

# The Original Protectors Cast Away: The Shift in Attitude Against Brazil's Indigenous Population

## Abstract

The Indigenous population located in Brazil's portion of the Amazon rainforest has been fighting for their land rights since the beginning of colonialization in 1500. The fight for land rights peaked in 1988 with an amendment to Brazil's Constitution. Between 1988 and 2007, Indigenous Brazilians were alone in their fight for rights until the 2007 U.N. Declaration on the Rights of Indigenous Peoples. This paper will examine the shift in attitude towards Indigenous peoples since the U.N.'s Declaration. The attitude toward Indigenous peoples and the rights to their land is important to study as it can be used to help understand how cultural genocide is continuing today. The shift is examined from the perspectives of Indigenous peoples, non-Indigenous actors, and governmental actors. It is clear when looking at this shift, a pattern of increased aggression was shown toward Indigenous peoples.

## Introduction

According to the United Nations, there is estimated to be around 370 million Indigenous peoples in the world spread across 70 countries. An Indigenous person is a "person who is a descendant...of those who inhabited a country or a geographical region at the time when people of different cultures or ethnic origins arrived." (Masaquiza, 2019). In 2007, the General Assembly of the U.N. adopted a resolution called the "United Nations Declaration on the Rights of Indigenous Peoples." This resolution is an extension on the U.N.'s Universal Declaration of

Human Rights but specific to the rights of Indigenous peoples and their land. Land rights of Indigenous peoples have been at contention since the beginning of colonialization. The colonialization of Brazil started in 1500 by the Portuguese. Since then, the Brazilian's land has been seized from them for their natural resources.

The fight for land rights has been an ongoing one without an end in sight. After the adoption of the Declaration on the Rights of Indigenous Peoples, the battle for land rights became more prominent across the world. The question this research will address is how the attitudes toward Indigenous land rights in the Brazilian Amazon Rainforest have shifted since the adoption of this resolution. When reviewing the literature, it has been noted that the attitudes toward Indigenous lands rights are different, all based on structurally different arguments. These attitudes will be examined based on the timeline of the politics surrounding Indigenous Brazilian's land rights. As the rights have been gained or further diminished, it is essential to see how the general attitude has changed.

## Literature Review

The fight for land rights has been an ongoing struggle for Indigenous Brazilians. Anthony Stocks, in his article *Too Much for Too Few: Problems of Indigenous Land Rights in Latin America*, addresses the struggles of Indigenous peoples obtaining rights after the 1988 change to the constitution. The constitution was changed to reflect a more modern and more pro-Indigenous stance. Similar to the struggles that Native Americans in the United States face, Indigenous Brazilian's lands were held in trust by their government. This means that the Indigenous groups in Brazil are able to establish government and own rights to the land, but ultimately it is up to the federal government to make the decisions when it comes to how the physical land is used. The change to Brazil's constitution recognized the Indigenous peoples' natural rights to the land as the original owners, and that their natural rights took precedence over other Brazilian's claims. This step to change the constitution was one step forward, but the events afterward were two steps back.

In 1991, the President made a decree to declare that the demarcation (determining which lands belonged to the Indigenous peoples versus which belonged to Brazil) would be finished by 1993. This promise was not kept. Instead, individuals and private enterprises fought the legality of the boundary. Five hundred and fifty nine Indigenous areas had been identified in total. Of those lands, 344 were open to contention. Between 1991 and 1993, 229 Indigenous lands had been registered, but between 1993 and 2004, only 89 more were added. At the time of publication, 50 of those sites were up for contention (Stocks, 2005, pp. 87-88)

The fight for land rights did not start or stop here, but this article was able to show the critical argument against Indigenous land rights: land use for profit. The natural resources on Indigenous lands are valuable for corporate enterprises. The land, however, has value that cannot be defined monetarily. Timo Goeschl and Danilo Camargo Iglioni's *Property Rights for Biodiversity Conservation and Development: Extractive Reserves in the Brazilian Amazon* discusses how much biodiversity is in the Amazon rainforest and how Indigenous communities have been successfully managing the lands for centuries. This article praises the work of the Indigenous peoples but also analyzes the economic structure surrounding property rights. These systems are referred to as "...co-managed systems' that combine features of private, communal and public property rights..." (Goeschl & Camargo Iglioni, 2006, p. 430).

It becomes clear that the authors of this study are not Indigenous, nor do they understand Indigenous ways of life. Economics and "competitive market economies" (Goeschl & Camargo Iglioni, 2006, p. 432) are not relevant to the Indigenous peoples; they are concerned about being able to protect the land that rightfully belongs to them. The authors acknowledge the Indigenous peoples' rights to the land, but advocates for state ownership. The co-management system the authors develop involves the government, communities, and individuals. This arrangement is directly comparable to the trust land examined in the previous article, but in this system, *the land* is referred to as 'reserves.' Communities would be able to give their input in how they would like the land to be used and are able to negotiate with the government on the construction and management of education and health facilities. Privately owned land that is located inside of these reserves is exempt from government regulation. This article was published in 2006, just before the 2007 United Nations resolution had passed. The

system that is being referred to is remarkably similar to that that Brazil had in place before the change to their Constitution in 1988.

Between 1988 and 2007, there is a comparable difference seen in how Indigenous peoples are treated in regards to their land rights. The Indigenous peoples are continuously acknowledged for being the original keepers of the land in meetings and in documents, but they are continually denied their rights to the land. The rights of land that are being discussed are the rights of ownership to their land. When the government has ownership over lands, they are allowed to do with it what they see fit. The Indigenous peoples, as the original owners of the land, have the right to the ownership of their land and have the right to use the land as they see fit. The Indigenous peoples want the rights to their land in order to protect it from exploitation.

Attitudes toward Indigenous land rights in the Brazilian Amazon changed following the 2007 U.N. Declaration on the Rights of Indigenous Peoples. Multiple perspectives and multiple stakeholders hold differing attitudes regarding the disposition of the regions where the Indigenous peoples live. These include Indigenous peoples' attitudes regarding land rights, non-Indigenous peoples' attitudes regarding those lands, and the language used by government officials when addressing indigenous land rights. The interests of each of these groups are all essential and all-encompassing when looking at the why and the how of this issue. Who influenced whom? How influential were the Indigenous voices? What was the perception of Indigenous peoples after the Declaration? All of these questions will be addressed in the case presentation, analysis, and discussion of findings.

## Case Presentation, Analysis, and Discussion of Findings

When examining how the general attitude of Indigenous land rights have changed for those in the Brazilian Amazon since the 2007 United Nations Declaration of the Rights of Indigenous Peoples, one has to examine how the Indigenous peoples' attitudes had changed as well. Omaira Bolaños, in his article *Redefining identities, redefining landscapes: indigenous identity and land rights struggles in the Brazilian Amazon* (Bolanos, 2011) , examines how non-Indigenous peoples view the struggles that Indigenous peoples face as well as the impact that Portuguese's colonialization continues to define perceptions of various cultural identities.

Indigenous peoples are descendants of those who were the first owners of the land before colonialization. That is the only qualification to be Indigenous. Bolaños' study focuses on the people from the lower Tapajos-Arapuins region. The Indigenous peoples in this region are usually referred to as *caboclo*, meaning that they are a mix of Indigenous and another race, most commonly people of Portuguese (the colonizers of the land) and African (slaves brought over during colonialization) descent. In the traditional stories of the Indigenous peoples, *caboclo* people are generally the antagonists of the stories. The marginalization of these people has made them invisible within society. In 1997 when the Indigenous peoples in the Tapajos-Arapuins region started mobilizing, their lands were being demarcated, but not appropriately allocated.

Bolaños said that the sacred ties to the land and the ancestral territories are what have kept the fight alive for Indigenous peoples. For the Indigenous peoples, preserving their cultural identity alive motivates them to continue to struggle for their rights. The visibility

of Indigenous peoples in the general population decreased as their culture was taken from them. Assimilation into a colonizer's culture is an act of cultural genocide meant to dehumanize and extinguish Indigenous peoples. These struggles are similar to those that Native Americans in North America have and continue to face. Prejudicial attitudes towards the indigenous have persisted. As late as 1993, General Euclides Figueiredo, in *Folha de São Paulo*, August 21, 1993 stated that "There is no intelligence at all, they are like animals that are born and reproduce. The Indians do not walk around naked because they want, but because they do not have clothes. If they receive a good machete, they abandon their arrows."

After Brazil's Constitution changed in 1988, Indigenous peoples were able to begin reestablishing their cultures and regained rights to their lands, at least for a period of time. Please refer to Table 1 below, which illustrates the changes over time in the political policies of the government with regard to the Indigenous tribes. The acknowledgement of the right to their lands allowed the Indigenous peoples to practice their cultural and spiritual heritage without fear on the lands that belonged to their ancestors. The right to their land also meant that they were in control of what happened to the resources on their land; they were not extracted for profit but instead, the resources were all in possession of their rightful owners. Excitement gained momentum across Indigenous communities as a revival of their cultures began. Those with mixed identities were able to embrace their cultures and became activists within the movement. Their voices were being heard for the first time, so they spoke loud enough for everyone to hear. They spoke of their traditions, their values, and their rights as the first protectors of the land. Their voices were so loud that they created the first steps in today's

modern movement. But their voices could only become so loud before they became drowned out.

Table 1 Timeline of Brazilian Government Policies Towards Indigenous Tribes



The issues at stake are sovereignty, human rights, and economic development. In 2005, the United Nation created the concept of “reducing emissions from deforestation and forest



degradation” REDD (Institute, 2014). The trees account for approximately 25% of the carbon dioxide emissions absorbed in the Amazon rainforest. Clearing these trees causes the previously absorbed carbon dioxide to be released back into the atmosphere (Dunne, 2018). While the rates of deforestation have dropped, the amount of emissions remains high. The focus of REDD is to use positive incentives and practical approaches to reduce emissions from deforestation and to promote conservation of existing forests and sustainable forest management. In 2009, the United Nations discuss how REDD could play a part in Brazil. The Ministry of Environment called for Brazil to take more action in managing the preservation of the Amazon. The Brazilian Ministry of Foreign Affairs, on the other hand, called for a more hands-off approach, as they were concerned about the sovereignty of the Indigenous peoples. The UN remained split on the issue, so non-governmental organizations started to raise flags. NGOs were the ones to question the “market-oriented approach proposed for the REDD program and argued instead for comprehensive land reform in the country...” (Zhour, 2010). The REDD program did not advocate for a reduction in deforestation efforts, rather a more environmentally friendly way of doing so.

While the government argued about the sovereignty of the Indigenous peoples, the Indigenous peoples were worried about the destruction of their land. The Indigenous peoples have seen the changes in their land; rivers running dry, extreme heat waves, animals disappearing as their homes are destroyed. Indigenous peoples say that “Deforesting was one of the greatest catastrophes that happened in our territory.” (Pyanko, 2019) As they saw their homelands being destroyed, they knew that their options were limited. The rights that the Indigenous peoples have to their land do not give the adequate protection that would allow

them to conserve their land from deforestation. Land is sacred; when land is taken away, the cultural surrounding the land is destroyed as well. The Indigenous peoples could only watch as part of their cultural heritage burned in front of them.

Around the same time, Brazil's military leaders held a meeting at the capital, raising their own concerns about the sovereignty of Indigenous peoples. They, however, were concerned that the tribes were getting in the way of the military's role as "guardians of national values and interests and, ultimately, as opinion makers within Brazilian society" (cite). These sentiments are echoed by government officials. They view the return of indigenous land rights as a threat to state sovereignty. The market-based economic system is the most significant factor stakeholders are focused on versus Indigenous rights.

Indigenous land protectors have become the target for illegal loggers. The Indigenous forest guard, Guardians of the Forest, formed in 2012 to protect the rainforest from loggers that poach from their land. There have been numerous reports of murders of these guardians in recent years. Between 1985 and 2017, there were a reported 157 land conflict killings in Brazil's Maranhao state. Out of those cases, only five went to court (Cowie, 2019). In December of 2019, two Indigenous leaders were killed and two others were wounded in an attack by gunman in a drive-by shooting. The leaders were on their way home from a meeting where the group had advocated for their rights to Eletronorte, a Brazilian utility company. Indigenous peoples have been facing escalated amount of violence under the regime of Jair Bolsonaro, the president who had promised to reduce tribal rights and encouraged the commercial exploitation of their protected lands (Agencies, 2019).

As one looks at the approach that government entities have taken throughout this long fight for Indigenous rights, it is interesting to note the language used. Multiple press releases from the European Union have mentioned “discussions” with the Indigenous peoples of Brazil. These discussions have been focused on “promoting and improving human rights, domestically and at international level, on the basis of their common views and shared values” (Brussels, 2019). It is apparent that all these conversations have been discussions, with no planning, no calls for actions, and no ideas on how to improve these situations. Instead, all that is being talked about is the fact that human rights are being violated and more needs to be done to counteract those threats. Indigenous leaders have been calling for the EU to stop trading with Brazil following the actions made against their communities. Signing these deals “would be turning a blind eye to what is happening in Brazil. It could be institutionalizing genocide,” (Teixeria, 2019). Governments and NGOs across the world have been siding with the Indigenous peoples on this matter. As of now, there has not been a response from the EU on how they will handle trade with Brazil.

One thing is blatantly obvious when comparing all of these points of view: the only people who care about the continuation of Indigenous peoples are Indigenous peoples. Indigenous peoples continue to be seen as a threat to market-style economic systems and profit. The tribes’ struggle for renewal of their cultural heritage are, and continue to be, counteracted by outside forces intend on turning a profit.

The 2007 U.N. Declaration on the Rights of Indigenous Peoples, it became even more apparent that the Indigenous peoples of Brazil’s Amazon rainforest were, indeed, the biggest threat to making a profit. By establishing these rights as fundamental, non-Indigenous actors worked

harder to unravel these rights by dehumanizing these peoples and their connection to their land.

The accumulation of all of these factors can be seen in the Brazilian President's response to the fires intentionally set throughout the Amazon in 2019. On August 1<sup>st</sup>, 2019, President Bolsonaro fired the director of Brazil's National Institute for Space Research, Richard Galvão, who wanted to continue to use satellite imaging to collect data about the fires. Bolsonaro then blamed "Marxists, environmentalists, and indigenous rights activists", (Blake, 2019) for lighting the fires in the first place. Bolsonaro kept making claims that they did not have the resources to fight the fires; thus there was nothing he could do. When offered \$20 million for fire-fighting, Bolsonaro rejected the money. Bolsonaro's administration has made clear that they view Indigenous peoples as a threat to economic development for the region. He has made a statement saying that "agribusiness and mining interests are more important than the protection of indigenous peoples."

It is clear, through the words and actions of President Bolsonaro, as well as the UN and the EU, that nothing is being done to help the Indigenous peoples. and their rights have continued to be diminished, especially after the establishment of Indigenous Rights in 2007.

## **Conclusion**

Examining the treatment and attitudes toward Indigenous peoples since the 1988 Constitution change, it can be seen there were small victories for the Indigenous peoples. They were able to practice their cultures, obtain an acknowledgment of their rights as the original protectors of the land, and were able to gain back the rights to some of their land. As time went

on, the rights set in place for the Indigenous peoples gradually became ignored. After the 2007 U.N. Declaration on the Rights of Indigenous Peoples, it was clear that Indigenous peoples then became a threat to profitability by obtaining rights that provided them human decency. While one would expect the attitude toward Indigenous peoples and their rights to sovereignty would have improved after the declaration, the research instead suggests the opposite and more aggression toward Indigenous peoples is observed.

If this attitude is kept up, it would not be surprising to see an eventual destruction of the Amazon's Indigenous peoples, as well as the rainforest . If the Indigenous peoples are not allowed to protect their land and instead, it is exploited for profit, the Amazon rainforest will be lost, contributing to the eventual genocide of the Indigenous peoples, as their cultural practices will continue to be taken away and the assimilation of their peoples will continue. By giving the Indigenous peoples of the Brazilian Amazon rainforest the rights to their land, the indigenous peoples will be able to heal both the land and themselves.

## Bibliography

- Agencies. (2019, 12 07). *Amazon indigenous leaders killed in Brazil drive by shooting*. Retrieved from The Guardian: <https://www.theguardian.com/world/2019/dec/08/amazon-indigenous-leaders-killed-in-brazil-drive-by-shooting>
- Blake, S. E. (2019, 12). *The amazon Rainforest under Threat*. Retrieved from Origins: <http://origins.osu.edu/article/amazon-rainforest-under-threat-Bolsonaro-fires-agrobusiness-indigenous-Brazil>
- Bolanos, O. (2011). Redefining identities, redefining landscapes: indigenous identity and land rights struggles in the Brazilian Amazon. *Journal of Cultural Geography*, 45-72.
- Brussels. (2019, 10 10). *The EU and Brazil held their 8th High Level Dialogue on Human Rights*. Retrieved from European Union External Action: [https://eeas.europa.eu/headquarters/headquarters-homepage/68713/eu-and-brazil-held-their-8th-high-level-dialogue-human-rights\\_en](https://eeas.europa.eu/headquarters/headquarters-homepage/68713/eu-and-brazil-held-their-8th-high-level-dialogue-human-rights_en)
- Cowie, S. (2019, 11 02). *Brazilian 'forest guardian' killed by illegal loggers in ambush*. Retrieved from The Guardian: <https://www.theguardian.com/world/2019/nov/02/brazilian-forest-guardian-killed-by-illegal-loggers-in-ambush>
- Dunne, D. (2018, 02 13). *Carbon emissions from Amazon wildfires could 'counteract' deforestation decline*. Retrieved from Carbon Brief: <https://www.carbonbrief.org/carbon-emissions-from-amazon-wildfires-could-counteract-deforestation>
- Goeschl, T., & Camargo Iglori, D. (2006). Property Rights for Biodiversity Conservation and Development: Extractive Reserves in the Brazilian Amazon. *Development and Change*, 427-451.
- Helena Dalli, C. (2020, 01 30). *Rights of indigenous peoples: Speech on behalf of HR/VP Borrell at the European Parliament plenary debate on the rights of indigenous peoples*. Retrieved from European Commission: <https://reliefweb.int/report/world/rights-indigenous-peoples-speech-behalf-hrvp-borrell-european-parliament-plenary-debate>
- Institute, E. F. (2014). *Introduction to REDD+*. Retrieved from EUREDD: <http://www.euredd.efi.int/documents/15552/154912/Introduction+to+REDD%2B/eaabc68f-9176-40b0-acf3-dd4e81e40aad>
- Masaquiza, M. (2019). *Secretariat of the Permanent Forum on Indigenous Issues*. United Nations.
- Pyanko, B. (2019, 09 13). *'It Is Our Very Government Who Are Killing the Earth.' A Brazilian Indigenous Leader Speaks Out On Deforestation in the Amazon*. Retrieved from TIME: <https://time.com/5676877/indigenous-leader-amazon-brazil/>
- Stocks, A. (2005). Too Much for Too Few: The Problems of Indigenous Land Rights in Latin America. *Annual Review of Anthropology*, 85-104.
- Teixeria, F. (2019, 11 04). *Indigenous leader pushes EU to block Brazil deal over native community deaths*. Retrieved from Thomson Reuters: <https://www.reuters.com/article/us-brazil-indigenous-guajajara-interview/indigenous-leader-pushes-eu-to-block-brazil-deal-over-native-community-deaths-idUSKBN1XE22V>

Zhourj, A. (2010). "Adverse Forces" in the Brazilian Amazon: Developmentalism Versus Environmentalism and Indigenous Rights. *The Journal of Environment & Development*, 252-273.