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CIMI, The Missionary Council for Indigenous Peoples

Indigenous resistance amid political reconfigurations, discourse, demands, and ultraconservative attacks

by Roberto Antonio Liebgott

| Brazil |

abstract

In response to the pronouncements and measures undertaken by members of the Brazilian federal government, whose mandate began in January 2019, and in solidarity with indigenous movements, the present article analyzes debates in the area of public policy. The article argues that anti-indigenous discourse proffered by authorities in contemporary Brazil is mobilized, in a special manner, in disputes over environmental, mineral, and territorial resources reserved for indigenous peoples in the constitution. The analysis shows that the meaning of land itself is in dispute — seen on one hand as a life resource, destined for indigenous ownership and under protection of the Union, and on the other, as a resource for agribusiness exploration and expansion, in the form of private property. This article will show, furthermore, the resurgence of an integrationist governmental discourse, common during the Brazilian dictatorial period, which envisions the dissolution of differences and the insertion of indigenous peoples into colonial, modern, and Western life. Indigenous peoples have resisted these historic offenses, defending respect for their ancestral ways of thinking and living.

In Brazil, since the onset of the government of Jair Bolsonaro, societal debates have proven intense, centered in an extremist vision established in the area of public administration, one based in the perspective of disqualifying politicians, decrying them as corrupt, leftists, reds, and communists. This poor and circular rhetoric — one that repeats the same arguments, presenting them as absolute truths — has been reflected in the attacks on institutions and public policies that promote the rights of indigenous peoples, of quilombolas, of Black populations, of feminist collectives, and of LGBTQI movements.

The citizen perspective, which has grown steadily in Brazil since the end of the military dictatorship, and which figured heavily into the composition of the Constitution of 1988, itself deemed a citizen's document, has been weakened. In its place, fundamentalism, especially religious fundamentalism, has risen, having structured itself and remained present in nearly all religious denominations and conceptions of society and State. These conceptions have merged with the perspective of a gutted system of public management, shameless and without ethical commitment. Bolsonaro, a political backbencher in the Brazilian party system, has shown himself capable of exercising the role of propagator of hate, of violence, and of politics without ethics. He has composed a government set upon legitimating antipopular reforms such as pension reform, tax reform, and others to come. He and his chosen openly defend arming the population. This has little to do with self-defense, and more to do with a cult of warlike aggression against the 'other': those that do not conform to imposed models, the homeless, the unemployed, the landless, the indigenous. Bolsonaro has structured a government that has slowly torn apart public higher education and academic and scientific research, that has taken on affirmative action and policies, adopting meritocracy and competition as indisputable values. This same government also works to deregulate environmental laws and, through various mechanisms, encourages the invasion of indigenous lands, of environmental areas, and forest reserves.

On the design of this government, Cioccari and Persichetti (2018) argue:

> Jair Bolsonaro is an active member and one of the central voices in this portion of the population that defends the reduction of the minimum age of incarceration and makes explicit proposals in favor of gun ownership. On top of this is the fact of his having involved himself in cases of racism and misogyny, both widely disseminated by the press. Bolsonaro corroborates with the exacerbation of the negative discourse so present in contemporary society.

The authors also highlight that, throughout the electoral campaign, an image was constructed that, one one hand, portrayed Bolsonaro as a congressman in tune with conservative principles and with so-called family values, capable of promoting a moralization in politics, and, on the other hand, an image of a man that gave voice to hate speech, to machismo, to homophobia, to racism, and to the prejudice present in the social underworld that had laid veiled and curbed for so long.



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A government hostile toward the majority of the governed

Jair Bolsonaro, in the first days of his government, confirmed his authoritarian posture, his conservative bias, and the moral platforms taken up with his most convicted supporters. However, the ascension of a conservative wave in Brazil does not begin here in this particular instance of electoral support. The visible path of conservatism, one that is important to social and political thinking, can be seen in the election of congressional deputies and senators, that, since 2014, has expanded the number of legislators linked to the BBB caucus, a term used in reference to the ties between the pro-arms (*bancada da bala*, or bullets), ruralist (*bancada do boi*, or beef), and evangelical (*bancada da bíblia*, or bible) blocs in Brazil's federal congress.

One of the president's first actions in office was to issue an executive decree (MP 870 of Jan 1, 2019), transferring responsibility for the processes of demarcating indigenous and quilombola lands to the Ministry of Agriculture. Hitherto, the role was attributed to (and would soon be returned to) the National Indigenous Foundation (Funai), linked to the Ministry of Justice. Quilombola lands fall under the purview of the National Institute for Colonization and Agrarian Reform (Incra), linked to the Chief of Staff's Office.

This action, among others, sought to open paths for agrarian and agricultural exploitation, the expropriation and dispossession of land and the expansion of the mining, timber, and hydropower industries. The Indigenous Populations and Traditional Communities Chamber of the Federal Public Prosecutor's Office (the 6th CCR), issued a technical note arguing the unconstitutionality of MP 870 as well as Decree 9,673/2019 (which transferred Funai to the Ministry of Women, Family, and Human Rights). The technical note argued that the presidential measures amounted to an affront on guarantees of indigenous rights in the constitution and violated indigenous peoples' right to free and informed advance consultation, as described in Convention 169 of the International Labor Organization, to which Brazil is a signatory. Furthermore, in transferring the demarcation of lands to the Ministry of Agriculture, the decree created a conflict between indigenous interests and the agricultural interests of the federal government with its ruralist supporters. Following a period of 120 days, executive decrees must be approved by Congress in order to become law. MP 870/2019, however, was not voted through, owing to the conflict between the legislative alterations it proposed and the indigenous rights guarantees contained in the constitution.

Faced with this rejection in Congress, the president issued a new decree with the same content. This decree would later be deemed unconstitutional by the Supreme Court, returning all attributions of Funai to the purview of the Ministry of Justice. Protests from segments of the indigenous movement were incisive in this period, vehemently criticizing the pronouncement and actions of the Brazilian president. Avanilson Karajá, in a speech at the 40th Session of the United Nations Human Rights Council (UNHRC) in Geneva, argued:

> The indigenous body was intentionally dismantled, because environmental licensing, land demarcation, and the policies of

consultation are considered obstacles to the economic policy of the government. The most perverse is the incentive to rent out our lands, an illegal practice which seeks to make them available to the market at the cost of our traditionality.



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The Right to land and its meaning for indigenous peoples

In relation to the meaning of land and its social function, when speaking of indigenous-exclusive ownership and usage, disputes center on the potential allocation and exploitation of natural resources contained in these lands. In the words of the Federal Constitution of 1988, Article 231, “Indians shall have their social organization, customs, languages, creeds and traditions recognized, as well as their original rights to the lands they traditionally occupy, it being incumbent upon the Union to demarcate them, protect and ensure respect for all of their property.”

The same article defines “lands they traditionally occupy” as “ those on which they live on a permanent basis, those used for their productive activities, those indispensable to the preservation of the environmental resources necessary for their well-being and for their physical and cultural reproduction, according to their uses, customs and traditions.” The article goes on to establish the allocation of these lands as “intended for their permanent possession and they shall have the exclusive usufruct of the riches of the soil, the rivers and the lakes existing therein. Hydric resources, including energetic potentials, may only be exploited, and mineral riches in Indian land may only be prospected and mined with the authorization of the National Congress, after hearing the communities involved.”

There is an important dimension to the relationship between indigenous peoples and land, as described by the anthropologist Eduardo Viveiros de Castro (2017), which is defined by

the shared experience throughout the territory.

> To be indigenous is to have, as a fundamental reference, the relationship with the land on which one was born or upon which one establishes his or her life, whether that be a village in the forest, a hamlet in the backlands, a community on the riverbank, or a favela in the metropolitan peripheries. It is to be part of a community connected to a specific, or, that is, to be integrated as a, 'people.' [...] Indigenous peoples look down, looking to the Land to which they are inherent; they draw their strength from the ground. Citizens look up, looking to the Spirit incarnate in the form of a transcendent State; they receive their rights from above (Viveiros de Castro, 2017, p.4).

The anthropologist continues:

> Land is the body of the indigenous and the indigenous are part of the body of the Land. The relationship between land and body is crucial. The separation of a community and the land has, as its parallel, its shadow, the separation between people and their bodies, another indispensable operation, executed by the State to create administered populations (Ibid, p.8)

The arguments presented allow us to contemplate the relevance of lands, demarcated and reserved for the exclusive enjoyment of indigenous peoples. For them, the bond with the land is not one of property, as it is the "body" of the indigenous with which they possess a constitutive relationship, an inherent relationship. From a legal standpoint, indigenous territories are "goods of the Union" and in this sense they do not belong to indigenous peoples. But it is to them that the lands are allocated, as an immemorial, inalienable, indefeasible right, and they are unavailable for all other uses. It is not a question, then, of ownership over the land. Nor can, under this perspective, natural resources be exploited to the point of exhaustion, whether it be by indigenous peoples themselves or others. On the topic of contemporary political battles, Brighenti (2010, p. 19), argues that, at the core of these disputes is the territorial question, which, for the indigenous, refers to the collective

right to ownership and, from a viewpoint of individual rights, is one of property.

Adi Spezia | CIMI

Disputes over the meaning of production and development

In March 2019, at the 40th Session of the United Nations Human Rights Council (UNHRC) in Geneva, Karajá criticized the indigenous policies adopted by the Bolsonaro government. He denounced the government's hateful discourse against indigenous peoples and the denigration of their ways of life[1]
https://cimi.org.br/2019/03/onu-indigena-critica-politica-integracionista-bolsonaro/.

In a note published in August of the same year, the Federation of Indigenous Organizations of Rio Negro (FOIRN) repudiated Jair Bolsonaro's attacks on indigenous peoples. In particular, the group contended with the argument that such peoples be considered an indistinct mass that would stand in the way of progress, and that the demarcation of indigenous lands, areas of environmental protection, quilombolas, and national parks would lead Brazil to bankruptcy. Their note reads:

The president of the Republic, Jair Bolsonaro, has once again attacked indigenous peoples and the Federal Constitution by questioning our right to our territory as the native peoples of Brazil. As if it were not enough to embarrass Brazil globally with his prejudiced speeches and lies in relation to the fires in the Amazon, he now accuses indigenous peoples of blocking progress in Brazil. Faced with these grotesque arguments, amplified in national media, we, indigenous peoples of the Rio Negro, represented here by the Federation of Indigenous Organizations of Rio Negro, manifest our indignation and repudiation to such calumnious statements. And we add: what is holding Brazil back is violence, corruption, and the parallel State promoted by the militias that dominate part of the country's major cities,

and a lack of investment in education, health, culture, sports, and infrastructure[2] *https://foirn.blog/2019/08/27/nota-publica-da-foirn-sobre-declaracoes-do-presidente-jair-bolsonaro.*

On August 28, 2019, a meeting took place with the Speaker of the Chamber of Deputies, Rodrigo Maia, in which indigenous peoples repudiated Proposed Constitutional Amendment (PEC) 187, which seeks to allow for the economic exploitation of indigenous lands. During that meeting, Rogério Xukuru Kariri expressed himself as such:

The issue is that the concept of production that we have is different from the concept of production maintained by large landowners. We have a different concept […] we need to understand that indigenous peoples are not barriers to progress. All of those things that non-indigenous society has, we also have. I don't think that respect is too much to ask for.

The above excerpts speak to disputes around the meaning of development. Indigenous peoples negate the arguments that their ways of life impede the national economy. Among the government's statements, tired assertions continue to be used, including the old saying that "there is much land for few indians." Bolsonaro combines this argument with the assertion that indigenous peoples demand the benefits of technology and State assistance much more than land demarcation. On the legal website *Justificando*, on September 15, 2019, Carlos Eduardo Araújo called attention to one particular argument used by president Bolsonaro, in which he alleges that those that are against economic expansion manipulate indigenous peoples to suit their ends.

The most emblematic statements have come about on social media, where the president has emphasized that his administration would be characterized by the goal of "integrating these citizens" into the national communion. On January 15, 2019, the president affirmed, on Twitter, that, "more than 15% of the national territory is demarcated as indigenous and quilombola land. Less than one million people actually live in these isolated places, exploited by NGOs. Let us together integrate these citizens and value all Brazilians"[3] https://twitter.com/jairbolsonaro/status/1080468589298229253."
On the *UOL* news platform on August 6, 2019, the president again made news for his

statements on Amazon deforestation data. He defended that questions of environmental licensing should be the responsibility of states, citing the state of Roraima as an example: “If I were the king of Roraima, with technology, in 20 years we would have an economy close to that of Japan. They have everything there. More than 60% of it is blocked by indigenous reserves and other environmental issues.”

One critique of the government’s integrationist bias has been presented in the Sixth Chamber of the Federal Public Prosecutor’s Office (MPF[4] NOTA TÉCNICA No 1/2019-6aCCR). In relation to the decree issued by Bolsonaro, the organ stated that the measure promotes a restoration of the “old integrationist policy” and that it “violates the cultural peculiarities and constitutional rights” of indigenous peoples. The technical note defends that “the indigenous should not be and does not need to be integrated into Brazilian society, as they already are a part of their own genesis.” According to the text, any measure that promotes a return to integrationist indigenous policy violates the constitution. It is worth noting, as well, that various contemporary studies demonstrate that demarcated lands are among the best-preserved, which shows that indigenous ways of life are not obstacles to development, but forms of maintaining present and future life.

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The Federal Constitution of 1988 breaks with the State perspective of acculturation, whose premise was indigenous assimilation to the way of life of the majority. The transformations in the law and the relationship between the State and indigenous peoples may thus be explained in the following manner:

> *The 1988 Constitution recognizes the indigenous right to be indigenous, to maintain this aspect in their social organization, customs, languages, beliefs, and traditions. Furthermore, it recognizes their native right to the lands that they traditionally occupy. This conception is new, and juridically revolutionary, because it breaks with the oft-repeated integrationist vision. From October 5, 1988*

> *onward, the indigenous person, in Brazil, has the right to be indigenous. (Souza Filho, 2010, p. 106-107).*

The recognition of these rights in constitutional text consolidates individual and collective guarantees for all peoples, an essential basis for any human right. The analysis of the selected declarations of the president, allied to a broader reading of what we experience, shows that forces have been mobilized to define the allocation of environmental resources, minerals, and territories reserved for indigenous peoples through a constitutional mechanism, but with an intense drive for the expansion of agricultural production.

The federal constitution also establishes that indigenous lands are goods of the Union (Article 20, XI) and that no other parties can occupy them (save for in cases indicated in constitutional text and with proven public interest or sovereignty at risk, for example). That is, occupied and demarcated lands reserved for the use of indigenous peoples must be protected and monitored by the organs of the Brazilian State, and with that, the government must act to avoid wrongful possession, exploitation or depredation, as they do not compose what could be considered wastelands, or lands to be occupied, transferred, resold, or devastated by third parties.

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The tripod of anti-indigenous policy

Despite the Brazilian Federal constitution ensuring, in Articles 231 and 232, fundamental rights for indigenous peoples, and despite these being accepted internationally through Convention 169 of the International Labor Organization's Universal Declaration of Human Rights for Indigenous Peoples, the Brazilian government disregards all rules, norms, and conventions, and has begun to implement a policy that seeks cultural integration and territorial expropriation of indigenous peoples.

Faced with a policy based in a genocidal perspective, it is important to reaffirm the

fundamental rights of indigenous peoples: the first is the declaration of the recognition of the right to demarcation and guarantees (with the consequent protection and fiscalization) of all lands traditionally occupied by indigenous peoples, characterizing them as native and indefeasible. That is, there is a recognition of a right that precedes the process of colonization of the country and does not lapse, does not diminish over time, and furthermore guarantees indigenous peoples exclusive rights to these lands, rendering them inalienable and unavailable. The second is the constitutional recognition that indigenous peoples can organize, protest, and live according to their cultures, customs, beliefs, and traditions, recognizing, thus, the right to ethnic differences. Third is the recognition of peoples and their communities as subjects with rights, breaking with any sort of integrationist or tutelary perspective. This element overcomes the vision that indigenous peoples and their leadership are relatively incapable, and recognizes their, as guaranteed in the constitution of 1988, full juridical capacity. They must thus be held legally capable in all juridical demands lodged against them and proposed by them, without the need of the intermediation of an indigenist organ.

The government of Jair Bolsonaro has organized its indigenous policy into three points: the deinstitutionalization of rights, the deterritorialization of peoples, and the promotion of actions that work in the logic of assimilation and integration of indigenous peoples into Brazilian society. This policy takes up, overwhelmingly, the theses and practices of the military dictatorship, ignoring what is delineated in the 1988 Constitution.

In the scope of the Executive, the actions put in place form a project of intense exploitation of all indigenous lands, demarcated or not, imposing, on one hand, the devastation of environmental, mineral, and hydric resources as an economic alternative, and on the other hand, the delegitimization of historic conquests of recognition, respect, and valorization of ethnic, cultural, and territorial differences. This is, clearly, a proposition to dismantle all legal tools for the promotion and implementation of public policies for indigenous peoples and the interruption of advances that have been constructed for the strengthening of protagonism and independence of these peoples.

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The Bolsonaro government acts as to encourage land invasions in the extent to which it blocks efforts to demarcate lands, giving up its responsibility to preserve the goods of the State, permitting, thus, the expansion of agroindustry, of small-scale mining, timber exploitation, predatory fishing, the illegal reselling of land, and the consolidation of the piecemeal transfer of public property to private hands.

Funai has been restructured to fulfill the function of controlling indigenous demands and hindering the process of demarcating lands. The indigenous organ is institutionally linked to officers from the Federal Police, retired police, military, pastors, public servants and aids, all notably anti-indigenous, who exercise a management that runs counter to constitutional rights. The president of Funai has gone so far as to give seminars to farmers that have gone on to instrumentalize political and legal actions against indigenous struggles. Impeditive actions have become constant, containing actions that would see the defense of indigenous interests, as have threats to criminalize and control communities that take initiative to fight for their land. Funai, through its representatives, has come to attend expressively to ruralists, miners, and timber companies, all of whom seek the appropriation of goods within the territories in detriment to popular leaders and indigenous communities. To this end, Funai published Normative Instruction Number 09/2020, which establishes regulations for those that feel affected by land demarcations and seek to request land ownership or possession titles in such areas.

And in order to give an apparent legality to all anti-indigenous measures, the government sustained Decision 001 of the executive's attorney general's office (AGU), which had entered into effect upon its publication in 2017 through the month of June 2020. The document adopted a logic of disqualification of indigenous constitutional rights, using 19 constraints from a ruling on the Raposa Serra do Sol land demarcation — constraints that referred only to this specific case, and as such do not apply to other processes of demarcation. However, in a cunning form, these limitations came to be used as a legal, political, and administrative instrument for regulating official indigenous policy.

In addition to these constraints, the AGU issued a decision to impose a timeframe on future land demarcation processes, a measure that runs counter to the judgements and Supreme Court decisions cited to above. This decision was suspended by Supreme Court Minister

Edson Fachin after the community of Xokleng presented a cautionary incidental action requesting that the decision be suspended until the ruling on Extraordinary Appeal (RE) 1.01.365, characterized as one of General Repercussion (thus applying more broadly). In the same line, the Federal Public Prosecutor's Office (MPF) in the state of Mato Grosso presented an action requesting the suspension of the effect of Normative Instruction Number 09/2020. Federal courts granted MPF's request in relation to the indigenous lands of Mato Grosso, and we now await this decision's application to other regions in Brazil.

Faced with these decisions, even partially granted by the Judiciary, the president of Funai, with support from the ruralist caucus, announced that the federal government will adopt other measures in order to "appease" the indigenous issue. In his understanding, indigenous peoples and their rights are a danger and must be contained.The peace that the president of Funai espouses is one of peace with the concretization of speculation and territorial invasions. It is one of appeasing the complaints of those who defend the illegal reselling of land that is of exclusive use of indigenous peoples, permitting their ample and unrestricted exploitation. The decision that they intend to pursue will be that of revoking Decree 1775/1996, which regulates the current process of demarcation in the country. In its place, they look to impose the same regulations contained in AGU Decision 001. They seek to regulate demarcations before the Supreme Court rules on the above-cited case of General Repercussion (RE. 1.017.365) in respect to the portion of land demarcated as Ibirama-LaKlãnõ, recognized as the permanent possession of the Xokleng people.

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The resistance of indigenous peoples makes them seeds of hope

Brazil is, among all the countries of the world, one of the most privileged in its plurality of peoples and cultures. When the European invasion took place, at least six million people, belonging to more than 900 different peoples lived in what was (later) denominated Brazil. They inhabited all regions, were adapted to the biomas, to the climate, the geography, the

environmental conditions, and maintained bonds of belonging and specific modes of being and coexisting in the native territories. Their relationship with colonizers was not meek, peaceful, or without resistance. On the side of the invaders, there was the imposition of the sword and the cross. On the side of the native peoples, there was perplexity toward these strange peoples, with their brutal and devastating habits. They resisted, but the strength of the arms and physical violence resulted in wars, slavery, destruction, and genocides.



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520 years later, native peoples, first called *indios*, remain present, reduced in relation to the past, but constructing alternative paths within a more exclusive, violent, and ambitious State. Today, at least 5 peoples, speaking at least 210 languages, reside in Brazil. They fight for the demarcation of 1,200 land areas and hold a population of approximately one million people. The plurality of peoples and cultures cannot be ignored, and this plurality makes all parties responsible for assuring, in the organization of the Brazilian State, a combination of legal guarantees dedicated to the respect, protection of, and promotion of indigenous rights.

Throughout the whole process of colonialist expansion, those that managed the State established, as a rule, the use of confrontation to fight native peoples and deny them of their rights to their cultures and territories. Through their struggles and confrontations, indigenous peoples imposed limits, and authorities came, over time, to reevaluate strategies and redefine practices of intervention, establishing a type of relationship beyond that of war and physical extermination.

Authorities gradually came to adopt administrative measures — especially in the beginning of the 20th century — and began to take actions for the localization, identification, and removal of indigenous peoples to villages or reserves and, in these artificial spaces, imposed a policy for the pacification and later integration of indigenous peoples into the “national communion.” And, once again, there was no alternative other than that of resistance against integrationist policy and for the recuperation of their territories, given that these were being slowly invaded or officially occupied.

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The resistance of indigenous peoples is a memorable and rarely emphasized chapter in Brazilian history. If not for their varied forms of struggle, all would have been exterminated or integrated over these 500+ years of colonization. The integrationist and assimilationist logic continued into the 1970s, when indigenous peoples, with considerable support from civil society organizations, of churches — came with a progressive, respectful, and liberating vision — international organs, popular movements and entities, developed an intense and articulated movement through large assemblies with united leaders of different and distant peoples. It was in this decade that an important mark was built in terms of the exercise of indigenous protagonism in relation to the Brazilian State, and that was the conquest of Chapter VIII, articles 231 and 232, in the text of the Federal Constitution of 1988.

With the advent of the "Citizen's Constitution," indigenous peoples began to demand that their rights be ensured. And, over the last decades — between 1990 and 2016 — the Indigenous Movement, was strengthened throughout the country, driving an intense process of organization and articulation for the demarcation of lands, for differentiated public policies, and for the right to be peoples with their own ways of life, their own knowledge, and their own social organizations, demanding that these be recognized and respected not as "simple" or "primitive" or "precarious" or "outdated" as many were accustomed to thinking, but because they possess coherence, consistency, strength, rationality, and dynamicity.

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It was in this context — following the signing of the constitution, from the 1990s to 2016— of live protagonism, that peoples taught all (all of those they coexist, study, and interact with) to confront stereotypes. They also felt authorized to express their impressions about Western society and culture. It is up to everyone, however, to exercise a radical critique of the forms through which academic, midiatic, legal, and political mechanisms are put in

place to subordinate indigenous cultures. To achieve this, a good start is to pay more attention to the ways in which people refer to indigenous peoples and recognize that the majority of stereotypes produced serve to tranquilize and confirm a supposed superiority of the colonizers and a"correct" conviction that it is always whites who are being sensible and the indigenous who are the problem. Simply notice how people in general feel authorized to define who indigenous peoples are, where they should live, how they should live, and what they can desire for their future. This brings people to imagine that indigenous rights are a sort of concession or a gift from society, as though these rights were unacceptable or formed a type of privilege which can be continually questioned.Any potential respectful relationship with indigenous peoples must necessarily occur through demarcation and guarantees to land. There is no way to ensure life, culture, and dignified existence outside of their territories. But, evidently, this guarantee is not enough. And, in the last 30 years, these peoples —- in addition to fighting for their land, which in itself is conflict-filled and emblematic — have sought to participate, actively and proudly, in the creation and execution of public policies directed toward their people. They have formed municipal, state, and national councils, where *they* exercise social control and propose assistential policies for the promotion and protection of life, health, education, and self-subsistence.

Indigenous peoples have worked tirelessly in the promotion and expression of their cultures, beliefs, and traditions. In large measures, they have broken with cultural references and forms of representation produced about them, especially those which have led people to think that they are fragile, less developed, less learned, less civilized, less disposed to work, or that they're cultures are primitive, less complex, less valuable. All of this has been possible because of the presence of indigenous peoples in the most varied areas of public authority, together with allied society in universities and popular and political struggles.

It should also be recognized that native peoples, their organizations, their resistance movements and their struggles, despite all existing challenges, confronted society about the need to have their rights respected and guaranteed, just as they fostered reflections on the beauties of the multiplicities of their cultures and their contributions to the country. The Free Land Encampments (*Acampamentos Terra Livre*), held annually since 2003, usually in

the month of April, are a meaningful expression of this organization, articulation, and mobilization of peoples in the struggle to guarantee their fundamental rights.

Through this and other systematic events, indigenous peoples demonstrated their cosmovisions, their vitality, their medicinal knowledge, their therapeutic use of plants and respectful way of interacting with the land and natural resources. Above all, they triggered a discussion on the need to collectively contemplate policies and philosophies linked to the concept of *Bem Viver*.

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This analysis had demonstrated that what is in dispute is not only the meaning of land, but also its purposes and uses. Land is seen, on one hand, as a resource of life, destined for indigenous possession and under protection of the Union, and on the other hand, as a source of riches, of resources for the exploration and expansion of agribusiness through the means of private property. The resurgence of integrationist government discourse, common during the Brazilian dictatorship, and through which the State envisioned the dissolution of differences and the insertion of indigenous peoples in the logic of Western life, now collaborates with the proposal of clearing of territory (which, for the government, may be exploited with or without indigenous peoples). Indigenous movements, meanwhile, seek respect for their ancestral modes of thinking and living, their relationship with the earth, and the feelings of interdependence between living things, which ensures and regulates the life of each being.

The Bolsonaro government seems to ignore that the Federal Constitution of 1988 contains rights that are characterized as fundamental, which are recognized as native, unavailable, inalienable, and indefeasible. It would seem that, in a context of grave attacks on these fundamental rights and systematic violence against indigenous peoples, of land invasions and environmental tragedy caused by deforestation, by fires and allotment of public areas, it is only the courts that will be able to impose limits on the government and the genocidal theses in which they base their indigenous policy.



Adi Spezia | CIMI

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translated by
Edmund Ruge

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