



The Changing Amazonian Civic Space: Where Soy Meets Resistance

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1 INTRODUCTION

The soy Global Value Chain (GVC) passes through, changes, and takes over territories. Although the official governmental motto has been, for decades now, that the Amazon is a big empty space ready to be developed,¹ the territory is historically occupied by hundreds of traditional

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¹ A recurrent discourse since 1750, with the division of the Americans between Portuguese and Spanish crowns; more recently emphasized by the Brazilian dictatorship

communities²—*quilombolas*, *ribeirinhos*,³ and indigenous groups. The Amazon is neither the place of consumption of soybean products, nor is it where jobs are created and profits are kept, but it is the soil and the outflow path of a commodity that feeds cattle and production demands in places far from its borders.

Using the case of the Arco Norte, a Brazilian Amazonian grain outflow complex of road, railroad, and ports,⁴ this chapter looks at processes of deterritorialization of local communities through soy production—a process coordinated by both the Brazilian state and by multiple sources of capital. Set within a vision of globalization where capital accumulation is driven by GVCs and their related infrastructure, these corridors of local–global product flow are seen in relation to the dynamics of the civic space, one involving a collision between the state, capital, and communities in these territories.

While transnational capital and the international demand for soy strongly determine the installation of the soy GVC and necessary infrastructure in the Amazon, the state also plays a decisive role. At the Brazilian end of the soy GVC, the state has become a most unambiguous supporter and underwriter of an agro-industrial model of exports and development. Moreover, the long-lasting developmentalist perspective of the Brazilian government in relation to the Amazon Forest has been accentuated even more since the Brazilian coup in 2016 and, especially,

starting 1964 (with a few exceptions). See: <https://issblog.nl/2020/05/05/contesting-the-amazon-as-an-open-space-for-development-by-lee-pegler-and-julienne-andrade-widmarck/>.

² In addition to the over 180 indigenous communities that inhabit the Amazon, there are other groups historically living off the forest in a sustainable way. In free translation, a few examples would be: riverbankers (*ribeirinhos*), seamstresses (*piçabeiros*), açai pickers (*peconheiros*), and maroon communities (*quilombolas*). According to the Brazilian Presidential Decree 1040/2007, Traditional Peoples and Communities are “all those groups culturally differentiated that identify themselves as such; that have their own forms of social organization, that occupy and use natural resources as a condition to their cultural, social, religious, ancestral and economic reproduction, using knowledge, innovation and practices generated and transmitted through tradition”. See: http://www.planalto.gov.br/ccivil_03/_ato2007-2010/2007/decreto/d6040.htm.

³ Brazilian riverside community dwellers.

⁴ Rather than using the well-developed channel of soya movement from central Brazil to Santos Port then onto Europe/Rotterdam Port, the new highway seeks to carve its way up from Mato Grosso do Sul through the Amazon using (evolving) transport systems—to and along the Tapajós River and out of Brazil to Europe via the port of Barcarena.

with the election of Jair Bolsonaro. State and capital are, thus, important drivers that influence the dynamics of the disputed Amazonian civic space.

According to the Organisation for Economic Co-operation and Development (OECD), civic space is about policies, laws, institutions, and practices. The more individuals can freely express, associate, and assemble themselves, the broader and healthier the civic space.⁵ This chapter argues that for traditional communities traversed by the soy GVC in the Amazon, civic space is also, and more fundamentally, a way of being and a right to be. Milton Santos (2006: 12) defines space as “an indissociable set of systems of objects and systems of actions.” Territory is space, but appropriated, a space where there are rules, laws, regulations, defined material, or immaterial borders (*ibid.*). Following his argument, the civic space is here understood as an indissociable element of the material and social bases dialectically de/re-composing the Amazonian territory. It is, thus, where the different logics of social reproduction clash and concur over “policies, laws, institutions, and practices” of a territory. State and capital, based on their logic of capital accumulation, have intervened in these territories for over 500 years. Existing, within this context, already represents a form of resistance of these communities.

It is, however, not the only one. Throughout time, indigenous, *quilombola*, *ribeirinhos*, and other traditional communities have resisted in many other ways. Fighting state and capital to maintain their lives and their ways of living, these groups have resorted to an extensive repertoire of contestation such as blockades, marches, and occupation (Tarrow, 1998; Tilly, 1978). In recent years, however, many traditional communities have resorted to Convention 169 (C169) of the International Labour Organization (ILO). This ILO Convention on Indigenous and Tribal Peoples offers tools and strategies for communities to demand, from the state, the recognition of (i) their identities, (ii) their territories, and (iii) their rights. This tool, used in different contexts, has shown different degrees of success.

Two Amazonian territories comprise the case studies through which we here analyze the effects of the collision of GVC infrastructures, especially ports, with civic spaces. Each of these cases has its own social and political context and has involved resorting to the use of C169 at different levels. The core of this chapter is, consequently, the battle for space brought

⁵ See: <https://www.oecd.org/gov/open-government/civic-space.htm>.

about by the building and use of ports as nodes of logistics and distribution *versus* communities' rights. These rights are fundamental as they define access to and use of resources such as land and water. Within each of these case studies, we focus most specifically on the varied application and relative efficiency of C169 as an important rallying tool for voice and action against the impacts of the GVC on community identity, resources, and livelihoods.

2 CHARACTERISTICS OF THE AMAZONIAN CIVIC SPACE—WHERE AGENCY AND STRUCTURES MEET

Soybeans are celebrated as the expression of modernity in agriculture, as its production relies on the wide use of cutting-edge technologies such as advanced soil studies, genetically modified seeds, pesticides, chemical fertilizers, and machinery (Aguar, 2021). In 2021, Brazil produced 362.947 million tons of soybeans in a planted area of 127.842 million hectares.⁶ This same year, Brazil became the world's bigger grain producer, reaching 135.409 million tons,⁷ ahead of the traditional leader, the U.S., whose production was 112.549 million tons.⁸

Although the history of soy in Brazil goes back as far as to the nineteenth century, it was only by the mid-1990s that soy reached the Brazilian Amazon (Costa, 2012). Aguiar (2021: 6) calculates that “in 43 years, Brazilian production expanded tenfold, jumping from 12 million tons (in the 1976/77 crop) to 124.8 million tons (in 2019/20)”. This expansion in production, according to the author, was due, in part, to the increase of “5.3 times in the planted area: from about 7 million hectares in the 1976/77 to almost 37 million hectares in 2019/20”. This expansion of the planted area happened mostly in the regions between the Cerrado⁹

⁶ See: Dado registrado pela Embrapa Soja, disponível em (USDA). <https://www.embrapa.br/soja/cultivos/soja1/dados-economicos>.

⁷ See: Dado registrado pela Embrapa Soja, disponível em (CONAB). <https://www.embrapa.br/soja/cultivos/soja1/dados-economicos>.

⁸ See: Dado registrado pela Embrapa Soja, disponível em (USDA). <https://www.embrapa.br/soja/cultivos/soja1/dados-economicos>.

⁹ Commonly referred as the Brazilian Savannah.

and the Amazon, and in the Cerrado areas of the states of Maranhão, Tocantins, Piauí, and Bahia.¹⁰

This wide expansion of both production and planted area required a connection between capital and the Brazilian state to finance and regulate the building of outflow infrastructure. As Brazil exports have been historically dependent of roads, highways, and Southern ports, increased Chinese demand and the further expansion of production deeper in the Amazon brought about a fundamental change in the logistics of the Brazilian soy production. By restoring BR-163 road, building the Ferro Grão railroad and several ports in the heart of the Amazon, this multi-modal infrastructure, the Arco Norte corridor, has redefined soy outflow routes in Brazil and changed global commercial routes—just as it has changed and impacted peoples' lives.¹¹

The new routes opened by this logistical complex are the *apple of the eye* of Brazilian agribusiness, especially since the approval of law 12.815, from 2013, which allowed the establishment of private ports in the country, and the operationalization of third-party cargos. Between 2014 and 2020, the volume of soybeans exported grew the most in seven ports, all of them located in the Amazon region: Santana in Amapá; Itaituba, Barcarena, and Santarém in Pará; Itaquí in Maranhão; Porto Velho in Rondônia; and Itacoatiara in the Amazon state. Of the ports created in the Arco Norte, nine have fundamental importance in increasing the participation of the ports of the Amazonian region in total soybean exports in Brazil (see Table 1).

In these extensive areas of soybean plantation, traditional communities used to live off diversified agricultural production and forest areas with fruits, roots, wild fauna, and domesticated animals. The structural result of this agrarian transformation was called by Aguiar (2021: 15) the “expansion of a monotonous spatial phenomenon: regions dominated

¹⁰ Aguiar, D. (2021). Critical Dossier of Soybean Logistics: In defense of alternatives to the monocultural chain. (pp. 28). Rio de Janeiro: PHASE.

¹¹ Interviews with “Ernesto”, May 13, 2019. All names have been changed to pseudonyms following recommendations of information confidentiality of participants, protection of their identities, and the use of interviewees' images and voices—complying with resolution 510 from the Brazilian Committee of Ethics in Research. See: <https://conselho.saude.gov.br/resolucoes/2016/Reso510.pdf>.

Table 1 Port terminals with soybean export activities in the Arco Norte flow route implemented from 2014

<i>Terminals established from 2014 in Arco Norte</i>	<i>Location</i>	<i>Control</i>	<i>Product load of the soybean complex moved in 2020 (in tons)</i>
Terminal Vila do Conde	Barcarena—PA	Hidrovias do Brasil S.A	5.509.862
Terminal Ponta da Montanha	Barcarena—PA	ADM of Brazil + Glencore	3.308.122
Terfron	Barcarena—PA	Parliament + Amaggi	2.418.445
Waterways of Brazil Miritituba	Itaituba—PA	Hidrovias do Brasil S.A	2.392.931
Portochuelo Grain Shipping Terminal	Old Port—RO	Ammagi	1.890.507
Terfron Itaituba	Itaituba—PA	Parliament + Amaggi	1.726.409
Cujubinzinho Station	Old Port—RO	Bertolini (Italy)	1.320.641
Cianport Miritituba Station	Itaituba—PA	Cianport	983.777
Port of Santana	Santana—AP	Public (Cianport operates a Private Use Terminal (TUP) within the port)	318.024

Source Diana Aguiar (2021: 28)

by the logic of agribusiness, demarcated by extensive monocultural landscapes for the production of meat, soybeans, corn, cotton and sugarcane on an industrial scale, to the detriment of family and peasant agriculture”.

According to Costa (2012) and Aguiar (2021), the territorialization by these companies and soybean producers came at the cost of the deterritorialization of peoples and communities. With the newcomers and the logistical structures of the soy GVC, came land grabbing, land concentration, social inequality, deforestation, pollution, water exhaustion, erosion of biodiversity, and many other forms of violence. The script went, and still goes, as follows: first, expel indigenous and other traditional communities from their territory; then, open pasture lands for cattle and, soon after, start grain production, moving the cattle to newly grabbed land.

In each of these processes, soy plantations and the building of correlated infrastructure was met by resistance from traditional communities in the defense of their territories. They suffered multiple impacts caused by

the arrival of activities linked to the soy GVC, either in the implementation of production or in the implementation of logistics for the flow of this production.

A traditional form of resistance of many Amazonian communities affected by the soy GVC has been their insistence to remain in their territories.¹² As the logic of capital accumulation seems incompatible with the forms of life of these communities, insisting to preserve their means of living and physical lives is a form of resistance aimed at protecting both these communities and nature. Since 1989, nonetheless, the statement of rights codified by C169 has also been progressively incorporated into their resistance repertoires. The next section thus outlines the different ways and degrees to which Amazonian communities have incorporated C169 legislation into their struggles.

3 CONVENTION 169 FROM THE INTERNATIONAL LABOUR ORGANIZATION: WHERE RESISTANCE MEETS RIGHTS

To survive and to resist, Amazonian communities have amplified their repertoires over time. On the one hand, they began articulating in local and global networks, while, on the other hand, they started using international legal instruments as a tool for democratic resistance. C169 is one of such instruments. Among other rights, the convention regulates the preservation of the ethnic, cultural, and religious integrity of indigenous peoples, their original rights over their lands and over natural resources that there might exist, guaranteeing equal (human) rights between indigenous and non-indigenous peoples.¹³ C169 also determines that governments must develop, together with the participation of the peoples affected, coordinated and systematic actions to protect said rights and their integrity.

The right to Consultation and Free, Prior and Informed Consent (FPIC) has been used as an important instrument in defending the right to traditional territories. The FPIC guarantees traditional peoples the

¹² In the “Carta do Encontro das Águas”, or “A Letter from where Waters Meet”, free translation, 2019, more than 40 indigenous groups and allies state the importance of their right to be based on C169. See: <https://saudecampofloresta.unb.br/wp-content/uploads/2019/06/CARTA-DO-ENCONTRO-DAS-%C3%81GUAS-ATUALIZADA.pdf>.

¹³ C169 stands out for its multiethnic and pluricultural inspiration, decisively surpassing the former ILO Convention 107, which adopted an assimilationist paradigm.

right to intervene in the proposition, formulation, and execution of any legislative and/or administrative measures that directly interferes and/or affects their ways of living and their territories. Aware of the power imbalance they are facing in this war for territories, traditional peoples have been building a network of support to force the Brazilian state to respect the right to FPPIC. This supporting network is composed of indigenous, *quilombola*, *ribeirinhos*, small farmers, rural workers' unions, youth organizations, international human rights organizations, the public prosecutor's office, public defenders, International Non-Governmental Organizations (INGOs), university students, and researchers, among others. This process has given communities confidence and helped facilitate the construction of so-called Free, Prior and Informed Consultation Protocols.

These Free, Prior and Informed Consultation Protocols have been developed by indigenous peoples and other traditional communities as defense mechanisms against attempts to unilaterally decide and implement projects that may affect their territories or put them at risk. By making use of the protocol as a legally guaranteed right, traditional peoples impose on the state the obligation to recognize their traditional forms of decision-making. It is also a legal instrument intended to effectively consider what traditional peoples think so that they can manifest and decide their own priorities.

The Free, Prior and Informed Consultation Protocol is an important instrument in two ways. First, through conversations about C169 and FPPICs, both law implementors and traditional communities begin a social process of knowledge accumulation and basis for a common recognition of their rights. Spreading and deepening the knowledge on these rights helps in their *dissemination*. Second, the process of discussion and elaboration of protocols works as a form of mobilization of communities and aggregation of interests of different agents (a process that might otherwise have been dispersed) in the defense of their territory. The protocols, thus, unite and keep communities *mobilized and politically organized*.

The first protocols date back to 2014: the Wajãpi Consultation and Consent Protocol (2014); Munduruku Consultation Protocol (2014); Mountain and Mangabal Consultation Protocol (2014). Since then, protocols have been growing in number and in importance. Between 2014 and 2022, there were 61 Free, Prior and Informed Consultation Protocols (see Table 2). These protocols involved more than 62

peoples of different ethnicities and more than 400 communities in the activities of mobilization, discussion, reflection, and elaboration. Protocols devised by other traditional peoples (*ribeirinhos*, fishermen, *quilombolas*, extractivists, settlers, pickers, gypsies, among others), brought together more than 250 traditional communities to their making. About 22 civil society organizations, 7 social movements, 15 government agencies, 7 public universities, and 13 international organizations have been involved in advisory, organization, production, and technical and financial support activities.

It is clear that, for many of these affected Amazonian communities, C169 has been a means both for organizing resistance and for demanding the effective implementation of their internationally recognized rights. They dispute “intrusions” and assert their claim on Amazonian civic space by directly contesting any legislation or policies that might affect their ways of living, in light of the ILO convention. Proactively, it means that any infrastructure plan (by companies) or permission (by government) is read using ILO lenses: communities demand to be informed, to be considered, and to be heard in such a way that the whole community, having clearly understood the matter, is able to participate and decide. Reactively, when these communities see that their concerns or demands

Table 2 Quantity of Free, Prior and Informed Consultation Protocols—FPIC/Convention 169-ILO, by year of approval—2014–2022

<i>Year of approval</i>	<i>Quilombola</i>	<i>Indigenous Peoples</i>	<i>Traditional Peoples and Communities</i>	<i>Sets: indigenous, Quilombola and traditional</i>
2014	02	00	01	00
2015	0	00	00	00
2016	01	01	00	00
2017	03	02	05	00
2018	04	03	02	00
2019	09	01	02	01
2020	04	04	01	01
2021	02	02	03	01
2022	02	00	01	00
Sem data	01	00	02	00
TOTAL	28	13	17	03

Source Previous Consultation Protocols, 2014–2022. See: <http://observatorio.direitosocioambiental.org/>

have been overlooked, they will, many times, file suits together with the public prosecutors' office. As discussed in this chapter, through time, these groups have had different degrees of success when resorting to C169.

4 LOWER TOCANTINS: BARCARENA AND ABAETETUBA

Barcarena, a municipality with about 127 thousand people situated on the Pará river, is a very important node of the soy GVC. Given its location, both very close to the capital Belém but with waters friendly to deep-draft vessels, it is a strategic location for the outflow of huge amounts of ores, cattle, oil, and, especially, soy.

The territorialization of the soy GVC there was preceded by the mining industry. In the 1970s, during the Brazilian military dictatorship, a large area of the municipality was destined for the alumina and aluminum industry and its related ports in a top-down autocratic governmental decision. The industrial complex was established with no room for dissent and a lot of violence. The state intervened heavily to make it happen, calling it "development" while giving away permissions, land, and infrastructure to multinationals such as Vale, Imerys, Hydro, from countries like Japan, the Netherlands, France, Norway, and Brazil (Hazeu, 2015).

The area quickly became a battlefield. Communities were expropriated and divided by State Companies of Economic Development, which sold the ground to corporations, leaving the remaining residents isolated and surrounded by industrial activity. Some families were partially compensated, others were resettled in small urban lots, and others were given agricultural plots in remote, poor areas. In common, they have the fact that they were all expropriated from their lands and means of living. Many families got neither lots nor compensation and were forced to seek housing and subsistence completely on their own.

The communities, although displaced and scattered, got politically organized and requested a revision of these "agreements". Starting from the 2000s, some groups managed to retake parts of their expropriated land that had not yet been occupied by industrial activities. There were various conflicts with security guards and police forces, who removed people every time they tried to return. Many of these conflicts generated legal battles, giving some of these communities and their descendants part of their land back. Five of these territories (Burajuba, Cupuaçu, Conceição, Gibrie de São lourenço, São João) fought and succeeded

in being recognized as *quilombola* communities. Many other territories still haven't had their traditional identities recognized, a legal requirement that would guarantee their permanent residency in the area (Canaã, Tauá) (Hazeu et al., 2019).

This story of a territory invaded by mining, however, has now been relived through the impacts of the soy GVC, which has taken advantage of the infrastructure already built by the state and the mining industry in the past. Once again, Barcarena gained attention and investments due to its strategic location in relation to plantations and the markets of soybeans and palm oil. Not only was the location excellent, but the state also offered very attractive tax exemptions, investments, and partnership opportunities with the local municipality.

Two sites already have port terminals installed or planned. There are still several licenses for the installation of (approved) ports in areas already sold and destined for companies trading manganese, gas, and soy (this last by the ADM Company). However, despite this historical and continuous occupation of the riverbanks, the ports needed more space. The solution came from a "silent" change in the designation of the rest of the border of the river. A federal decree was signed establishing that all the Pará river coast of Barcarena was suitable for large-scale port projects (Brasil, 2004). This decree not only furthered the displacement of fishing communities, but it also effectively barred their access to the river.

Already enduring the consequences of the mining industry, its ports, the building of roads, energy lines, and pipelines, the territory of Barcarena became subject to legislative revisions which allowed it to accommodate the interests of soy exporters. Entrepreneurs and companies began to develop port projects and purchase the necessary lands and goods well before any of the communities ever knew their ancestral territory was set to become dominated by Unitapajos (a joint venture of Bunge and Amaggi) and Hidrovias do Brasil (Rodrigues et al., 2019).

Having occupied virtually every waterfront location in Barcarena, importers of fertilizers and pesticides for the soy plantations used the same ports and settled their industrial plants in nearby areas, also displacing residents (e.g., Yara, Tocantins Fertilizantes and Fertz Fertilizantes, among others). Abaetetuba, a neighboring municipality, also started to be targeted for its riverbank locations (Hazeu et al., 2021).

Affected communities resist and organize themselves against the impacts. In the 1970s and 1980s, resistance groups linked to the defense of the Amazonian territory were mostly engaged with direct action against

the corporations. In the 1990s and 2000s, due to major environmental disasters and increased environmental awareness by the population and workers, there was a change in the scope of their repertoire, which now included, in addition to the struggle for their territories in themselves, a discourse and focus on the environment (Hazeu et al., 2019).

The end of the 2000s to the mid-2010s, saw a growth in territorial battles and traditional occupations of territories via the organization of traditional peoples in the defense of their rights and its reflection in judicial processes and conflict. The identity element came to be more explicitly added to disputes related to community's concrete relationship with land and the defense of their possession and permanence on it. The more recent period is also characterized by direct confrontation with companies within the industrial-port-urban complex by traditional communities and the expansion of their connections with broader community groups. These groups include university employees, lawyers specialized in environmental law, public prosecutors focused on the environment, agrarian action groups, as well as direct action via participation in committees, street blockades, and demonstrations.

Resistance in the municipality has always been organized within the territory, without initially emphasizing its indigenous, *quilombola*, and traditional roots. With the exponential expansion of the occupation of their territories, and especially of the rivers and borders, the fight for formal recognition as *quilombolo* communities started. For instance, occupation, resistance against forced reintegration, interventions by prosecutors, and the efforts of a prominent anthropologist and the foundation for *quilombolo* rights (Fundação Palmares) led to the recognition of five *quilombolo* communities.

There are nonetheless more than 30 traditional communities, with different backgrounds and identities in this region. To guarantee their rights as traditional communities, other tactics were sought in the global contestation repertoire, i.e., the use of C169. Initially, access to rivers and their traditional territories were a simple part of life, historically and naturally always available. Once the soy GVC arrived, communities understood that they had to position themselves within this dispute. By sharing information with other communities resisting the soy GVC in the Amazon, the struggle gained momentum and came to be supported by the international recognition of their rights.

At this time, in the neighboring municipality of Abaetetuba, recognition as a *quilombola* was already part of the repertoire of local groups,

as was the elaboration of Free, Prior and Informed Consultation Protocols based on C169. They had observed earlier conflicts and were thus less surprised and better prepared and connected than communities in Barcarena in the 1980s and 1990s.

In Abaetetuba, in 2021, *quilombola* and riverside communities organized a mobilization against the Cargill port for soy export. One of their strategies was to draw up a C169 FPIC. Another strategy was for direct action, making it impossible for the company to install equipment in the area. One of the first steps Cargill took in response was to release a video praising the benefits the private port (TUP) would bring to the region. Local leaders and other civic partners took the opportunity to debate and orchestrate a concerted reaction. A second step by Cargill was to physically surround part of the Capim river with mooring buoys for the barges. Not only did this happen without the consent of the communities, but it also effectively barred communities from their fishing activities. Riverside families then responded by closing the river with their boats and canoes, preventing the companies from further installing buoys (Farias et al., 2020).

These examples suggest that, at times, the voice of affected communities speaks very loudly. The marginal number of temporary and precarious jobs generated by the port will never compensate for the loss of food security and access to the river, for the inability to fish, or plant and harvest, or for their expropriation and resettlement in far away, poorer regions. It is by remaining in their territory that they resist. It is by returning to the land from which they have been expelled, that they fight. The tools provided by C169, as well as the clear statement of traditional communities' rights in this convention, have proven to be of considerable value for many of Amazonian groups resisting the soy GVC in Barcarena and Abaetetuba. Although facing a different context, the Lower Tapajós region is also an interesting case of how a changing civic space can be challenging to traditional communities—and how C169 has been integrated to their fundamental struggles.

5 LOWER TAPAJÓS: SANTARÉM, ITAITUBA AND MIRITITUBA

Santarém is a city of 306 thousand people, where the Amazon and the Tapajós rivers cross. In the heart of the Amazon Forest, Santarém's role in soy GVC is more one of outflow than of production per se. This mid-way

character, however, does not make it easier for traditional communities fighting the onslaught of state and capital over their lands. Put in numbers, the land conflict in Pará is so sharp that this Brazilian regional state hosts three units of the public office for land delimitation—every other of the 26 states have only one. Yet, what we see in Santarém is an earlier and somewhat more organized and proactive set of responses to these challenges to traditional territories. A dynamic “action-response-counteraction” process has been evolving and is still growing with much influence of C169.¹⁴

State and capital resort to a plethora of strategies to develop soy GVC-related infrastructure: (1) the (re)organization of public spaces for private purposes; (2) the non-recognition of traditional lands and identities¹⁵; (3) forced migration; (4) the bribing of public representatives; (5) lack of transparency; and (6) cooptation. Most of these processes are, of course, intertwined, as are the strategies of resistance to them, where the application of C169 is of paramount relevance.

The (re)organization of public spaces for private purposes is one of the most encompassing strategies of expropriation and displacement of traditional communities in Pará. The Planification Act¹⁶ (PA) is a mid-term form of legislation aimed at structurally (re)organizing the urban development of municipalities in Brazil. Community participation is mandatory to the process, but their demands, recommendations, and concerns are not binding to its approval.

The dangers of this consultative character of the PA were evident in 2006, when Santarém’s City Council voted to turn environmental reserves into private land for soy expansion. Despite massive participation and protests from small-scale farmers and indigenous communities, it only took a year for these lands to legally become soy plantations. The same goes for the port of Maicá. Until 2017, the area where the proposed

¹⁴ Although we mainly discuss here the most recent developments in Santarém, it is important to mention that deforestation, expropriation, and violence related to soy production dates at least from the 1980s, when Cargill built its port and silo there, on an archaeological site. Currently, Cargill’s port exports around 2.5 ton of soy per year to China, Europe, and India.

¹⁵ The recognition of traditional identities is relevant to the delimitation of their lands. By failing to recognize these identities, the state makes it harder for tradition communities to pursue legal action and recognition of their territories.

¹⁶ *Plano Diretor* in Brazilian Portuguese.

port should be built was legally a Permanent Area of Protection (PAP),¹⁷ meaning no port or related facilities were allowed to be built. Given this legal protection, social movements and a local NGO¹⁸ managed to halt the building of the port.

On the one side, civil society organizations argued, then, that the region was legally protected, as it was a PAP. On the other side, the enterprise neither had the required environmental licensing nor had the communities been previously consulted, as demands C169. By the end of 2018, the City Council had already changed the PAP status of the Maricá area. By 2019, the PA made the building of the port legal.¹⁹ This process of making the illegal legal by changing the PA then became a trend. Atempa, a company also operating in the region, used the same *modus operandi* to try to build its port.

Resistance to these enterprise proposals came from the public prosecutor's office, which demanded C169 based free, previous, and informed consultation and by a class suit filed by a Federation of *Quilombola* Organizations, an indigenous council, and an NGO.²⁰ Furthermore, the communities of MuruMuru, MuruMuruTuba, Jardim, and Tinguu have developed a Previous Consultation Protocol based on C169, but there is still great risk that the building of the enterprises will continue.

The construction of the Atempa port will also endanger the Borari,²¹ another indigenous group from this region.²² In 2009, they requested the legal recognition of their territory, Alter do Chão, without success.²³ Due to the gentrification of their land (via a new hospitality hub) and the expansion of soy, the Boraris have been through a process of "*aldeiamento*,"²⁴ which means the resettling of their communities into

¹⁷ "Área de preservação Permanente" or APP in Brazilian Portuguese.

¹⁸ The NGO is called "Land of Rights" or *Terra de Direitos* in Brazilian Portuguese.

¹⁹ Interview with "Chico", June 11, 2019.

²⁰ The Santarém Federation of *Quilombola* Organizations (FOQS), the Conselho Indígena Tapajós Arapiuns (CITA) and Terra de Direitos (TdDs).

²¹ Interview with "Chico", June 11, 2019.

²² For the Boraris, there's a correlation between physical integrity of indigenous people and their territory, so their proposal is to maintain biodiversity and lands for their people and retake lands. Lands are also related to ancestors and original people's capacity to keep memory and history alive.

²³ Interviews with "Ernesto", May 13, 2019.

²⁴ The literal translation from the Brazilian Portuguese is "villaging".

other indigenous groups. The delimitation of the Borari's territory is, after all these years, still under consideration at the jurisdictional level.²⁵ The state, by failing to recognize the Borari's traditional lands, supports the expansion of the soy GVC.

Not recognizing traditional lands is but one of the legs of the state's power over these communities' rights. One step further toward the recognition of their rights would be the legal validation of their identities. While communities file, fight, and wait for this recognition, there is a strong veiled campaign by key drivers of the soy GVC to undermine these identities. It is not uncommon to hear claims that *quilombolas* are faking their history, that indigenous communities do not exist anymore, or that black peoples are masquerading as *quilombolas* to get access to land. In the support of these communities, the public prosecutor's office launched a technical note reaffirming the existing definitions of traditional communities in legislation.

This "cat-and-mouse" process of claim and counterclaim illustrates the dynamic behind this crucial social and environmental context. On the side of these legal battles, lack of transparency, cooptation, and bribing remain in a consistent supporting role. For instance, when research evidence of environmental impact was noted, the document, necessary for an informed and previous consultation process, could not be downloaded. Companies, like Embraps, spent significant resources promoting their narrative, organizing conferences, and lobbying organizations such as the Brazilian Bar Association.²⁶ A former mayor of Santarém, Lira Maia, had his campaign strongly supported by soy producers.

One must also not disregard the role of propaganda in the co-optation of these communities. In contexts of severe scarcity, big capital arriving with the promise of bringing a future with safe/effective pesticides, the correction of the soil, and abundant technology, can be convincing. The region will develop, the story goes, and so will its peoples.

Little is said, however, about the consequences of the implementation of such dreamed modernity in traditional lands. For example, the health system in Santarém was prepared to take care of the growing number of people intoxicated by pesticides²⁷ but it is unclear if this is sustainable as

²⁵ Interview with "Dorcelina", May 13, 2019.

²⁶ Ordem dos Advogados do Brasil in Brazilian Portuguese.

²⁷ Interview with "Eduarda", June 18, 2019.

research has shown that the glyphosate in groundwater might have already reached the igarapés (river tributaries), making it impossible for those who stay to survive. Indeed, as territories are being invaded by soy production and correlated infrastructure, migration to urban peripheries is rampant (e.g., Juá). For the affected communities, the loss of their historical lands has thus been coupled with moving to places areas where this exodus has impacted crime, prostitution, and the prison system.²⁸

New larger projects are under way. Traders are financing the Ferro Grão railway through public–private partnerships. In the context of this project, around 30 ports should be built. The right to previous and informed consultation, a right emanating from C169, has been able to halt some of these enterprises, but there is still a long way to go for these communities to have their rights, lands, and identities (i.e., their civic space) secured.

In a similar way, in Itaituba and Miritituba, twin cities across a river, disputes include: the lack of licensing from private initiatives, inaction from policy makers, ports in the hands of public–private consortia, the criminalization of activists, militias, the (re)organization of public spaces according to private interests in closed door meetings, a boom of private ports, the loss of subsistence for local fishermen, a risky environment with plenty of accidents for locals, and a series of formal documents that provide no real improvements to peoples' lives.

What distinguishes these two cities from Santarém is the fact that the geography of the area is less suitable for soy plantations. It is thus clearly more a logistical hub and silo location than a production core. There, however, key drivers of the soy GVC combine with the impact of small-scale miners, who exert great influence in the process of expropriation and assault of traditional communities' rights and territories.²⁹

The port of Itaituba has the same history of conflict as other ports we visited in Santarém: the port and much of the land is under legal dispute, an environmental license is missing, public prosecutors are involved in an attempt to legally support traditional communities, and port construction has led to intensive migration to urban peripheries.³⁰ Part of the port is

²⁸ Interview with the Public Ministry, June 14, 2019.

²⁹ One could say that while Santarém is about conflict over land and resources, Itaituba and Miritituba are dominated by the raw and hegemonic of the miner.

³⁰ Interview with the Public Ministry, June 14, 2019.

owned by Blairo Maggi, an influent politician, lobbyist, landowner, and soy producer/exporter in Brazil.³¹

Indeed, up to seven ports³² are operating in the region and 70% of the local economy is dominated by the mining sector, most of them owners from São Paulo.³³ The expansion of soy and mining is promoted by both state and capital, and resistance to their activities is persecuted. For instance, the Movement of Peoples Affected by Dams³⁴ has been repeatedly framed as a movement against progress, contrary to sustainable development—even as a terrorist group.³⁵

As in Santarém, in this region a PA was also drawn up without the participation of civil society: in this case, however, it was discussed behind closed doors in a hotel. According to an activist informant, not only did this PA disrespected C169 and several Brazilian environmental laws, but the local department who was supposed to regulate the issue specifically promoted public audiences clearly favoring the construction of ports.³⁶ Here, even if public prosecutors would take the side of traditional communities, as in Santarém, there are too few resources available for effective opposition.³⁷

C169 has been permeating the claims of the affected communities of Itaituba and Miritituba, as it has in Santarém. In the twin cities, however, the ILO Convention is under attack much more often. In both cases, though, C169 has given solid grounds and international recognition for communities to reclaim their historical identities and lands.³⁸

6 CONCLUSION

The two case studies show that engagement with Amazonian civic spaces is quite heterogeneous. At times, prominent local protagonists and a

³¹ Interview with “Helenira”, June 18, 2019.

³² Such as Betolini (balsas), Bunge, Hidrovias, and Cargill. Interview with Tucuruí, colônia de pescadores, October 27th, 2019, and Fred (Mab), October 26, 2019.

³³ Interview with “Márcio”, October 26, 2019.

³⁴ MAB in Brazilian Portuguese.

³⁵ Interview with “Márcio”, October 26, 2019.

³⁶ Interview with “Márcio”, October 26, 2019.

³⁷ Interview with the Public Ministry, October 27, 2019.

³⁸ Interview with the Public Ministry, June 10, 2019.

few international NGOs have spearheaded an anti-chain view. At other times, local NGOs focus on the environment or on indigenous/farmer-fishermen rights. Various agencies of the state provide zoning and technical advice and sometimes, also support. These network responses themselves also vary per local context.

Despite context-based hierarchies of power, there is evidence that some groups are developing the core for what might be called a social movement. Their opponents are easily identifiable, and their repertoires of contention often go beyond just politics to issues of material, social, and cultural significance. The use of Convention 169 and consultation protocols by traditional communities constitutes strategies within historical processes of existence as a standpoint, in the face of state colonization and capital accumulation.

It is not the emergence of a new civic space, but a new form of struggle, using civic weapons, within constrained settings. The use of C169 is an amalgam of legal, juridical, and political instruments that were created in a spirit of participation and via international pressure on behalf of traditional communities. It has occasionally opened, within the limits and contradictions of each territory, new spaces for participation, autonomy, and resistance.

The bases of traditional communities' struggles remain the same, or are even strengthened and become more evident, being their collective identities, ways of living, occupation, and traditional use of the territory. As with all instruments and strategies, in the cases studied here, these tools are situated within complex and contradictory fields of interest, where the state, through legislation, policies, and judicial decisions, interferes and is present. Moreover, the interests and actions of capital often advances over communities and the state. In such complex settings, the results of applying C169 are unpredictable.

The cases discussed in this chapter are all linked to the soy GVC. Access to information on international legislation that guarantees rights gives legality to their struggles and has strengthened organization and resistance in all the territories. It was also observed that first contact with this legislation occurred at different conjunctures. Consequently, the use and application of C169 has differed depended on various factors including the existence of external interlocutors that can support the process, as well as the position of the public prosecutor. While the public prosecutor is expected to be a formal guardian of collective rights, at times their actual role tends to be aligned with the interests of traditional communities,

whereas, at other times, they act in accordance with the developmental interests of state and capital.

Achievements from specific contexts stimulate and inspire other communities in the region, but at the same time provoke further attempts from both state and capital to react and enforce their interests. As an international instrument, the application and use of the convention by communities has expanded the struggles of local conflicts to national and international dimensions and possibilities. The dynamic battle over understandings of the Amazonian civic space will undoubtedly continue. It is a battle between one that is vivid and that encompasses the active participation of traditional communities versus another that sees the Amazonia as an empty space ready for investment and capital accumulation. Due to the historically violent forms of integration of the Amazonian territory, civic participation as understood by the traditional communities investigated here is an intrinsic part of their lives and ways of being—not an individual choice. The struggles over the appropriation of civic space have been constant, but their integration to more or less formal ways of disputing civic space will vary. Whether C169 will remain an important tool in support of traditional communities in their rightful struggle for their lands and rights cannot be foretold, but it is undeniable that the convention is already an indelible part of the Amazonian civic space.

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