y lograron sentarse con diferentes entidades de gobierno

\(^{53}\) Original text: Agarraron sus maletas y dijeron: “Nos vamos a Europa”

\(^{54}\) Original text: Lamentablemente para ellos, no recibieron respuestas favorables de la prensa

\(^{55}\) Original text: Primero comenzaron recurriendo a instancias gremiales

\(^{56}\) Original text: Al regresar del viaje con las manos vacías

\(^{57}\) Original text: Siendo ellos la cara visible de la impunidad en los ríos
Put together, all these examples illustrate attempts to affect the ethos of the representatives of the avocado industry by creating an image of them as greedy businessmen, who only reacts on the accusations because of the bad publicity.

A final attempt to affect the delegation’s ethos, can be found in MODATIMA’s questioning of the inclusion of El Comité Palta Hass Chile in the delegation, as one of the directors has been accused of usurping water in the municipality Cabildo. In this way, MODATIMA indicates that the members have a personal interest in eliminating all negative attention from the case.

However, MODATIMA also seeks to constitute a strong ethos for itself in order to convince the reader that it is presenting the true story. MODATIMA for example devotes the majority of the article to a presentation of the facts, which it believes verify the allegations against the agribusinesses. In this representation MODATIMA makes reference to a handful of other texts as presented in the analysis of intertextuality. These are all facts, which MODATIMA has presented before, during its years as a social movement fighting for the right to water for the communities of Petorca. This part of the text is written in a style, which reassembles a scientific report where facts are presented with academic references to the source of the fact. They do for example refer to DGA declarations to support their argument that there has been an overexploitation of water in Petorca:

*The Petorca-river was declared to be under restriction in 1997 (Res. DGA 216), which in practice means that new water rights could not be created as the consumption exceeded the aquifer’s availability. In spite of validity of the restriction, the DGA office in the V Region (Valparaiso) continued delivering water rights equivalent to 3.730 liters pr. second until 2016*.  

In this part of the text, MODATIMA also presents investigations from La Universidad Diego Portales and The National Institute of Human Rights, which support MODATIMA’s accusations against the agribusinesses for violating human rights. In this way, MODATIMA derives on the ethos virtue *phronesis* to appear knowledgeable and create credibility.

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58 Original text: *El río Petorca fue declarado en restricción el año 1997 (Res. DGA 216), lo que en la práctica significa que después de eso no se podían constituir nuevos derechos de agua, puesto que el consumo de la misma excedía la disponibilidad del acuífero. Sin embargo, estando plenamente vigente la restricción, la oficina de la V Región de la Dirección General de Aguas continuó entregando derechos de agua, equivalentes a 3.730 litros por segundo hasta el año 2016* (app, 3, ll. 43-47)
Finally, to constitute its own ethos, MODATIMA describes how the organization for many years has worked inside Chile to affect a reformation of the Water Code and in this way, addresses the criticism towards them for involving international media. The organization has for example mobilized more than 400 small-scale farmers from Petorca, who told their story at a debate in the Chamber of Deputies, which resulted in an investigation of illegal extraction of water in 2011. This investigation detected 65 drains and 456 wells, which illegally diverted water. By presenting these facts, MODATIMA shows how there has been found evidence of violations and according to MODATIMA’s logic it does not make sense, why the government does not change the Water Code.

Based on the textual analysis, it can be concluded that MODATIMA focuses on the reaction of the representatives of the avocado industry on the reportages published in international media about avocado production in Petorca. Secondly, MODATIMA focuses on the presentation of facts to provide evidence of avocado production’s responsibility for the draught in Petorca. In this way, MODATIMA places itself in opposition to the discourse applied by ASOEX. However, as it has also been seen through the analysis, MODATIMA makes the conflict very personal. First, by directly addressing Ronald Bown and asking him to consider the ethical dimension of agricultural production. Secondly, by attempting to affect the ethos of the Petorcan avocado industry through the construction of an image as a socially irresponsible business. As a consequence, the focus on water governance is limited throughout the text. However, in spite of the limited focus on water regulation throughout the text, MODATIMA does place the Water Code as the core issue of the conflict59 and demands more social awareness in Chilean water governance as seen in the request to Ronald Bown.

It is therefore time to proceed to the analysis of the statements from the Minister of Agriculture to see how he presents the conflict over water in Petorca.

4.3.3. Minister of Agriculture

**Wording:**

Just like MODATIMA, the scene is set from the very beginning in the article by El Desconcierto. The title quotes the Minister of Agriculture, Antonio Walker, who describes MODATIMA as

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59 See app. 3, l. 55
“disloyal”\textsuperscript{60} and he, accordingly, “shoots” at the organization for involving international media in the “water crisis”\textsuperscript{61}. In regard to the application of the words “shoots” and “water crisis” it must again be emphasized that it is not the Minister of Agriculture, who has composed the article, but an independent news media. However, it can be argued that the words simply enforce the emotional and nationalistic nature of the minister’s quote.

To describe the conflict in Petorca, The Minister of Agriculture argues that “\textit{there has been a shortage of dialogue here, more than there has been a shortage of water}”\textsuperscript{62}. In this way he scales down the seriousness of the drought in Petorca, which he further emphasizes by arguing that there is “enough” water to supply the communities and sustain cultivation of avocados. According to the minister, the problem lies “\textit{only}” in the “\textit{distribution}” of the resource\textsuperscript{63}. By defining the problem as an issue of distribution, he removes the responsibility away from the agricultural sector, and thereby moves the problem away from his own desk on to the desk of DGA. Furthermore, by using the word “only”, he emphasizes his argument that there is no issue of water scarcity in Petorca. It is also relevant to notice that the minister refers to the conflict as an “environmental”\textsuperscript{64} conflict and thereby overlooks the social aspects, which is the key focus in MODATIMA’s representation of the conflict. However, building on MODATIMA’s invitation for Robert Bown to engage in a dialogue about more ethical production, there can be identified a similarity between the discourses applied by MODATIMA and the Minister of Agriculture in the interests to engage in dialogue. What this implies for the discourse of water governance in Chile will be discussed in the last section concerning the social practice.

The minister further emphasizes the importance of dialogue during the article, where he argues that dialogue is the solution to the conflict. He therefore suggests the formation of a work group, which should involve all the involved actors from Petorca. President of Agropetorca, Alfonso Ríos, agrees with this solution and is quoted for saying:

\begin{itemize}
  \item \textsuperscript{60} Original text: “\textit{Hay que ser muy desleal}” (app. 2, l. 3)
  \item \textsuperscript{61} Original text: \textit{Ministro de Agricultura disparó contra Modatima por denunciar crisis del agua de Petorca en el extranjero} (app. 2, ll. 3-4)
  \item \textsuperscript{62} Original text: “\textit{Aquí más que una escasez hídrica, ha habido una escasez de diálogo}” (App. 2, ll. 18-19)
  \item \textsuperscript{63} Original text: \textit{En su opinión, en la zona existe suficiente agua para abastecer a la comunidad y regar los múltiples cultivos de palta y el problema está solo en la distribución del recurso} (app. 2, l. 22-24)
  \item \textsuperscript{64} See app. 2, l. 21
\end{itemize}
“As president for Agropetorca, I feel guilty about not working harder or insisting more on the creation of this productive structure. Walker is completely right, and it must be done.”

By using the word “guilty” to describe his position on increased dialogue and the creation of a working group, Mr. Ríos uses a discourse, which reassembles the discourse applied in the press release by ASOEX to create an image of being a socially responsible industry. However, in contrast to the press release published by ASOEX, Mr. Walker here insinuates that Agropetorca carries a responsibility in the alleviation of the conflict as he, as the president, has not worked harder to create a constructive dialogue with the local community. Finally, it is remarkable that he not only agrees with the Minister of Agriculture but emphasizes his agreement by using the word “completely”, which shows the close relationship between the president of Agropetorca and the Minister of Agriculture.

To enhance the level of dialogue, the Minister of Agriculture arranged a meeting with the presidents of the trade associations, who took part in the delegation: Ronald Bown, ASOEX, Francisco Contardo Sfeir, Comité de Palta Hass, and Alfonso Ríos, Agropetorca. According to the minister, the purpose of the meeting was to “create order in the house.” In this way, the minister uses a metaphor to describe how he believes that the conflict over water should be dealt with inside Chile. This should be seen in comparison to how MODATIMA, according to the minister, has brought the water crisis “overseas”.

The Minister of Agriculture further comments on the inclusion of the international media in the conflict in the last section of article, where his statement from the title is presented in its full length:

“You must be very disloyal to your country if you go outside Chile and propagate that we do not do sustainable agriculture here (...) a particular problem in a very small province will question the seriousness of Chilean agriculture.”

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65 Original text: “Como presidente de Agropetorca, me siento culpable en parte de no haber sido más duro e insistente en la creación de esta estructura productiva. En eso (Walker) tiene toda la razón y hay que hacerlo” (app. 2, ll. 32-34)
66 Original text: “Una reunión privada con el objetivo de “ordenar la casa” (app. 2, ll. 27)
67 Original text: “Ministro de Agricultura disparó contra MODATIMA por denunciar crisis del agua de Petorca en el extranjero (app. 2, ll. 3-5)
68 Original text: “Hay que ser muy desleal con el país para salir a fuera de Chile a propagar que aquí no se hace agricultura sustentable. No por un lunar, un problema muy particular en una provincia muy chica, vamos a poner en duda la seriedad de la agricultura chilena” (App. 2, ll. 45-47)
By using the word “disloyal”, which is normally used to describe the character of a person, the minister continues the personal confrontation. He thereby applies a personal confrontation style, which was also found in the text by MODATIMA. Furthermore, it should be noticed that the minister presents the problem of the drought as being of minor size in comparison to the “seriousness” of the agricultural industry in Chile. In this way, the minister expresses concern for that the international attention on the case of Petorca will reflect negatively on the entire agricultural industry in Chile and shows that his prioritizes lies with the agriculture industry and protecting Chilean export. Additionally, the Minister of Agriculture argues that the intention behind MODATIMA’s inclusion of international media is to nationalize water again. The minister thereby makes the organization a representative of nationalization of water. Based on his heavy criticism of MODATIMA, it is clear that he is an obvious opponent of the nationalization of water.

Finally, the minister uses the metaphor “you should wash your dirty clothes at home” to criticize the inclusion of international media. It is here possible to trace a similarity to Ronald Bown’s statement in CNN Chile, where Mr. Bown referred to MODATIMA as “anti-country”. The Minister of Agriculture thus points his criticism towards MODATIMA for bringing its protests “outside” Chile instead of dealing with the issue through public complaint mechanisms. This is similar to ASOEX’s proclamation in regard to the reliability of the death threats against members of MODATIMA. However, this representation of the case stands in contrast to MODATIMA’s representation of the case, who argues that the organization for years has made protests within Chile as well as a range of initiatives to make the state change the Water Code and deal with the effects of avocado production. Finally, it should be noticed how the minister derives on a nationalistic feeling, which must be seen as an attempt to impact the ethos of MODATIMA. This will be elaborated in the next section.

Ethos:
In the statements from the Minister of Agriculture it is only possible to find examples where the minister seeks to impact the credibility of the other actors involved in the conflict. As it has already been seen in the analysis of the wording applied by the Minister of Agriculture, it is for example possible to identify an attempt to affect the ethos of MODATIMA. The Minister of Agriculture does

69 See app. 3, ll. 43-44
70 Original text: “La ropa sucia se lava en casa” (App. 2, l. 44)
not explicitly seek to strengthen his own ethos, which can be explained by that he possesses a high initial ethos due to his title as Minister of Agriculture. He does, however, seek to create a strong feeling of nationalism and thereby derives on the ethos virtue *eunoia* to construct an image of himself as a national protector. Throughout the text, his focus revolves around the country, the home, and how MODATIMA impacts the country through its protests against avocado production. By representing MODATIMA as an organization, which is working against the nation’s interests, he seeks to affect the ethos of the organization and thus makes it appear less reliable.

MODATIMA is also criticized for not engaging in dialogue with the other actors and was according to the minister invited for a meeting, which they did not wish to participate in. He therefore argues: “Besides MODATIMA, I have spoken with the entire world”\(^71\). The president of Agropetorca, Alfonso Ríos, adds: “It does not suit them to talk. They need precariousness to carry out their slogans”\(^72\) and that he is tired of them “throwing accusations without grounds”\(^73\), which brings connotations to dealing with a difficult child. This representation does however stand in contrast to MODATIMA’s reality, which they present in connection with the delegation’s meeting with governmental entities, among these, the Ministry of Agriculture. From MODATIMA’s perspective, it is unjust that the delegation members have easy access to governmental actors, and they do not mention that they too have been invited for a meeting. It is also relevant to notice how Alfonso Ríos disclaims the reliability of MODATIMA’s accusations against the agribusinesses in a similar manner to the arguments presented in the press release from ASOEX. By questioning the reliability of their accusations, he also seeks to affect the organization’s ethos.

The minister ends the interview with an attempt to strengthen the ethos of the agricultural industry by expressing that he estimates the conflict to be short-lived and without major importance for the industry:

> “It is an issue, which is up in time right now. In Chile, we have done things well and therefore we are the primary exporters of fresh fruit in the southern hemisphere”\(^74\).

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\(^{71}\) Original text: “*he hablado con todo el mundo, menos con Modatima*” (App. 2, ll. 49)

\(^{72}\) Original text: “*no les conviene conversar. Necesitan precariedad para llevar a cabo sus consignas*” (App. 2, ll. 51-52)

\(^{73}\) Original text: *Agregando que están cansados de que “se tiren acusaciones al boleo”* (app. 2, l. 53)

\(^{74}\) Original text: “*un tema puntual. En Chile hemos hecho bien las cosas, por eso somos los principales exportadores de fruta fresca en el hemisferio sur*” (app. 2, ll. 55-56)
By defining the issue as a short-term issue, he implicitly says that it is not of great importance and he again indicates that export is the primary concern of his office. In the light of the close relationship between the state and the private sector, it can be argued that it is no surprise that the Minister of Agriculture supports the agricultural sector in this case. However, this will be investigated further in the next section, where I will seek to find an explanation in the social practice behind the discourses applied by the different actors involved in the conflict over water in Petorca.

On the basis of the textual analysis of the statements from the Minister of Agriculture, it can be concluded that he, just like ASOEX, talks very little about the central issue of the debate – how to govern water. The minister does mention the aspect of water in his representation of the conflict although he disregards it as being of minor importance and says that the conflict can be ascribed to a shortage of dialogue. Furthermore, the analysis shows that the Minister of Agriculture, just like MODATIMA, makes the conflict very personal: First, for pointing its criticism against the exposure of avocado production in Petorca directly towards MODATIMA instead of the international media, which has published the articles. Secondly, by deriving on a feeling of nationalism and calling MODATIMA disloyal towards its country for involving international media in the conflict over water in Petorca. In this way, the Minister of Agriculture discursively shames the protests of MODATIMA against avocado production in Petorca.

4.3.4. Subconclusion

Through the analysis of the three texts involved in the discursive event, it has been seen how the actors construct the conflict over water in Petorca in very different ways. There has been identified clear similarities between the discourses of the trade association, ASOEX, and the Minister of Agriculture, who agree that there is no hold in the accusations against the avocado industry in regard to being responsible for the drought in Petorca. The Minister of Agriculture even postulates that there is no shortage of water in Petorca but instead a shortage of dialogue. It can therefore be concluded that ASOEX and the Minister of Agriculture discursively pursue a shared goal – to protect the status of the Chilean avocado industry.

The textual analysis also shows how ASOEX and the Minister of Agriculture place themselves in opposition to the social movement, MODATIMA, through the construction of social identities. The
discourse of MODATIMA is therefore identified as an opposing discourse to the discourses applied by the ASOEX and the Minister of Agriculture.

Next, I turn to the discussion of social practice to address why the conflict is constructed in this way through an examination of the social structures, which lies behind the discourses applied by the three actors.
5. Discussion: Social Practice

The purpose of this section is to place the findings of the analyses of the texts in the historical and political context, in which they take place, in order to provide an explanation to the way the actors use their language to constitute the conflict over water in Petorca. Afterwards, I will discuss how the actors, through their opposing discourses, take part in a hegemonic struggle over the order of discourse of water governance. This will take form as a critical discussion, where I will discuss the question of how the discourses used by the actors to construct the conflict over water in Petorca restore or challenge the Chilean water governance discourse. Hence, I will examine the discursive relations between the three participant’s discourses to discover whether they reproduce the order of discourse or if they attempt to change it and thereby foster social change (Fairclough, 2010). This will be done in order to assess the implications of the conflict.

5.1. The Constitution of The Conflict over Water in Petorca

The discourses of the three participants in the discursive event, ASOEX, MODATIMA, and the Minister of Agriculture, are situated in the historical and political context, which was outlined in section 4.1. Arriving from the historical and political context, it can be argued that there is a discourse of water governance, which promotes neoliberal principles, and which has dominated Chilean water politics for many years. I will call this the neoliberal discourse on water governance. In contrast to this discourse stands the discourse of water governance, which focuses on the social, political and institutional aspects, and which has emerged on a more international level. According to this perspective, human consumption should be the first priority in water governance and the right to water should be considered a human right. I will therefore call this perspective on water governance, the social discourse on water governance. In the following, I will discuss how the participants apply to these two discourses on water governance respectively.

To understand how the conflict over water is constituted in the struggle between the neoliberal discourse and the social discourse on water governance, it is relevant to look back at the emergence of the discursive event. Throughout the analysis it has been illustrated that in spite the fact that MODATIMA, since its foundation in 2010, has protested against the avocado industry’s excessive consumption of water (MODATIMA, 2019), it was not until the international media shed light on the conflict in Petorca, that a reaction from the involved actors was seen. The sudden reaction can be explained by the European supermarket’s termination of import of avocados from Petorca, which was
announced as a result of the reportages in international media. On the basis of the termination of European import, it can be argued that ASOEX saw a threat on the financial foundation of the avocado industry. To deal with this threat ASOEX published the press release with the purpose to change the image of the avocado industry, which was being created by the media. As found in the analysis, ASOEX, by denying all accusations against the avocado industry, seeks to create the understanding that there is no problem in the current water governance system. In this way, ASOEX, unsurprisingly, defends the market conditions, which the avocado agribusinesses are operating under today, and it can therefore be argued that a neoliberal discourse on water governance is applied.

From the perspective of the Minister of Agriculture, the primary concern is similarly to protect the agricultural industry and secure good circumstances for Chilean export. It can therefore be argued that the Minister of Agriculture also applies a neoliberal discourse on water governance. Through his protectionism of the industry, the minister opposes the protests from MODATIMA by representing them as a threat towards the country’s interests. In this way, it can be seen as if the minister actually establishes the neoliberal discourse on behalf on the entire nation. The neoliberal discourse can furthermore be found in the Minister of Agriculture’s brief comment about MODATIMA’s mission to nationalize water like in the years of Allende. This statement should be seen in the light of the historical context where nationalizations throughout time have brought the country into economic decline (Collier & Sater, 1996). In this way, the minister constitutes a discourse of water governance, where the neoliberal approach is presented as the only approach, which is financially sustainable for the country. However, the minister actually manages to establish this neoliberal water governance discourse without speaking much about the subject, and by being silent about the issue of water governance, ASOEX and the Minister of Agriculture contribute to the creation of a hegemonic struggle on the order of discourse of water governance. What this implies for the discourse of water governance in Chile will be discussed in section 5.2.

On the contrary, MODATIMA focuses on convincing its readers of the truth in the accusations against the avocado industry, which have been presented in international media as well as in the organization’s protests throughout the years. Therefore, the purpose of MODATIMA’s article is to show the social impact of the privatization of water in Chile, and in this way MODATIMA communicates through a social discourse on water governance, which should be perceived as an attempt to foster social change. By focusing on the social implications of the privatization of water,
MODATIMA initiates a hegemonic struggle over the order of discourse on water governance. This will also be discussed in the next section.

5.2. A Hegemonic Struggle
The different perceptions on the conflict over water in Petorca between the three participants can be described by Fairclough’s concept of ideology, which he understands as “constructions of reality” (Fairclough, 1992, p. 87). As seen through the analysis, the actors struggle for the right to define the truth and in this way, they take part in a process of negotiation, where each actor seeks to establish its particular understanding of reality as the dominant meaning in the order of discourse. This struggle can be defined as a hegemonic struggle over the order of discourse on water governance (Fairclough, 1992).

As argued, the origin of the hegemonic struggle can be ascribed to MODATIMA. Through its protests against the avocado industry and the government’s lack of interference, MODATIMA has for years sought to challenge the discourse of water governance towards focusing more on the social implications of the privatization of water. However, the protests from MODATIMA did not constitute a threat before they elevated the conflict to international debate by including European news media.

As a result of Chile’s decades long political focus on establishing a strong market democracy and promote export, ASOEX, as a representative of the avocado industry, possesses a position of power. It is this position that has allowed ASOEX to establish a neoliberal discourse on water governance and hold it as the dominant discourse on water governance. However, the exposure in international media can be said to have destabilized the equilibria of the neoliberal discourse on water governance, which is why ASOEX needed to defend the avocado industry internationally. It can therefore be argued that MODATIMA has found the weak spot in the neoliberal discourse by including the international media as MODATIMA has managed to challenge its opponent financially.

5.2.1. A Domestic Struggle?
In the analysis of the statements by the Minister of Agriculture, it was found that he criticizes MODATIMA for bringing the water crisis “overseas” instead of dealing with the issue within Chile. Similarly, ASOEX claims that MODATIMA should have reported the death threats against members of MODATIMA to official complaint mechanisms inside the country.
In this way, ASOEX and the Minister of Agriculture create an image of an institutional system, which is actually capable of representing the interests of social movements as well as the interests of the industry. As argued, this stands in contrast to the reality that MODATIMA represent. For many years, they have carried out public protests in an attempt to gain political impact on the reformation of the water code. MODATIMA has also presented its case in the national congress, but in spite of this, there have not been made any changes neither in the water code nor in the operations of avocado producers in Petorca. For that reason, they have been forced to raise their voice against their domestic opponent and search for international support.

Consequently, it can be questioned if MODATIMA would have succeeded in creating a change in the order of discourse if it had solely reported its accusations to official complaint mechanisms. Previous studies on the area of water governance in Chile has shown that the institutional system is weak and inefficient (Bauer, 2004), and that civil courts lack expertise in the water law (Bauer, 2015), which indicate a limited chance for MODATIMA to improve social equity in Chilean water governance. Furthermore, given the unequal power relations present between the actors in the conflict, this case stands as an example of how actors with more power and resources benefit from the gap in public decision-making to pursue their own interests as also found in Bauer’s study on water conflicts in Chile (Bauer, 2015).

5.2.2. A Lost Cause for MODATIMA?

The opposition against MODATIMA’s protests and fight for increased social awareness in water governance should furthermore be seen as a reflection of the role, which social movements play in the Chilean water governance system as described by Borgias (2018) and her concept of subsidiary state. As argued in the study by Borgias (2018), the concept of subsidiary state describes how market forces are heavily empowered when governments provide limited regulatory power under neoliberal regimes. She however finds that the limited influence of states does not have the same empowering effect on social movements, which, on the contrary, experience frustration over the government’s favoritism of private investments.

The same frustration over the government’s unrestricted support to the avocado industry, can be found with MODATIMA. This can for example be seen in the way MODATIMA advocates for a too close relationship between the Minister of Agriculture and ASOEX.
In addition, we see that the Minister of Agriculture interferes and takes part in the hegemonic struggle over the conflict of water and thereby does not give non-state actors room to fill the regulatory voids created by the limited state interaction. It can therefore be argued that MODATIMA’s activities of water governance is hindered as they create a risk for the crown jewel of Chile’s political program – a strong position in the international market for export and trade. In this way, the case supports that it is only the private sector, which will be emancipated by the limited state interference. Furthermore, the construction of the conflict over water in Petorca constitutes an example of how civil society resistance is discursively shamed and framed as undermining the country’s efforts to build a democratic system. This can especially be seen in the Minister of Agriculture’s description of MODATIMA as being disloyal towards Chile for bringing the water crisis overseas.

5.2.3. Political Mudslinging

A final aspect, which should be considered in regard to the hegemonic struggle in the constitution of the conflict over water in Petorca, is the political nature of the conflict. From the perspective of MODATIMA, the conflict in Petorca is not only a conflict about the overexploitation of water carried out by the agribusiness or a conflict about the overallocation of water rights from the DGA as described by Bauer’s (2015) second category of water conflicts. It is a conflict that is “more (…) political, driven by clashing views about the water law itself and its fundamental rules, principles, and ideology” (Bauer, 2015, p. 154).

This can be seen through the public protests of MODATIMA to gain political impact in order to provoke a reformation of the water code. As a consequence of the political nature of the conflict, the ideological viewpoints of the actors are clashing, which results in a conflict that is driven by personal confrontations and an immense focus on constructing social relations. This has, for example, been found in the actors’ efforts to constitute a strong ethos for themselves and undermine the ethos of the opponents. It also reflected in the constant struggle to define the truth about whether there is a drought or not, and if there actually is a problem of water governance. As a result, the focus on water governance becomes limited and even MODATIMA fails to provide an answer to a possible solution of the conflict of Petorca. They only express a demand for Mr. Bown, president of ASOEX to “raise

75 Original text: Ministro de Agricultura disparó contra MODATIMA por denunciar crisis del agua de Petorca en el extranjero (app. 2, ll. 3-5)
76 See app. 3, l. 55
the level of discussion and direct attention towards, not only the profit, which the avocado business creates, but also the ethical dimension of agricultural production and the human right to water”77. So, in the end, MODATIMA implies that it is ASOEX who carries the responsibility for a change in the order of discourse to occur, and that they are the only ones who can make it happen.

To sum up, the conflict is constituted by a hegemonic struggle over the order of discourse of water governance, where the avocado industry, represented by ASEOX, holds a powerful position. This position allows them to preserve a neoliberal discourse of water governance as the dominant discourse. As a consequence, there is limited room for MODATIMA to constitute a change in the order of discourse towards increasing the social awareness in water governance in Chile.

However, throughout my analysis of the texts, I have seen indications of discrepancies in the neoliberal water governance discourse as it is presented by ASOEX and the Minister of Agriculture. In other words, they are indicating an opening towards more social awareness in water governance, which will be discussed in the following section.

5.3. A New Hope

The first indication is found in ASOEX’s press release, which focuses on the social impact on small-scale farmers as a result of the negative exposure on avocado production in Petorca in international media. As argued, the expression of solicitude differs from the otherwise self-centered nature of ASOEX’s discourse. Suddenly, ASOEX seems to be preoccupied with the living conditions of a group of people who historically has been presented as “the victims of capitalist modernization” as they were uncapable of sustaining their parcels in times of industrial promotion (Collier & Sater, 1996, p. 369). It is furthermore a group, which been presented as the victims of the conflict over water in Petorca (Voller, 2017). It can therefore be argued that ASOEX applies a social discourse.

This is a discourse, which reflects the general transition towards more social awareness in water governance (Pahl-Wostl, 2015). It is furthermore a discourse, which resembles the social discourse

77 Original text: ¿Acaso el señor Bown ha tomado en cuenta estos antecedentes para preguntarse quién daña al país? Lo invitamos a elevar la discusión y poner la preocupación no solo en las ganancias que genera este negocio, sino en la dimensión ética de la producción agrícola y del derecho humano al agua. (app. 3, ll. 87-89)
on water governance associated with MODATIMA. This interdiscursive blend of the neoliberal discourse and the social discourse, which have been identified, can thus be understood as a product of the blurring boundaries between two discourses, and on the basis hereof, it can be questioned if ASOEX, through its position of power, can effectuate a change in the discourse around the conflict over water in Petorca towards more social awareness.

However, as seen throughout the analysis, the Minister of Agriculture provides support for the way the avocado industry does business today. In this way, the political system leaves no incentive for the avocado industry to become more socially and environmentally responsible. Resulting from the lack of political pressure to operate more responsibly, it can be argued that a change in order of discourse around water governance remains limited and only in the hands of the avocado producers, who must adjust their business to the demand of the globalized market.

It is however interesting to note that the Minister of Agriculture is open for dialogue with all the involved stakeholders in the conflict. Through this openness, the minister indicates that he is willing to have a conversation with actors who have opposing perspectives on the conflict in Petorca, and not just the representatives of the agriculture industry, who he, according to the analysis, is closely allied with. Furthermore, it was similarly found that MODATIMA is also interested in engaging in dialogue through its invitation for dialogue for Robert Bown, president of ASOEX. So, it will be interesting to see if the minister’s openness for dialogue will constitute a driving force for change in the order of discourse of water governance in Chile.

From the analysis of the discourses applied by the three actors, I however find it rather unlikely that the minister will actually listen to the perspective of MODATIMA. Although the Minister of Agriculture touches upon the issue of water scarcity in his representation of the conflict in Petorca, he disregards the importance of water governance, arguing that there has been an issue of scarcity of dialogue instead of an issue of scarcity of water. I therefore argue that it will be difficult for the neoliberal discourse on water governance and the social discourse on water governance to meet, as the actors do not even agree about the core facts of the conflict – if there is an issue of water scarcity or not.

78 Original text: “Aquí más que una escasez hídrica, ha habido una escasez de diálogo” (App. 2, ll. 18-19)
For that reason, I conclude that despite the two discrepancies found in the discourses applied by ASOEX and the Minister of Agriculture, it seems unlikely that the conflict over water in Petorca will constitute a change in the order of discourse of water governance in Chile. For a change in the order of discourse of water governance to occur, the driving force must originate from the avocado industry itself, and their willingness to change the discourse will only arrive from a changed demand among their customers. Potentially, MODATIMA has the possibility to affect this demand by raising its voice about the conflict, so consumers insist on more socially responsible operations within avocado production. In that way, it can be argued that MODATIMA is moving towards fulfilling its agenda of increased social awareness in water governance in Chile through the elevation of the conflict to an international level and the involvement of the global consumer society. MODATIMA’s struggle therefore has the potential to bear fruit in the long run.

5.4. Put into Perspective

I will end this study pointing the attention back towards to the beginning of the discursive event, as well as the beginning of this thesis, where Danish supermarkets announced that they would stop their import of avocados from the Petorca region due to the environmental and social impact of avocado production, and raise a new question: What is the right way to act for the surrounding world under circumstances as we see in Petorca?

This study just tells one side of the story. The story about the complex structures that the society must be aware of when taking part in international trade. By portraying the Petorca case as an example, this study has showed how social relations and unequal power structures play a tremendous role in retaining a neoliberal discourse on the order of discourse of water governance despite clear evidence of the social implications of the privatization of water.

The study does however indicate that the international community can play an active role and create incentive for a development towards more sustainable agricultural production. This was found in ASOEX’s reaction to the termination of import of avocados from Petorca and its focus on the social impact on small-scale farmers. It is however yet to be seen that the good intentions, which ASOEX expresses, are turned into actions. The question therefore contains potential for future research. Such future research could take a more global perspective and investigate which ethical considerations
supermarkets must take when importing commercial goods from countries with a different and sometimes weaker institutional system.

Future research could also focus on the impact of social media on corporate social responsibility initiatives. For years, social media and instragrammable avocado toasts have played an enormous role in increasing the demand for avocados, making avocados a grocery that can be found in literally all supermarkets and thereby creating an actual avocado boom. However, this conflict in Petorca has shown that the avocado boom has a dark side, which has caught the international media’s attention. Social media has given social movements like MODATIMA a platform for sharing their messages and reaching a lot of people, and as it only takes a couple of seconds to share critical articles or posts with one’s network, food producers have to accept the increasing awareness of ethical production among consumers in order to avoid scandals and bad publicity.
6. Conclusion

Emerging from a need to understand how water can be privatized, when it has such visible impact of the lives of the citizens of Petorca, the opening of this thesis questioned how is the conflict over water in Petorca constituted in the struggle between the neoliberal discourse and the discourse around increasing social awareness in water governance? And consequently, what are the implications of the conflict on the discourse of water governance in Chile?

A critical discourse analysis created the methodological foundation for this research in order to investigate the hegemonic struggle between the neoliberal discourse and the social discourse on the order of discourse on water governance. By portraying the conflict over water in Petorca as an example, this thesis has shed light on different perceptions on water governance present in Chilean society.

Three episodes of a discursive event around the conflict over water in Petorca were investigated through Fairclough’s three-dimensional framework, where the elements of text, discursive practice and social practices were analyzed to understand how the conflict over water in Petorca was constituted in order to assess the implications of the conflict on the order of discourse of water governance in Chile. The analysis of three episodes from (1) the avocado industry, represented by the trade association ASOEX, (2) the Chilean government, represented by the Minister of Agriculture and (3) the citizens of Petorca, represented by the social movement fighting for the right to water for the Petorcian citizens, MODATIMA, has showed how the different perceptions of the conflict over water in Petorca take part in a process of negotiation, where each actor seek to establish its construction of reality as the dominant meaning in the order of discourse.

The analysis finds that the conflict over water in Petorca is constituted in a struggle between a neoliberal discourse and a social discourse on water governance, where ASOEX, as a representative of the avocado producers and exporters, unsurprisingly reiterates the neoliberal discourse on water governance in an effort to protect the free market conditions, which the avocado industry is operating under today. This is possible because of the powerful position, which ASOEX possesses in the hegemonic struggle over the order of discourse of water due to a strong governmental support and protection of the market democracy.
The study thus concludes that for a change towards more social awareness in the order of discourse of water governance to occur, the avocado industry must act as the driving force for change. The study furthermore concludes that such change can be incentivized by a continued pressure from the international society, as the Chilean government does not create any incentive for the avocado industry to improve the social responsibility of its operations.
7. Literature


water-as-an-economic-resource-reflections-on-the-Chilean-experience


appetite-for-avocados-is-draining-region-dry


8. Appendixes

8.1. Appendix 1: ASOEX

Productores y exportadores chilenos de palta viajan a Europa para enfrentar acusaciones sobre sequía en Petorca

Santiago, 27 de junio de 2018. A continuación, reproducimos información publicada por medio especializado en productos frescos Fresh Produce Journal, en la cual se da cuenta de la visita de representantes de la industria chilena de la palta a Europa.

Los productores de palta de Chile han rechazado las afirmaciones que les sindican como responsables de dejar a las comunidades locales de Petorca sin agua potable, calificándolas como "injustas".

The Guardian y otros medios de noticias europeos, publicaron información indicando que los productores, cuyas paltas llegan hasta los supermercados británicos, habían sido acusados de construir sistemas ilegales de tuberías para robar agua, así como amenazar a grupos ambientalistas y civiles que protestan al respeto en la zona Petorca.

Los reportajes informaron de denuncias sobre una producción intensiva de paltas que habría desencadenado una sequía regional, dejando a los lugareños dependientes de agua potable contaminada, entregada en camiones aljibes.

Ante ello, una delegación de la industria chilena de palta de la Provincia de Petorca, se encuentran recorriendo Europa con la finalidad de asegurar a sus clientes que están operando de manera justa.

La delegación hizo especial hincapié en que la causa principal de la escasez de agua en la zona se deriva de una sequía ocurrida entre los años 2007 y 2014, la cual provocó que los agricultores arrancaran seis millones de árboles de esta fruta en respuesta.
"Esta es una situación injusta", explicó Ronald Bown, Presidente de la Asociación de Exportadores de Frutas de Chile AG (ASOEX). "Queremos informar claramente a nuestros importadores, vendedores y consumidores; darles información clara sobre esta situación y hacerles saber cuáles son los hechos".

Bown y un grupo de productores y exportadores acusan a The Guardian de difundir información incorrecta sobre la producción de paltas en su artículo.

El productor de paltas de Petorca, José Luis Oyanadel, precisó que "la situación descrita es lo opuesto a lo que realmente está sucediendo en Petorca, que ha sido una de las zonas más afectadas por la sequía en el país, y donde hemos dado prioridad al agua potable para los habitantes locales".

Alfonso Ríos, Presidente de Agropetorca, comentó que las tuberías ilegales fueron cerradas hace mucho tiempo, y que Chile estaba lleno de ellas. "Puedes llamar a los residentes de Petorca y yo te pagaré si encuentras a alguien sin agua corriendo de su grifo", agregó.

Con respecto a los informes de amenazas de muerte contra personas que hablan en contra de los productores de paltas, Francisco Contardo Sfeir, gerente general del Comité de Palta Hass de Chile, precisó que no han tenido ninguna queja oficial al respecto.

"The Guardian cita un informe de derechos humanos que no hace referencia a Chile. No hay ningún agricultor o compañía que nos haya demandado, no existe ninguna demanda formal sobre amenazas. Se ha hecho mucho ruido con esto, pero en lo concreto es que no hay ningún hecho que pueda demostrarse. No tenemos nada que lo pruebe", señala Contardo.

Contardo Sfeir también desestimó las afirmaciones sobre que las paltas requerirían 1.000 litros de agua por kilo producido, destacando que solo necesitan 389 litros.

Asimismo, Bown explicó que Petorca es una región agrícola, por lo que la campaña "difamatoria" afectará de manera especial a pequeños y medianos productores.
"Cualquier atención negativa solo tendrá un efecto adverso en los pequeños productores de Chile. Va a tener un efecto humano en los pequeños productores de fruta, y es por eso que estamos aquí en contra de este injusto retrato de nuestro negocio. No entendemos esta representación", añadió.

El Presidente de ASOEX, finalmente indicó que los productores están sujetos a varios organismos reguladores, incluida Rainforest Alliance. En tanto, el British Retail Consortium señaló que investigaría las afirmaciones hechas en el informe, al igual que el minorista Lidl.
“Hay que ser muy desleal”: Ministro de Agricultura disparó contra Modatima por denunciar crisis del agua de Petorca en el extranjero

El titular de Agricultura cuestionó las denuncias realizadas por Modatima en el extranjero, sobre la situación que ha provocado la industria de la palta en Petorca: "La ropa sucia se lava en casa", cuestionó.

Hace algunos meses, medios extranjeros de gran prestigio replicaron las acusaciones realizadas por activistas de la ONG Modatima sobre la situación del agua en la provincia de Petorca. Durante años, sus miembros se han encargado de denunciar que la industria de la palta en la zona ha provocado sequías y una situación que cada día es más alarmante para la población, ante el robo de agua y el saqueo del recurso natural que garantiza la propia ley heredada de la dictadura.

La cobertura alarmó a los empresarios de Petorca, quienes realizaron una gira aclaratoria en Europa para evitar las repercusiones que las denuncias podrían causar en el viejo continente. Una comitiva de cinco empresarios visitó cuatro países y luego se reunió con el
ministro de Agricultura Antonio Walker, quien señaló que “aquí más que una escasez hídrica, ha habido una escasez de diálogo”.

Para el secretario de Estado, la mejor forma de zanjar los problemas hídricos que afectan a la provincia y han despertado el conflicto medioambiental, es la formación de una mesa de trabajo que contemple a todos los actores de Petorca. En su opinión, en la zona existe suficiente agua para abastecer a la comunidad y regar los múltiples cultivos de palta y el problema está solo en la distribución del recurso.

El ministro Walker convocó a Ronald Bown, presidente de la Asociación de Exportadores de Frutas de Chile (Asoex), al gerente general del Comité de Palta Hass de Chile, Francisco Contardo, y al presidente de la Asociación de Agricultores de la Providencia de Petorca (Agropetorca), Alfonso Ríos, a una reunión privada con el objetivo de “ordenar la casa”.

En el encuentro realizado el pasado sábado, el Gobierno llamó a los mismos usuarios del agua a administrar el recurso hídrico del lugar, enfatizando la necesidad de organizarse en asociaciones de usuarios y juntas de vigilancia.

“Como presidente de Agropetorca, me siento culpable en parte de no haber sido más duro e insistente en la creación de esta estructura productiva. En eso (Walker) tiene toda la razón y hay que hacerlo”, sostuvo Alfonso Ríos, quien propuso formas mesas de diálogo con actores públicos y privados, autoridades, agricultores, comunidades y dirigentes provinciales.

Por su parte, Walker señaló que “el tema no debiera escalar porque yo no conozco otra provincia que haya hecho tan mal las cosas como Petorca. No me había tocado en mi experiencia como dirigente gremial, y hoy día como ministro de Agricultura, una provincia que no tuviera la estructura para administrar el agua”.
En picada contra Modatima: “La ropa sucia se lava en casa”

En su reunión, el ministro cuestionó la actitud de Modatima y aseguró que sus dirigentes se han aprovechado políticamente del tema, llevándolo fuera del país con el objetivo de conseguir estatizar el agua en Chile. “La ropa sucia se lava en casa”, recalcó.

“Hay que ser muy desleal con el país para salir a fuera de Chile a propagar que aquí no se hace agricultura sustentable. No por un lunar, un problema muy particular en una provincia muy chica, vamos a poner en duda la seriedad de la agricultura chilena”, señaló el secretario de Estado.

Pese a que Walker se mostró dispuesto a sumar a los activistas en eventuales mesas de trabajo, se quejó que “he hablado con todo el mundo, menos con Modatima”, culpándolos a ellos de negarse al diálogo.
“Los activistas están convidados a participar de la mesa. (Pero) ellos se restan, no les conviene conversar. Necesitan precariedad para llevar a cabo sus consignas”, añadió el presidente de Agropetorca, agregando que están cansados de que “se tiren acusaciones al boleo”.

Por último, el ministro de Agricultura le bajó el perfil a la preocupación por el futuro de la industria en la zona y aseguró que se trata de “un tema puntual. En Chile hemos hecho bien las cosas, por eso somos los principales exportadores de fruta fresca en el hemisferio sur”.

Según datos de la Dirección General de Aguas, en junio pasado se inició la primera etapa del Plan de Fiscalización en Petorca, donde se detectaron 27 irregularidades en 53 pozos de aguas con derechos temporales. Aunque aún no se han cursado infracciones, el proceso se encuentra en la fase de descargos por parte de los acusados.
8.3. Appendix 3: MODATIMA

julio 13, 2018 Modatima, Prensa, Zona Centro

El robo de agua en Petorca: ¿quién es el que realmente daña más al país?

El día lunes 25 de junio, la Revista Del Campo de El Mercurio publicó una nota denominada “Contraataque paltero”. Con este bélico titular se daba cuenta de una delegación de productores exportadores de palta, particularmente de la provincia de Petorca, que acompañados por el presidente de la Asociación de Exportadores de fruta (ASOEX), Ronald Bown, iniciaban una serie de acciones para contrarrestar lo que múltiples reportajes de Dinamarca, Alemania, Francia e Inglaterra habían relatado sobre la producción de paltas en la zona: una producción asociada al robo y la violación del derecho humano al agua.

¿En qué consistió este denominado contraataque? Pues bien, el gremio de grandes productores agrícolas de la provincia de Petorca hizo una serie de gestiones y lobby con servicios públicos, medios nacionales e internacionales, así como una gira por Europa para “limpiar su imagen”.

Primero comenzaron recurriendo a instancias gremiales, como la Asociación de Exportadores de frutas (ASOEX) y el Comité Palta Hass Chile, organización en la que uno de sus directores, es un exportador de paltas que ha sido acusado de usurpar agua en la comuna de Cabildo. Posteriormente, hicieron un par de llamadas y lograron sentarse con diferentes entidades de gobierno, entre ellos, la Dirección General de Aguas, ProChile, la Dirección General de Relaciones Económicas Internacionales y la Oficina de Estudios y Políticas Agrarias, organismos que -según propias declaraciones- les habrían entregado antecedentes para refutar los reportajes de los medios europeos.

Luego, agarraron sus maletas y dijeron: “Nos vamos a Europa”. Allí se reunieron con supermercadistas que amenazaron dejar de importar paltas provenientes de Petorca por estar asociadas a la usurpación del agua, y con los medios de prensa que realizaron los reportajes sobre dicho asunto. Lamentablemente para ellos, no recibieron respuestas favorables de la prensa, dado que -como en todo medio de comunicación serio- la investigación que dio pie a los reportajes tenía estándares rigurosos que transformaban las pruebas en hechos irrefutables.

Con todo, al regresar del viaje con las manos vacías, han realizado una serie de declaraciones en distintos medios de prensa, señalando que la producción local y las exportaciones de palta se verán seriamente afectadas por los “infundados” reportajes, responsabilizando a las organizaciones sociales que desde hace años hemos denunciado las injusticias, las desigualdades, la negligencia del Estado y el robo de agua de grandes empresas agrícolas en la zona. Es más, el sábado 7 de julio en CNN Chile, el presidente de los exportadores de Chile, Ronald Bown, temerariamente y sin tino alguno ha tildado de “antipais” a las organizaciones que defienden el derecho humano al agua, intentando instalar la
idea de que las y los ciudadanos que nos movilizamos y denunciamos ese robo debemos ser considerados fuera de la ley.

**Hechos sobre la mesa**

Revisemos algunos antecedentes que hemos puesto en la mesa durante los últimos años, que corroboran la responsabilidad inequívoca de los grandes empresarios productores de palta de la Provincia de Petorca en la privación de agua a las comunidades.

El río Petorca fue declarado en restricción el año 1997 (Res. DGA 216), lo que en la práctica significa que después de eso no se podían constituir nuevos derechos de agua, puesto que el consumo de la misma excedía la disponibilidad del acuífero. Sin embargo, estando plenamente vigente la restricción, la oficina de la V Región de la Dirección General de Aguas continuó entregando derechos de agua, equivalentes a 3.730 litros por segundo hasta el año 2016.

Del mismo modo, el río Ligua entró en restricción el año 2004 (Res. DGA 204) y también se continuó entregando derechos de agua por un caudal de 4.540 litros por segundo hasta el 2016. Es decir, el Estado y en particular la Dirección General de Aguas -dependiente del Ministerio de Obras Públicas- tiene una alta responsabilidad al haber entregado más derechos de aguas que los que realmente había disponible en los acuíferos Petorca y La Ligua.

El robo o usurpación de agua por parte de las grandes empresas agrícolas en la zona ha existido desde hace años. En abril de 2011 concurrimos con más de 400 campesinos de la provincia a un debate en la Cámara de Diputados sobre la reforma al Código de Aguas y, gracias a la presión que ejercimos acordes a los antecedentes en nuestro poder, se conformó una comisión investigadora para las extracciones ilegales de agua y áridos en los ríos del país. Concurrimos en dos ocasiones a prestar testimonio respecto de los antecedentes entregados el 25 de noviembre, cuando dicha instancia parlamentaria -presidida por la PPD, Adriana Muñoz- visitó la zona de Petorca, confirmando in situ las impropias prácticas de usurpación.

Ese mismo 2011, la Dirección General de Aguas mandató a la empresa Geosensing Ltda. para llevar adelante un trabajo titulado “Informe de identificación de aguas subterráneas y estructuras de derivación de aguas en la zona La Ligua- Petorca, mediante técnicas de teledetección aeroespacial”, que detectó la existencia de 65 drenes y 456 pozos.

El año 2013, la Universidad Diego Portales -en su informe anual de Derechos Humanos- destinó un capítulo especial (n° 7) a la situación del agua en Petorca y, en particular, relevó la violación de este derecho. Asimismo, a fines de ese año, el Instituto Nacional de Derechos Humanos también incluyó en su informe anual un capítulo sobre el derecho humano al agua, señalando a la provincia como un caso emblemático de violación de este derecho.

El 2014 nos reunimos con la entonces directora del INDH, Lorena Fries, a quien le solicitamos que la institución realizara una misión de observación, la que se llevó a cabo entre julio y octubre de ese año, y el informe que se elaboró de eso señaló que la privación de agua hacia las comunidades se
encontraba directamente relacionada con la industria extractiva agroexportadora (Informe INDH: Falta de agua en Petorca no sólo es causa de la sequía sino por sobre explotación empresarial).

Recientemente, en junio, el subsecretario de Obras Públicas, Lucas Palacios, y más de 20 ministros de fe realizaron una fiscalización en la caja de los ríos de la zona, confirmando la extracción irregular de aguas (fuente: el mercurio de Valparaíso, 20 de junio del 2018). Y semanas después, el 5 de julio, el INDH de la V Región realizó una nueva misión de observación, confirmando nuevamente la usurpación de aguas.

Cuatro días después, la Dirección General de Aguas señaló que de 53 pozos fiscalizados en la provincia existen 27 con “presuntas irregularidades” y agregó que, de confirmarse la extracción ilegal de aguas, los responsables arriesgan multas de hasta 1.000 UTM.

Los reportajes de Weltspiegel, Danwatch y The Guardian reflejan y confirman lo que por años venimos denunciando: la sobreexplotación y el robo de agua en la provincia de Petorca están extensamente evidenciados e íntimamente vinculados a un grupo particular de grandes productores de paltas, siendo ellos la cara visible de la impunidad en los ríos.

¿Acaso el señor Bown ha tomado en cuenta estos antecedentes para preguntarse quién daña al país? Lo invitamos a elevar la discusión y poner la preocupación no solo en las ganancias que genera este negocio, sino en la dimensión ética de la producción agrícola y del derecho humano al agua.