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PROVISIONS FOR NATIVE AMERICANS IN BRAZILIAN DEVELOPMENT
PROJECTS

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I. Introduction. With the rapid development of Brazil, and the increasing centralization of power and decision-making in Brasília, the Brazilian Indians have suffered considerably from a general lack of planning with respect to their futures. Neither the government agencies involved (especially FUNAI) nor the civilian groups of concerned citizens (especially the Comissões Pro-Índio and the Associações Nacionais de Apoio ao Índio) are able to resolve the endless series of serious crises which the various Indian nations face. The present situation, in which Indians are provided for only after they have lost much of their population or after violence erupts on their lands, is extremely prejudicial to their interests. It is crucial that some kind of serious planning be built into the development projects which will doubtless bring dramatic changes to the country as a whole and the Indians living in it.

- A. The Indians and the Nation. It is impossible to separate the Indian situation from that of other rural populations in Brazil. The tragic situation in which the Indians find themselves is not an independent and irreversible phenomenon: it is the direct result of clearly formulated economic and social policies. However, although they are part of the overall pattern, Indians are guaranteed land and assistance by the Brazilian Constitution and the Indian Statute. Too often these provisions are honored in the breach. It is important that provisions for respecting these rights be incorporated into economic development plans from the start.

- B. There are many different Indian nations in Brazil, speaking a variety of languages and living in a very large variety of specific relationships with parts of Brazilian society. This variety, however, should not detract from the general similarities which can be encountered: their means of livelihood are universally threatened through the occupation of their lands; their health is endangered by serious transmissible diseases; and their cultures are endangered through callous attitudes toward them or active moves to destroy any vestiges of cultures which do not reflect the national ideal.

II. The Dramatis Personae and the Eternal Play. At the expense of some simplification, the principle actors are introduced and the typical scenario played out. The actors are the Indians, the Indian Bureau (FUNAI), the planning of the Brazilian economy, the lending agencies, the Brazilian anthropologists, the Missionaries, and the rural peasantry. The typical scenario is that the government defines economic priorities in conjunction with national and international business interests; social costs, especially with respect to native populations, are ignored; foreign money is obtained; projects are started; and only then is the presence of Indians acknowledged. Then it is a "problem" which needs quick resolution in the interests of development. FUNAI is called in only late in the process, and it is directed to resolve a problem already created, rather than attempt to prevent one from arising. Contact with isolated tribes is over-hasty; transferral out of their homelands is the favored solution; large-scale population losses and cultural derangement are the common result. Even in the Xingu National Park this is evident in the cases of the Beíços de Pau, the Txukarramae, and the Kreen Akarore. Anthropologists are called in to try to rectify the hideous condition in which the groups are found; their efforts are hampered by bureaucracy and changing development plans (as in the case of the Parakanan). The groups either become the objects of FUNAI economic "development projects" which benefit them little if at all or they are left to their own devices. These are often insufficient to confront the influx of invaders, diseases, and exploitation.

A. The sub-plot: Indian lands as a general land fund. Anyone who takes the trouble to analyze the process by which Indians lose the larger part of or all of their lands will see a clear pattern emerge. Large tracts of land are imprecisely reserved for Indian population at the time of their pacification: "wild" Indians need access to natural resources, and they are often the focus of national and international attention. Once the tribe has been pacified, urgent reasons for moving them to another area, or for reducing their lands are found: "Indians with clothes" are not Indians, do not need the resources, and are presumed to have no future needs. Once the Indians have come to terms with the national society and are integrated to some extent into the regional economy (but not necessarily culturally or socially) they are in danger of losing more of their land, either through emancipation or through further development schemes. Even land reform is often undertaken at the expense of the Indians. Legally they have perpetual rights, in fact they hold their lands in trust for larger interests.

- III. Specific Recommendations for Financial Institutions lending money to development projects affecting either Indian lands or Indian populations through regional development.
- A. Examine the project to see whether Indian populations are involved. Is there any justification for the project using Indian lands or resources? Examples of roads that bisected Indian reserves solely for the purpose of expropriating certain groups must be remembered (as in BR080 and the Xingu National Park). If Indians are involved, the consequences must be considered and the project evaluated in this light.
 - B. In all stages of the planning, the Indians should be seen as separate nations, whose interests are not necessarily the same as those of the nationality applying for the loan.
 - C. The future of the native populations should be provided for quite specifically at the earliest possible stage of the loan negotiations. Economic feasibility and social impact studies should be undertaken simultaneously. Included in the early discussions should be legitimate representatives of the Indian groups affected (chiefs, etc.), FUNAI, and Brazilian specialists who are not members of FUNAI--such as representatives of the Comissões Pro-Índio or Associação Nacional de Apoio ao Índio, or anthropologists who have worked closely with the groups involved.
 - D. The project should include provisions for locating and contracting consultants who know the local situation. FUNAI information should be supplemented with information from other sources, since the Foundation is insufficiently funded and staffed to be entirely reliable, nor does it make much use of Brazilian specialists (many of whom have had bitter experiences working under the auspices of FUNAI).
 - E. When development projects are devised for areas in which uncontacted populations are suspected of living, the attraction of these groups must be adequately financed, and ample time allowed for the accomplishment.
 - F. Indian lands must be delimited in the earliest stages of the project, and legally demarcated--including the 6 meter swath--at the earliest possible moment. Special funds should be allocated for this.
 - G. In advance of the project, special consideration should be given to the health of the groups. Not merely through vaccinating the Indians, but also through attending to the health needs of all of the workers and visitors to the area.
 - H. In the case of societies which cannot continue to live on their traditional lands, the following precautions should be introduced into the earliest possible stage of the planning.

1. Presidential Approval. If removal is necessary, it requires a presidential decree. This should be obtained in the initial stages, so that long-term planning can be made, and so that proper steps can be taken to safeguard the population. If possible, removal should be avoided.
2. In the case of removing a society for development reasons, a special project should be funded for helping the group at all phases of the move. Preparations should begin well in advance; the move should be on a timetable independent of the project itself.
3. Indemnity for lost resources should be specified in early contracts.
 - a. Indemnity for land should be in land judged by specialists and representatives of the Indian society to be equivalent. Not to be made with money.
 - b. The Indians should retain access to the area and preference in exploiting any new resources generated (such as fish in the dammed up water behind a power station).
 - c. Indemnity should be made in the form of money or technological aid for installations lost or resources destroyed.
 - d. A portion of the value of the loan, in proportion to the area affected or the resources lost, should be deposited in the name of the tribe, either in funds or in stocks. This fund would be for them to use as they please, and should not be part of FUNAI's operating fund. For example, in a Power Dam project for 200 million dollars, 0.05% would be set aside for the Indians as a fund to be used by them. This should not be confused with the other indemnization above.

IV. Conclusions. The situation of the Brazilian Indians at the moment is a dark one. But the penury, the violence, the sickness, and the invasion of their lands is simply the effect of other processes. Rather than act as firemen, putting out ever-smouldering blazes, we should go to the source of the difficulty. This is that social planning is done too little and always much too late. The Indians in Brazil are always a "problem." Actually, it is quite clear that we are the problem. Should adequate provisions for including Indian interests and Indian representatives, and Indian futures into account in development projects--especially those which will effect an entire region--it should be possible to diminish the chances of decimation, extinction, demoralization, and marginalization which are so prevalent in the Indian societies in areas of intensive capital investment.