

# Tipití: Journal of the Society for the Anthropology of Lowland South America

ISSN: 2572-3626 (online)

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Volume 9

Issue 2 *Special Issue in Honor of Shelton H. Davis: Legacy to Anthropological Advocacy, Development Issues, and Indigenous Peoples' Movements*

Article 4

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2011

## Shelton Davis – Indigenous Rights and the Environment in the Amazon

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### Recommended Citation

Schwartzman, Stephen and Andreassen, Jennifer (2011). "Shelton Davis – Indigenous Rights and the Environment in the Amazon," *Tipití: Journal of the Society for the Anthropology of Lowland South America*: Vol. 9: Iss. 2, Article 4.

Available at: <https://digitalcommons.trinity.edu/tipiti/vol9/iss2/4>

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## Shelton Davis – Indigenous Rights and the Environment in the Amazon

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### Abstract

This article consists of two parts, the first being a brief reflection on Shelton Davis by Steve Schwartzman; and the second a jointly authored blog by Schwartzman and Jennifer Andreassen in June, 2011, discussing Brazil's major gains in reducing Amazon deforestation as well as the ongoing legislative debate over Brazil's core forest protection legislation, the Forest Code, which many fear could reverse recent reductions in deforestation. One of the principal causes for the sharp decline in deforestation since 2006 is Brazil's recognition and demarcation of indigenous territories and creation of protected areas, which together cover about 40% of the Amazon today. This historic process reflects the local struggles of hundreds of indigenous peoples over the forty years since the opening of the Amazon frontier, chronicled in Shelton Davis's *Victims of the Miracle*. At the same time, major infrastructure development projects such as the Belo Monte dam, eerily similar to those Davis analyzed, continue to threaten the resources and livelihoods of indigenous peoples across the region.

**Keywords:** deforestation, environmentalist movement, Amazon development

### Resumo

Este artigo consiste de duas partes: a primeira, sendo uma breve reflexão sobre o trabalho de Schwartzman e Shelton Davis juntos em Washington, D.C.; a segunda é um blog, escrito com Jennifer Andreassen em junho de 2011, que discute os grandes avanços em reduzir o desmatamento na Amazônia Brasileira desde 2006, bem como o debate legislativo sobre o Código Florestal, que muitos temem que possa reverter as reduções no desmatamento. Uma das principais causas da grande queda no desmatamento no Brasil é reconhecimento e demarcação dos territórios indígenas e criação das áreas protegidas, que juntos cobrem 40% da Amazônia hoje. Esse processo histórico reflete as lutas locais de centenas de povos indígenas ao longo dos quarenta anos desde a abertura da fronteira agrícola, registrado por Shelton Davis no *Victims of the Miracle*. Ao mesmo tempo, grandes obras de infraestrutura como a hidrelétrica Belo Monte, estranhamente parecidas com as que o Davis analisou, continuam ameaçando os recursos e modos de vida dos povos indígenas na região.

**Palavras chaves:** desmatamento, movimento ambientalista, desenvolvimento Amazônico

## INTRODUCTION

I first met Sandy Davis in the mid-1980s, having recently returned from fieldwork with the Panará in the Xingu Indigenous Park in Mato Grosso, Brazil. I was looking for an institution I could affiliate with to do environmental and indigenous rights advocacy in collaboration with national environmental organizations in the emerging campaign on the projects and programs of the Multilateral Development Banks (the World Bank, Inter-American Development Bank.) Sandy and Alaka Wali had relocated the Anthropology Resource Center (ARC) to Washington D.C. from Boston, and both were enthusiastic at the prospect of working with environmental groups to focus political pressure on the international financial institutions to get out of the business of bankrolling disasters and adopt and implement meaningful social and environmental policies. The disastrous consequences of development for Amazonian indigenous peoples in the absence of recognition and effective protection of their rights, the subject of Sandy's path-breaking *Victims of the Miracle* (1977), became a central and recurrent theme in environmental advocacy on international financial institutions. I was honored to represent ARC amongst the environmentalists for a brief period, and to contribute in some measure to this agenda.

When Sandy was researching and writing *Victims of the Miracle* in the late 1970s, many of those best informed and most actively engaged on indigenous rights issues in the Amazon, including a good part of the Brazilian anthropological community, probably suspected that the most likely future for most of the indigenous peoples was ethnocide if not actual genocide. The litany of tragedies occasioned by the opening of the Amazon frontier Sandy recounted—including the near-total destruction of the Panará, the people with whom I subsequently did fieldwork, with the construction of the Cuiabá–Santarém highway—suggested, it seemed, little less. This view was distinct from, though grounded in, the same historical-political nexus as the military government framers' of the *Estatuto do Índio* belief in the necessary and desirable “acculturation” of the indigenous peoples or the notion that they would ineluctably pass from Indians to peasants to proletarians. In the event, over the years of Sandy's professional life, in spite of massacres, epidemics, official neglect and exploitation, indigenous peoples in the Amazon not only did not disappear but multiplied. In the process, many won recognition of their rights to, and largely effective control over, very substantial expanses of their traditional territories. Sandy, as a thought leader on indigenous rights internationally, was among the first to map the common interests of indigenous peoples and environmentalists in large-scale forest conservation. He made a lasting

contribution, first through his public advocacy, then through his work in the World Bank, to the global mobilization in support of indigenous struggles in the Amazon and to the recognition that the future of the forest and the future of the indigenous peoples are inextricably linked and both depend upon and in some measure condition the development pathways that Brazil and the Amazon nations ultimately choose. But the dynamics and forces of market expansion, resource extraction and infrastructure development that originally motivated Sandy's work have at the same time intensified while new dimensions of systemic threat to the socio-environmental resilience and integrity of Amazon geographies follow in their wake—changing fire and rainfall regimes, drought, flooding and potential large-scale ecosystem transformation. The following snapshot of environmental and development policy debates and the Amazon frontier illustrates how very current and relevant the core themes of Sandy's work remain today.

## **BRAZIL AT THE CROSSROADS—HOUSE OF REPRESENTATIVES VOTE TO ROLL BACK ENVIRONMENTAL REGULATION, SLEW OF KILLINGS TROUBLING REMINDERS OF DARK PAST**

**June 2, 2011 | Posted by Steve Schwartzman, Environmental Defense Fund**

This past week I could have sworn I was back in the 1980s, based on the news coming out of Brazil.

Brazil's powerful agriculture caucus (*bancada ruralista*) and Communist Party led the charge in the House of Representatives to pass a bill that, if enacted, would essentially legalize deforestation in vast amounts of land.

And three activists who worked for years to protect forests from illegal logging were killed for their efforts.

Then, yesterday, the Brazilian environmental agency approved the Belo Monte dam—a hydroelectric project so controversial and flawed that the Federal Attorney General's office brought a series of lawsuits against it, most of which have not been judged, and recommended that it not be licensed.

As someone who works with indigenous and environmental groups in Brazil and has been active in tropical forest policy for years, *I find this series of events deeply troubling, and reminiscent of the Brazilian Amazon's dark past.*

*Brazil's government is at a crossroads*—either it can go back to a future of rampant deforestation and frontier chaos, or ahead, to the future of a sustainable and equitable green economy leader, with rule of law, good governance and a secure natural *and* investment environment. Senate action on the Forest Code over the next few months could spell the difference. *Is Brazil going backward or forward?*



**Figure 1: Cows graze in a pasture where lush forests—still visible in the distance—once stood in Mato Grosso, Brazil.**

Forests are slashed and burned in Brazil primarily to expand cattle ranching and agriculture.

This series of events recalls the former status quo, business-as-usual days when deforestation was accepted—even promoted—as a necessary corollary to development and prosperity.

Those were the days when Brazil was the fourth largest emitter of greenhouse gases in the world, with about seventy percent of its emissions caused by clearing forests. At the height of deforestation, the Amazon was losing more than 21,000 km<sup>2</sup>—more than 8,000 square miles, about twice the size of Connecticut—of forest a year.

Those were also the days when grassroots environmental and union leaders were killed for working to protect the forest and forest peoples' rights; prominent activists like rubber tapper and union leader Chico Mendes and Roman Catholic Sister Dorothy Stang were both slain for their efforts to keep forests standing for the sake of communities' livelihoods and the environment.

Brazil has come a long way since then, particularly in reducing deforestation and altering public perception of it.

*Reducing deforestation:* Brazil has experienced seven years of almost uninterrupted decreases in deforestation, establishing it as the world leader in greenhouse gas pollution reductions. Between 2006 and 2010, Brazil has reduced Amazon deforestation about two-thirds below the annual average from 1996–2005, reducing about 1 billion tons of greenhouse gas pollution. This was due largely to the 2003 National Plan to Prevent and Control Amazon Deforestation and the subsequent 2009 National Climate Change Policy, in which Brazil committed to reducing deforestation eighty percent below the 1996–2005 average by 2020.

*Social shift against deforestation:* Popular opinion on the Amazon has clearly changed—most people want deforestation to stop. Most people also think that murders for hire in land conflicts should be punished—and in cases when international spotlights shone on Amazon assassinations, like Chico Mendes and Sister Dorothy Stang, it seemed as though the rule of law was taking hold.

But despite these encouraging environmental strides, and even aside from the passage of the explicitly anti-environment bill, *three disturbing themes of the past couple weeks are calling into question just how permanent Brazil's environmental progress is:*

*1. Lethal intolerance of activists who protect forests:*

José Cláudio Ribeiro da Silva, a Brazil nut gatherer and forest defender, was slain the morning of the Forest Code vote with his wife Maria do Espírito Santo in Nova Ipixuna, in Pará state in the Brazilian Amazon. The couple had long resisted illegal logging and forest clearing for smelters for pig iron (made from iron ore and charcoal and used for manufacturing steel) and had received numerous death threats. In a public lecture in November 2010 José Cláudio said, recalling slain grassroots environmental leaders Chico Mendes (1988) and Sister Dorothy Stang (2005), “What they did to Chico Mendes and Sister Dorothy, they want to do to me” (Ribeiro da Silva 2010).

Then, on Friday, May 27<sup>th</sup> small-scale farmer leader Adelino Ramos was shot dead in Vista Alegre do Abunã, in Rondonia state (Riveras 2011). Ramos had received death threats for denouncing illegal logging in the region.

And on Saturday May 28<sup>th</sup>, the body of a small-scale farmer Eremilton Pereira dos Santos, was found shot to death about seven kilometers away from where José Claudio and Maria were killed. Police say they do not know whether

these three killings are related, but representatives of the Pastoral Land Commission surmise that Eremilton may have witnessed the earlier killings.

*2. Heavy influence of the Agriculture Caucus on Congress's Forest Code debate:*

Listening to the Forest Code debate in the Brazilian Congress so far is about as informative and edifying as listening to the U.S. Congress talk about climate change—that is, to say, not very.

It is commonly agreed within Brazil that the 1965 Forest Code needs revision and updating. But Communist Party representative and author of the just-passed bill Aldo Rebelo didn't focus on looking at other solutions, like using taxes, credit or a carbon market to incentivize farmers to keep forests standing or restore past deforestation.

The Rebelo proposal instead falsely supposes that forests are inherently, as Márcio Santilli of the Instituto Socioambiental put it, “nothing more than ‘anti-food’”—that more forest means less agriculture, less growth and less development. Rebelo's bill, and its ultimate success, capitalized on the erroneous, purely ideological notion that environmental regulation is a foreign plot designed to keep Brazilian agriculture from competing with U.S. agriculture.

The agriculture caucus leadership has a sense of entitlement and cronyism about it that can get ugly. During the discussion before the vote on Tuesday, former Environment Minister and current Congressman José Sarney Filho made a motion in the House to ask for the federal police to investigate the killing of Ribeiro and his wife—and was met with boos from the agriculture caucus (Garcia 2011).

*Brazil's farmers deserve better political representation than this.* I've met farmers and ranchers across the Amazon who have worked hard to build productive, competitive businesses, and are proud that they're in compliance with the current law. These voices are not being heard in this debate, and if the Rebelo bill is enacted, they will be penalized for their efforts, while the scofflaws will be rewarded.

*3. Surge in deforestation:*

In mid-May, we learned that deforestation in the Brazilian Amazon in March and April may have spiked dramatically over those same months last year (Grudgings 2011), and Brazil's Environment Ministry and many researchers hold that expectations that the Congress would weaken forest protection requirements in the Forest Code are contributing to the increase. *(By September, 2012 preliminary analysis of remote sensing data suggests that Amazon deforestation has continued to decline. So far, it does not seem that farmers are expecting open season for deforestation with the new Forest Code.)*





**Figure 2: Deforestation has replaced tropical forest with cattle pasture in Mato Grosso, Brazil.**

So, what does all this mean for Brazil?

Environmental Defense Fund (EDF) believes that the brutal killings, the influence of the agriculture caucus and the House vote to cripple Brazil's environmental legislation, *must be met with a solid government response for Brazil to maintain its international leadership on the environment*. And we're not the only ones calling for action at this critical juncture.

The Forest Code changes were opposed by Brazil's major national scientific associations—the Brazilian Academy of Sciences and the Brazilian Society for the Advancement of Science—as well as numerous forestry sector trade associations and ten former Environment Ministers. The Ministers wrote in a letter to President Dilma Rousseff:

We understand... that history has reserved for our times...above all, the opportunity to lead a great collective effort for Brazil to proceed on its pathway as a nation that develops with social justice and environmental sustainability. (Silva 2011)

And the range of interests that came together to support forest protection—the scientific community, the National Council of Brazilian Bishops, the national association of attorneys, small farmers' organizations and environmentalists—are coming together to provide the efforts needed to produce balanced and fair revisions to the Forest Code.



If enacted, the House language *could completely roll back the progress Brazil has made in the last seven years by:*

- Giving amnesty for past illegal deforestation;
- Opening up to deforestation hundreds of thousands of acres of currently protected forests along watercourses, on steep slopes and hilltops and mangrove swamps; and
- Making virtually any regulation against forest clearance unenforceable, by *inter alia*, allowing illegal deforestation to be compensated with replanting over a twenty-year period.

### **JUSTIFICATION FOR CHANGE IN FOREST CODE “PATENTLY FALSE”**

The most common justification for Congressional support for the bill—that environmental regulation has shackled Brazil’s development and growth of agriculture—is patently false. The Communist Party’s Rebelo and his large landholder and rancher allies also justified the measure in the name of small farmers burdened with environmental restrictions.

The fact is, since 2003, Brazil’s economy has grown steadily and robustly and some 25 million people escaped poverty, all while Amazon deforestation declined two-thirds below the average of the previous decade. In recent years, Brazil has become the world’s largest exporter of beef, chicken and sugar, and the second biggest exporter of soy.

And major small farmers’ organizations actually *opposed* the bill. The Amazon has enormous potential for growth through intensification—some eighty percent of the deforested land in the Amazon is extremely low-yield cattle pasture (less than one head per hectare). Small farmers are poor because they lack access to credit, technology and technical assistance, not because of environmental regulation, as Rebelo claims.

### **WORLD WATCHING BRAZIL AS FOREST CODE MOVES TO SENATE, PRESIDENT**



**Figure 3: An aerial view of deforestation in Mato Grosso, Brazil.**

The House passage of the Forest Code is certainly not the end of this story.

The bill now goes to Brazil's Senate, which could spend months debating it. (Before last week's passage of the bill, the House had been debating the Forest Code since 2009). The rapporteur for the bill, Senator Jorge Viana, has an outstanding record on forest protection and sustainable development as former governor of Acre state. If the Senate makes any changes, the bill goes back to the House, and so on, until the bill's language is agreed. The bill is then sent to President Rousseff, who has the option to veto portions of the bill or the entire bill.

During Rousseff's presidential campaign last fall, she pledged to reduce deforestation in the Amazon by eighty percent and to reduce greenhouse gas emissions by about 39 percent by 2020. Reuters quotes the then-candidate saying, in regards to these pledges from her environmental platform: "I will keep those promises" (Colitt 2010).

President Rousseff and the Senate have—and should grab—the opportunity to preserve Brazil's leadership on sustainable development and signal investors that they can count on rule of law and a stable investment environment in a plethora of sustainable, green economy alternatives from biofuels, to sustainable forestry and forest carbon credits.

However, if the bill should pass the Senate and be enacted as currently written, it could, over time, erase Brazil's gains in controlling Amazon deforestation, undermine the considerable international stature the country gained through its environmental leadership, and foreclose Brazil's enormous green growth potential.

*In September of 2012, as this goes to press in Tipiti, President Rousseff has vetoed some of the most questionable aspects of the bill ultimately passed by the Congress and replaced them with language requiring some restoration of previous illegal deforestation and degradation. The Agriculture Caucus continues to push for a general amnesty. Deforestation has not increased in spite of continued regulatory uncertainty, and many observers think that regardless of what ultimately passes, the real test will be government's ability to implement the new law.*

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