

The serious setbacks of the Bolsonaro government in indigenist policies in Brazil

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Since the military dictatorship (1964-1985), the Brazilian government has adopted development policies that include the installing of infrastructure projects in the Amazon region - highways, hydroelectric power plants and mining - to encourage the accelerated construction of development projects by mega corporations, with the systematic disrespect for indigenous rights (DAVIS, 1977). Since the Federal Constitution of 1988, the demarcation of Indigenous Lands, fundamental to ensure the rights of indigenous peoples over their territories which constitute their main source of physical and cultural survival, has been the scene of political disputes with growing attacks by the ruralist block in the National Congress.

The indigenous population of Brazil, after reaching a low point in history of about sixty-eight thousand individuals in the mid-1950s (RIBEIRO, 1979: 431), the indigenous peoples reached a population of 896,917 in 2010 (IBGE Census 2010), of which 324,834 live in urban areas and 572,083 in rural areas, accounting for approximately 0.47% of the total population of Brazil. Currently the indigenous population has been estimated at about one million persons by indigenous leaders of national projection.

Since 2000, an alliance in the National Congress between the ruralist block, evangelical and mining groups, made up of parliamentarians from different parties, have articulated their efforts to weaken the rights of indigenous and quilombola peoples guaranteed in the Federal Constitution of 1988, through a series of legislative proposals - Proposals for Amendment to the Constitution (PEC), Complementary Law Projects (PLP), Law Projects (PL), Ordinances and Decrees - by the ruralist lobby in the National Congress that calls itself the Frente Parlamentar da Agropecuária - Parliamentary Front of Agriculture (FPA). The Proposal for Amendment to the Constitution - PEC 215/2000, which proposes to remove from the Executive Branch the attribute of demarcating Indigenous Lands, and pass it to the Legislative Branch,

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the National Congress, presents one of the main threats. The Complementary Law Project (PLP) 227/2012, intends to legalize invasions on Indigenous Lands, including large projects of hydroelectric power plants, mining, timber extraction and agriculture. Ordinance 303/2012 interprets the 19 determinants established by the Federal Supreme Court (STF) in the trial of the Indigenous Land Raposa Serra do Sol in 2009 as binding on all Indigenous Lands in Brazil and proposes that demarcations already completed should be reviewed. The Draft Law (PL) 1610/1996 encourages mining on Indigenous Lands, without taking into consideration the right of consultation of the affected populations. The Proposals for Amendment to the Constitution PEC 237/2013 proposes to legalize the takeover of Indigenous Lands by rural producers through concession. Ordinance 419/2011 proposes very short deadlines for the National Indian Foundation (FUNAI) and other bodies to prepare reports on environmental licensing processes, with the objective of accelerating the issue of licenses for infrastructure works on Indigenous Lands. The Decree 7957/2013 proposes the creation of an Environmental Operations Company of the National Public Security Force to repress actions of indigenous peoples and traditional communities that oppose ventures in their territories. The Proposal for Constitutional Amendment PEC 215/2000, proposes to transfer to the National Congress the competence to demarcate lands traditionally occupied by Indigenous peoples, quilombolas and lands destined to conservation units, however, faced a great deal of resistance.

With the election of President Jair Bolsonaro's far right-wing government, closely allied to agricultural business and large-scale development projects, the rights of indigenous peoples are further threatened, with statements by the president which favour the expropriation and invasion of indigenous territories by private companies which have interests in exploiting natural resources on their lands. Before taking office, the then presidential candidate, Bolsonaro, declared on April 3, 2017 at the Hebrew Club in Rio de Janeiro that "He will not have a centimeter demarcated for indigenous or for quilombola lands" and has been supporting a discourse about integration that has already been surpassed 31 years ago by the Federal Constitution of 1988.

On taking office on January 1, 2019, attempts by the Bolsonaro government have been to dismantle the National Indian Foundation (FUNAI) through the Provisional Measure (MP) no. 870, a new strategy of the Parliamentary Front of Agriculture to replace the (PEC 215), transferring the responsibility for demarcating Indigenous Lands to the Ministry of Agriculture, Livestock and Supplies, and thus handing over the process of land demarcation to the ruralist block in Congress, along with other attacks against indigenous rights. At the same time the National Indian Foundation (FUNAI) was dismantled and subordinated to the Ministry of the

Family, Women and Human Rights, and no longer to the Ministry of Justice, as it has been since 1991. However, on May 28, 2019, through a decision of the Brazilian Congress, the National Indian Foundation (FUNAI) was restored to the Ministry of Justice due to pressure from the Articulation of the Indigenous Peoples of Brazil (APIB) along with other allies in defense of indigenous rights. Meanwhile, the responsibility for demarcation was transferred yet again to the Ministry of Agriculture by President Bolsonaro, in defiance of the decision of the Congress, by means of a new Provisional Measure MP no. 886 on June 18, 2019 published in the Official Gazette on the 19th June, in another attempt to reverse the process of demarcation of Indigenous Lands and quilombolas through passing the responsibility for the demarcation of lands to the ruralist Luiz Antônio Nabhan Garcia, Secretary of Land Affairs of the Ministry of Agriculture. On 06/24/2019, the Federal Supreme Court (STF) Minister, Luís Roberto Barroso, suspended the section of the Provisional Measure of the Bolsonaro government that transferred the demarcation of indigenous lands to the jurisdiction of the Ministry of Agriculture, through accepting actions moved by the political parties, Rede Sustentabilidade (Sustainability Network), the Workers' Party (PT) and the Partido Democrático Trabalhista (PDT). On 25 June, the presidente of Congress and the Senate announced that he will return to the presidente of the republic the section of the MP 886/2019, so that it will not be analysed by the Chamber of Deputies nor by the Senate. The decision over who will be responsible for the demarcation of Indigenous Lands rests with the president of the STF, Dias Toffoli on 1st August 2019.

Since he he took office, president Bolsonaro has paralised more than 230 processes of demarcation of Indigenous Lands that are in progress, in different stages, in which live more than 120 thousand Indigenous people. A survey conducted by the organization of Brazilian civil society Socio-Environmental Institute (Instituto Socioambiental - ISA) with the National Indian Foundation (FUNAI), in early 2019, revealed at least 40 large-scale development projects planned to invade these indigenous lands, including projects such as the Tapajós hydroelectric dams in Pará State, and the construction of the electric high-power transmission line between the cities of Manaus and Boa Vista, cutting through the middle of the Waimiri-Atroari Indigenous Land in the states of Amazonas and Roraima. The Waimiri-Atroari people are under pressure by the Eletronorte Company, which administrates their Indigenous Land since 1987 through an indigenist programme run by an organization within the Eletronorte company created to compensate the flooding of a vast extension of their traditional territory by the Balbina Hydroelectric Dam, to accept the construction of the transmission line linking

Manaus to Boa Vista, which will cut through more than 125 km of indigenous land with the deployment of 250 transmission towers.

Government measures aimed at accelerating economic growth with increased production of soybeans and mineral extraction are seen by indigenous peoples, quilombolas and other traditional communities as threats to their traditional lands. To give an example, in the state of Roraima, presented by the agricultural business sector as the new expansion front for Brazil, in 2019 the forecast of the soybean harvest is 130 thousand tons, an increase from 120 thousand tons in the harvest of 2018, compared to 75 thousand tons harvested in 2016. The area to be cultivated is "40 thousand hectares of soy beans and 15 thousand of corn, an increase of 50%" compared to 2018.

During the transition period, President Bolsonaro announced the abolition of the Ministry of Culture, Labor and the dismantling of the Ministry of Education's Secretariat for Continuing Education, Literacy, Diversity and Inclusion (Secadi), whose objective was to ensure the right to education with quality and equity, having public educational policies focused on social inclusion. Another goal of the Bolsonaro government is the deregulation and dismantling of environmental policies in Brazil. The changes introduced by the current government aim at changes in the composition of environmental agencies, mining, bringing disastrous social effects with the dismantling of environmental policy on territories and populations, changes in the environmental licensing procedure to facilitate the construction of large-scale development projects on indigenous lands, favoring the nefarious socio-environmental impacts of large-scale hydroelectric dams such as Belo Monte, the accelerated expansion of the agricultural and cattle-raising frontier and agricultural business, and the criminalization of social movements in the countryside.

The government threatened to withdraw Brazil from Convention 169 of the International Labor Organization (ILO), in order to further weaken the rights of indigenous peoples and quilombolas by eliminating the possibility of them resorting to this international legislation. Convention 169 (1989), adopted by the Brazilian government on June 19, 2002 and in force since 2003, is the principal international instrument guaranteeing the right of indigenous peoples to be consulted in a free, prior and informed manner, before any decisions are taken which may affect their lands or rights such as the implementation of large-scale development projects on indigenous lands. The government has threatened to abolish the Special Secretariat of Indigenous Health (SESAI), which has 34 special indigenous health districts, aimed at working with local communities and meeting their specific and differentiated needs.

In addition to removing powers from FUNAI, the Palmares Foundation and the National Institute for Colonization and Agrarian Reform (INCRA), with the definition of powers to demarcate indigenous lands and quilombolas passed on to the Ministry of Agriculture, the government extinguished in the Ministry of Environment, the department responsible for conducting policies to prevent and control deforestation in the Amazon and other biomes, with an immediate increase in deforestation, as well as several measures that subordinate the socio-environmental agenda to the economic agenda. The dismantling of the state by the Bolsonaro government also benefits the release of many pesticides which have been banned in several countries around the world, as well as liberating arms and incentivating land-owners to use them.

To combat the campaign of violence of the present government against indigenous peoples, on 4 April 2019, the Congress launched the Joint Parliamentary Front in Defense of the Rights of Indigenous Peoples, coordinated by the deputy Joênia Wapichana, of the REDE political party, for Roraima, the first indigenous woman federal deputy in the history of Brazil. The Front is made up of 219 deputies and 29 senators, with the objective of guaranteeing space in the National Congress to debate the principal demands of indigenous peoples and to oppose the serious setbacks and attacks which indigenous people are suffering, aiming to protect their constitutional rights and consolidate indigenist policies. At the same time indigenous organizations such as the APIB are making strategies to fight back.

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