The Indigenous Struggle against Neoliberalism in Brazil

The Brazilian State’s Violation of Indigenous Human Rights in the Pursuit of a Neoliberal Agenda

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Executive Summary:

If you’ve heard about Brazil in the news over the last decade, you’ve probably heard some mention of its growing economy and entrance onto the world stage as a global economic power. Acronyms like BRIC, with B representing the up and coming Brazil! With the world fixating on Brazil’s economic achievements, a long tradition of turning a blind eye to the costs of achieving “economic success” is perpetuated for this nation. Much of the “development” and “growth” in Brazil’s economy has come at devastating costs to Brazil’s longest standing inhabitants and the environments which have sustained them for thousands of years; these inhabitants are the indigenous people of Brazil. The 2010 Census by the Brazilian Institute of Geography and Statistics, has recorded 305 different indigenous peoples totaling 896,917 persons, with the largest population of indigenous being the Yanomami of the states of Amazonas and Roraima consisting of 25,700 individuals.¹ The International Work Group for Indigenous Affairs 2015 Yearbook Report, Brazil, dictates that Dilma Rousseff’s second term in office as President has indigenous rights at its lowest since Brazil’s return to democracy, after the military dictatorship of 1964-1985.² Rousseff’s lack of respect for indigenous rights is attributed to her “developmentalist” outlook, her support of agribusiness, and large scale development projects such as hydroelectric dams and power plants being built to fuel “the growing economy”.³

² Ibid. p.180
³ Ibid. p. 180-183
The main governmental organization in Brazil for indigenous rights, The National Foundation for the Indigenous (FUNAI), has the primary function of demarcating lands for indigenous peoples. Yet with a constitutional amendment “PEC-215” being supported by the newly appointed Minister of Agriculture, Kátia Abreu, this main function of FUNAI is under threat; if it passes, it will obstruct the process of requests to demarcate land and the actual reinforcement of those demarcations. With FUNAI being “the only body with direct responsibility for promoting the rights of indigenous peoples” in the Brazilian government, it becomes clear that Brazil’s current government is diminishing an already fragile enforcement of indigenous rights in Brazil. As megadam projects like the Belo Monte hydroelectric plant in the Amazon are already underway, other indigenous lands are becoming the targets for such projects such as the Tapajos river region inhabited by the Munduruku people.

In both the cases of the Xingú peoples threat by the Belo Monte Dam construction and the Munduruku peoples threat by the Tapajó River Dam project, indigenous people are being met with state repression of their voices. For “Operation Tapajós” federal police and security forces are sent in to protect the government agents researching the Munduruku peoples Tapajós river region for construction of the dam, while the Xingú Vivo Movement leaders actions of protest against the Belo Monte Dam are deemed to be criminal offenses. Critically, there has been no consultation or democratic inclusion of the indigenous people inhabiting the areas affected by these projects (these dams will submerge thousands of acres of indigenous land once completed),

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4 Ibid. p. 182  
5 Ibid. p. 182  
6 Ibid. p. 182  
7 Ibid. p. 184  
8 Ibid. p. 184  
9 Ibid. p. 184
and these projects are in “flagrant violation of national legislation and international agreements on human rights and environmental protection.” With the current Brazilian State’s brazen disregard for the indigenous peoples’ rights to their land and security of person, there is significant evidence that resistance by indigenous people is being met with repressive military and police violence. The Indigenous Missionary Council (CIMI) released a report in July of 2014 detailing violence against indigenous peoples, citing a recent increase of 237% in physical and sexual assaults, injuries to persons, murders, attempted murders, and death threats; with police and military presences increasing in indigenous lands, it is hard to ignore the connection.11

A 2007 Brazilian Human Rights report, published in Portuguese, by the Relatório da Rede Social de Justiça e direitos Humanos (Social Justice Network and Human Rights Report), gives a shocking account of the violence against the Guarani-Kaiowá people in the state of Mato Grosso do Sul, describing it as a “Holocausto” (Holocaust) of indigenous people.12 The report states that assassinations, rape, physical violence, and attacks occur in the light of day with impunity, often against women, children, and the elderly, often at the hands of hired gunmen of the fazendeiros (large landholders).13 This report includes statistical data on other facets of daily life in which the Guarani-Kaiowá people experience the struggle for human dignity; it mentions high rates of suicides, depression, infant mortality, lack of adequate or basic medical care, and malnutrition as critical issues facing many of this indigenous population.14 Not only do they incur blatant violations against the security of person, but the Guarani and other indigenous

10 Ibid. p. 183-184
11 Ibid. p. 185
13 Ibid. p. 75
14 Ibid. p. 78-83
people across the nation suffer a regular struggle to meet basic needs under the threat of loss (of land or life, or both simultaneously), racism, and cultural persecutions. Much of it suffered in silence, as they fight to gain recognition of their plight.

Yet the Amazon as an entire region in South America still remains one of the most vulnerable areas for human rights as a rural region. In the eyes of the state (and international corporations and interests), it is an area extremely rich with natural resources, and with few and unimportant inhabitants easily moved, repressed, or silenced. The land of the Amazon is fodder for the beast that is a neoliberal growth economy, hungry for its Amazonian bounty. Neoliberal policies are not only enacted by the Brazilian government for economic gains in the Amazon; the Peruvian Amazon faces many of the same challenges as the Brazilian Amazon as its government violates indigenous rights for its own neoliberal agenda. Stefano Varese argues that the violence against the indigenous people of Peru is a natural consequence of neoliberal ideology, which requires an accumulation of capital, promoting the “pillaging”, “plunder”, dispossession, and ethnogenocide of the indigenous as cheap “internal colonies” to subjugate and exterminate for resource accumulation. Varese also refers to the long history of violence against the indigenous people of South America as a “holocaust of the original peoples of the Americas”, reflecting similar discourse to that of Brazil’s view on its colonial history of violence against its “original” people.

Jamie Way’s 2009 *Upside Down World* article on Neoliberalism in Peru focuses on the Peruvian Amazon as a battleground between indigenous populations and the ideological forces.

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16 Ibid. p. 131
of neoliberalism.\textsuperscript{17} Contrasting to the Brazilian Amazon, Peru’s Amazon is being sought for its oil, and as oil exploration and extraction threaten the indigenous inhabitants’ rights to their land, they find themselves up against the large and extremely powerful “big business” that is the transnational oil industry.\textsuperscript{18} For Peru, a lack of legal recognition means that they have little recourse or voice against the Peruvian governments neoliberal agenda to sell indigenous lands to petrochemical corporations for oil exploration.\textsuperscript{19} The strength in which governments are supported ideologically for their neoliberal agendas adds a layer of difficulty for the indigenous to gain recognition of their needs and fight for their lands. With nation-states forging ahead in their nationalistic endeavors, ideological justifications often lead to justifications for a repressive state apparatus to support “national interests”, and in the case of Peru and Brazil, the main targets of that repression are the indigenous people.

\textbf{Historical Context}

In order to view the current situation of Brazil with a comprehensive perspective, we must examine the historical factors which contributed to the present atmosphere of indigenous human rights. While the tale of violence against the indigenous people of Brazil can clearly be seen to begin with its colonial occupation, neoliberalism is a much more recent phenomenon, and one which has transnational origins and implications. Alfredo Saad Filho, a professor of political economy at the University of London, chronicles the change in governments from the military regime of 1964-1985, to Brazil’s current democracy (1985-present), citing the beginning of


\textsuperscript{18} Ibid.

\textsuperscript{19} Ibid.
neoliberalism in Brazil as beginning in 1990. President Fernando Enrique Cardoso (1995-1998, 1998-2002), began implementing neoliberal economic policies which continued through the following two presidencies of Luís Inácio Lula da Silva (2003-2006, 2007-2010), and Dilma Rousseff (2011-present). Like many countries in Latin America, Brazil’s military dictatorship reigned in the time of Latin American Cold War politics in the 1960s, 1970s, and 1980s, and declined as its repressive state apparatus lost traction in the tumult of its economic, political, and social failures at governing the nation. However, the end of the dictatorship was arrived at through a negotiation between the military and Brazil’s landed elite, in which elite privileges were maintained in order for political freedom to be reinstated. Shortly after the landed elite secured their political positions and their preservation of power, they promoted the neoliberal economic policies that opened up (and ensured dependency in the long term) of the Brazilian economy to foreign investment, trade, and technological infiltration, while simultaneously repressing and disintegrating the rights of the working class.

It is critical to understand the broader trajectory of Brazil’s political history in the latter half of the 20th century to see what contributed to the strength of neoliberal political ideologies and policies as a force behind current human rights violations against the indigenous peoples. An America’s Watch Report, “The Struggle for Land in Brazil: Rural Violence Continues”, continues to detail the human rights violations of Brazil’s in 1992, revealing the context of the

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21 Ibid.
22 Ibid.
23 Ibid.
24 Ibid.
early 90s as a point of historical comparison to today.\(^\text{25}\) The report catalogs the levels of violence in rural areas amongst the poor landless working class, and the indigenous people, who are targets for repression under the *fazendeiros* (large landholders).\(^\text{26}\) It states that,

“Brazil’s distribution of income is also extremely inequitable. In 1989 the wealthiest 20 percent of Brazil’s households accounted for 62.6 percent of the nation’s total household income while the bottom 20 percent accounted for 2.4 percent. That pattern of concentration of landownership in a small number of rich ands, a legacy of colonialism, has never been broken.”\(^\text{27}\)

Violence cited by CIMI reports that in 1991, twenty-seven indigenous people were assassinated with direct relations to *fazendeiros* invading indigenous lands, yet only two of those killings resulted in arrests of the responsible offenders.\(^\text{28}\) Impunity in relation to violence against indigenous peoples in the early 90s is recorded, and comparatively we can see that this impunity continues till today. In many ways, the rural areas of Brazil are the battle grounds for human rights, not only in Brazil, but in much of South American. Because of the richness of natural resources and climate, rural areas are a target for agribusiness and neoliberal development projects. Yet we can see that even in the early 90s, the state of human rights in rural areas, was incredibly fragile. With landholdings primarily in the hands of elites, the landless poor can be a source of violence against indigenous peoples as indigenous lands provide “squatter” opportunities to raise livestock or plant crops, and conflicts often arise in these invasive encounters.\(^\text{29}\) In cases where the indigenous peoples are assassinated by non-indigenous persons,


\(^{26}\) Ibid. p. 2

\(^{27}\) Ibid. p.2-3

\(^{28}\) Ibid. p. 2

if they do reach a jury trial, the jury is typically non-indigenous and their decisions often dismiss these non-indigenous offenders, illustrating blatant prejudices in the judicial system.\textsuperscript{30} 

The Inter-American Commission on Human Rights \textit{Report on the Situation of Human Rights in Brazil: Chapter VI} in 1997, discusses “Chapter VIII of the Brazilian Constitution of 1988” for its articles on indigenous rights.\textsuperscript{31} Articles 231 and 232 provide a broad range of rights to indigenous people, including rights to permanent residence of lands traditionally occupied, preservation of environmental resources, prohibition of removal of indigenous persons from their land, legal representation by the Federal Attorney General’s Office, and recognition as legitimate parties in the state.\textsuperscript{32} This report suggests serious advancements in the cause for indigenous rights and perhaps most critically that in the between the 1960s and 1990s, the indigenous people increased and diversified their political activity and voices in response to the repressive forces which sought to undermine their rights.\textsuperscript{33} The report attributes this success to the “growing political capability of the political organizations working on behalf of the Indians, but also the State’s genuine willingness to recognize those rights.”\textsuperscript{34} FUNAI, as an organization, is described in the report as the “technical organ” responsible for the administration of much of these rights, and principally in the process of demarcating indigenous lands.\textsuperscript{35} 

A contrasting picture is painted in the 1998 Amnesty International report on \textit{BRAZIL Human Rights Defenders: Protecting Human Rights for Everyone}, describing the violent attacks, threats, and murders of indigenous people over land rights by hired gunmen, loggers, and gold

\textsuperscript{30} Ibid.  
\textsuperscript{31} Ibid.  
\textsuperscript{32} Ibid.  
\textsuperscript{33} Ibid.  
\textsuperscript{34} Ibid.  
\textsuperscript{35} Ibid.
miners, and the dangers that human rights activists face when fighting the continued impunity of these perpetrators.\footnote{Amnesty International. “Upholding Indigenous Rights” \textit{Brazil: Human Rights Defenders: Protecting Human Rights for Everyone}. Print. April 1998. New York, NY. USA.} In 1983, an assassination by two gunmen of Marçal Tupa-Y Souza Guarani, the leader of the Guarani people in the state of Mato Grosso do Sul, occurred as he campaigned for official demarcation of the Kaiowá Reserve of Pirakua over a dispute with a local landowner.\footnote{Ibid.} Federal investigations of his murder did not begin till three years after his death, with pre-trial hearings happening six years after the murder, leading to critical evidence being lost during this waiting period.\footnote{Ibid.} As is the case in many places across the world, those fighting for human rights are often the targets of violent reprisals by the political forces which seek to violate those rights for their own interests.\footnote{Fischlin, Daniel, & Nandorfy, Martha. \textit{The Concise Guide to Global Human Rights}. Print. 2007. Black Rose Books: Canada.}

The “Hearing before the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs” on \textit{Indigenous Peoples and the Natural Environment of Brazil}, provides us with an inside look of the US acknowledgment of human rights abuses occurring in 1994.\footnote{\textit{6. Hearing before the Subcommittee on the Western Hemisphere of the Committee on Foreign Affairs, House of Representatives, One Hundred Third Congress, Second Session. “Indigenous Peoples and the Natural Environment of Brazil”}. Print. May 10th, 1994. US Government Printing Office.} The hearing calls together critical US foreign policy advisors, academic experts in Anthropology and Ethnobotany, indigenous leaders of the Guarani and Yanomami, and importantly, Luís Inácio Lula da Silva, who was a presidential candidate at the time of the Hearing. Statements are provided by these witnesses of the hearing that outline the most pressing concerns for Brazil’s indigenous populations. The entire hearing is a remarkable document, with transcripts and statements from many differing perspectives on the concerns towards Brazil’s natural resources,
environment, and its inextricable tie to indigenous rights. As Marta Guarani, Leader of the Guarani- Kaiowá Community of Jaguapire addresses the committee, she declares “One of the most gravest situations in the case of the Jaguapire on an area that is already homologated. Two hundred and sixty people live there and are still threatened with being expelled, and if this happens my people will commit suicide collectively.” Davi Kopenawa Yanomami, Shaman and Spokesperson for the Yanomami Nation, spoke to the committee, “We want to continue to live our lands, and without lands, we will die off. There is no life. You have to preserve our lands. You have to preserve our forests, our life.”

Perhaps the most intriguing aspect of the hearing, is that it provides the thoughts of then-presidential candidate Lula da Silva, as a point of comparison to what would then transpire from his presidency, into his hand-picked successor Dilma Rousseff’s office, and their offices’ respective actions towards the indigenous people. Lula da Silva expresses his thanks to the committee for its concern for the Amazon and its role to “humanity”, and acknowledges the “silent genocide’s economic causes and their role in environmental degradation in Brazil.” He expresses his desire to focus on the Amazon as being the location of the most pressing issues, both social, political, and economic, stating “the opening of the Amazon to the outside world – under the force of truly savage strategies – has caused the emergence of one of the most unequal societies known today based on the exploitation of natural resources.” A chilling statement to compare to the reality of today, with the deterioration of the situation in the Amazon for both Indigenous rights and environmental degradation having worsened in many respects since 1994.

41 Ibid. p. 29
42 Ibid. p. 28
43 Ibid. 51-53.
Moving ahead to the 20th century, we begin to see popular movements and mobilizations corresponding to continued social turmoil under democratic governments for maintaining elite interests in the face of shocking wealth inequalities and a lack of social justice throughout Brazil. One of these movements is the Movement of Landless Rural Laborers, or MST.\textsuperscript{44} One of the central claims by the movement is that the neoliberal policies put in place by President Fernando Henrique Cardoso’s office contributed to the impoverishment of Brazilian society while concentrating mass amounts of wealth into the hands of very few.\textsuperscript{45} The MST calls out for popular movements to fight these neoliberal policies which only preserve and prolong the history of unequal distributions of wealth, power, land tracing back to the 1500s with Brazil’s violent colonial past.\textsuperscript{46} It is difficult to deny the interconnections of the plight of the landless rural poor, indigenous populations, and the extreme power held by the wealthy elite of Brazil. In some ways we see the last two decades as a reckoning for the Brazilian people with their long history of social injustices through the unequal allocation of land, power, and wealth, and the failures of democracy to answer to these injustices.

**Case Analysis:**

In the words of Daniel Fischlin and Martha Nandorfy, “Human rights and environmental rights are indivisible.”\textsuperscript{47} The case of Brazil’s human rights violations against indigenous people highlights this inseparable tie of the environment as a necessary condition for the right to life and

\textsuperscript{45} Ibid.
\textsuperscript{46} Ibid.
security of persons being entirely dependent upon the right to their land.\textsuperscript{48} As Varese argues, resource pillaging in indigenous lands is a form of ethnogenocide for those who do not embrace the neoliberal ideology which require total resource accumulation at all costs.\textsuperscript{49} In the particular case of indigenous peoples in relation to neoliberal agendas, we see there is not only a battle over the human body, its physicality, and its natural environment and ecology, but also an ideological and cultural battle for what it means to be a citizen, to be democratically included, legally recognized, and to claim temporal and spatial boundaries in the nation-state framework. Indigenous resistance to neoliberal ideology has responded to this ideological battle with at times compromise, and others, a flat out refusal to give way to the modern forces of neoliberalism.

With “resource wars” supported by the neoliberal ideologies of The World Trade Organization (WTO), The International Monetary Fund (IMF), and the World Bank, nation-states like Brazil and Peru are truly at war with the indigenous people who chose to resist this mentality of development and growth.\textsuperscript{50} One of the greatest difficulties in this case of human rights abuses, is the pervasiveness of the neoliberal ideology throughout both the national and international discourse surrounding how indigenous life, land, and culture should be perceived in the context of the state. Even those who believe themselves to be supporting indigenous rights within the state apparatus, are often perpetuating the very ideology which subjugates and violates indigenous ways of life. Under the guise of “neoliberal multiculturalism”, a purported attempt at

\textsuperscript{48} Ibid.
respecting diverse ways of life in democratic societies, the embrace of “cultural and ethnic diversity” is used to control and subvert minority groups and their relations to mainstream society.\(^{51}\) Neoliberal multiculturalism as a “social project” ultimately aims to alter society to its ideology.\(^{52}\) Indigenous culture seeks to resist changes in their social structure, as these changes represents a rupture in the continuity of their culture, way of life, and interconnection to their ecosystem. In this way, indigenous people confront both physical and psychological affronts through neoliberal agendas.

In the indigenous struggle in Brazil, Peru and other regions of South America, the fight against neoliberalism is one that crosses temporal-spatial boundaries and pervades in the collective global psyche with its attitudes and ideologies towards a world order of power. In order for the indigenous voices of South America to be heard, the context of their struggle must become more transparent to the relevant actors and parties involved. Brazilian citizens as common inhabitants of the geopolitical region must act to understand the forces which propel their national agendas. Instead of a façade of democracy, citizens have to end the tale of political domination by the elites, and confront the realities of rampant corruption in their government, in order to realistically understand the needs of the nation. With political mobilization of the disenfranchised citizenry of Brazil, could bring an opening of dialogue for the rights of indigenous people in the main stream political arena.

Peter Storm reported in 2013 for the online journal roarmag.org, covering revolutionary movements across the globe, regarding the protests that were occurring during the World Cup in

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\(^{51}\) Aviles, Daniella Odette. “CHAPTER 2: “Neoliberal Multiculturalism” and the State” Indigenous rights in the Peruvian Amazon: A New Social Movement. Online. 2012. [http://escholarship.org/uc/item/7c54g6dx](http://escholarship.org/uc/item/7c54g6dx). p. 48

\(^{52}\) Ibid. p. 48
response to increased transportation fares, high inflation, and a general response to social injustices brought on by the World Cup.\textsuperscript{53} What Storm notes is that the protestors were predominantly university students protesting, instead of the “anarchists” that police and military proceeded to use liberal amounts of teargas and rubber bullets on to combat the movement.\textsuperscript{54} Yet as the title of the article suggests “In Brazil, a dual struggle against Neoliberalism”, this protest ended up taking on a dual meaning.\textsuperscript{55} That dual struggle was a connecting of the disenfranchised Brazilian citizenry and the indigenous plight. Storm states the commonality as “the same neoliberal monster that drives the prices of subway and bus tickets to unbearable heights is driving the indigenous people from their lands; marginalizing the poor in the \textit{favelas}; and keeping millions of young people out of university and out of work.”\textsuperscript{56}

In examining the state of indigenous rights in South America, we see a story mired in a long and complicated history of oppression rooted in a colonial past and perpetuated by several decades’ worth of neoliberal agendas from governments playing a charade of democracy. As both government officials, landed elites (and their hired hands), and even the landless poor commit acts of violence, murder, and ethnogenocide against indigenous people, impunity reigns in the legal proceedings against these offenders. While activism in the indigenous communities is strong, despite the gargantuan forces that seek to silence them, much of what we could hope for in their movement is that the Brazilian people push for social justice and the end of human rights abuses across all sectors of society. Government accountability for constitutional rights of

\textsuperscript{54}Ibid.
\textsuperscript{55}Ibid.
\textsuperscript{56}Ibid.
indigenous persons must be enforced, as well as being open to progression in the dialog of indigenous rights. While massive wealth inequalities and government corruption persist, it is sadly hard to see any alleviation of the situation. One critical way in which indigenous rights in Brazil challenges the current discourse on human rights, is that indigeneity seems to expand beyond traditional concepts of citizenry and state. It removes even more of the distinctions between the environment’s right to non-interference, and the indigenous peoples’ rights to non-interference through the exploitation and appropriation of their lands for economic gains. To recapitulate this critical idea, human rights cannot be separated from environmental rights. As long as we continue to divide the attention to the interconnectedness of these two issues, we fail to see the full extent to which violations against both, create the most egregious harms to our collective humanity.
Bibliography


