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# Land Regularization in Brazil and the Global Land Grab: A State-making Framework for Analysis

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Paper presented at the  
International Conference on  
**Global Land  
Grabbing**  
6-8 April 2011

Organised by the Land Deals Politics Initiative (LDPI) in collaboration with the Journal of Peasant Studies and hosted by the Future Agricultures Consortium at the Institute of Development Studies, University of Sussex

I adapt James Scott's framework for a comparative analysis of ongoing changes in land ownership in the Amazon and the Cerrado regions of Brazil. The Brazilian government recently initiated a program intended to regularize titles of 300.000 homesteaders in yet-unassigned public land in the Amazon region. This new effort in state-making over a largely illegible landscape intends to offset large-scale illegal land grabs and ongoing (though significantly curtailed) deforestation. In contrast, generally legal large-scale agribusiness investments are speeding up deforestation and concentration of land ownership in the Cerrado region by well established state mechanisms, encouraging thereby greater foreign and domestic investments. The difference in legibility between these two regions distinguishes the policies adopted by the Brazilian state towards each, leading to significantly different socio-ecological outcomes: the imposition of legibility may regulate land concentration and degradation, yet legible landscapes facilitate both concentration and degradation. The state-making framework developed captures the heterogeneity of processes easily confounded in references to a global land rush. The conclusions drawn from this comparative analysis highlight the importance of considering state-making processes in the current rush to comprehend land grabbing worldwide, especially where international investments have received greater prominence than domestic factors, such as in Sub-Saharan Africa.

## Introduction

Brazil is in a unique position in what is being called the global land grab that is currently taking place. The general trend identified are "land-poor/capital-rich" sovereign funds and associated agribusiness corporations and financiers making large purchases of agricultural land and other agribusiness-for-export investments in "land-rich/capital-poor" countries; prominently in Africa but also to a large extent in Asia and Latin America. (GRAIN 2008; World Bank 2010; de Schutter 2009) Yet in Brazil there are extensive agricultural lands *as well* as capital-rich agribusiness corporations, financiers, and associated state institutions. All the concerns regarding the exploitation of people and environment of a land-rich/capital-poor country remains, however, as does the sought opportunities for profit from domestic and foreign investment, production, trade and speculation. But since Brazil does not conform to the global trend (to whatever extent we can actually identify such a thing), investigating its internal dynamics is required to comprehend where and how such land grabbing is in fact taking place. It is far from a homogeneous process, of course, not only because of the sheer size of the country. In this brief reflection, I relate only two regions of Brazil to each other and to broader global processes, viz. the Cerrado and the Amazon. The majority of land grabs taking place in Brazil occur in these two regions, and they most certainly are very distinct but deeply related processes.

In the Amazon<sup>1</sup>, the federal government's Terra Legal program (a state policy to regularize homesteads) intends to legalize 300.000 private property titles in yet-unassigned public land. It excludes foreigners outright from land regularization, as well as corporate ownership. The protection of small homesteaders' (*posseiros*) property rights in a region historically marked by illegal land grabs of several thousand hectares that frequently displace them is indeed a just cause, and greater environmental regulation during the past decade has actually been correlated with decreased deforestation. However, this regularization program has come to include lands up to 1,500 hectares, which would be privatized far below market price and without needing to pay anything for previous illegal logging, and which could be resold in 4 to 10 years, making it a highly polemic process. As of January 13<sup>th</sup>, 2011, a total of 86,397 individuals have registered 10,116,715 hectares of public lands to be privatized, and new petitions continue to be filed daily with the Ministry of Rural Development (MDA). In the most comprehensive analysis of the first year of the Terra Legal program so far,

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<sup>1</sup> Unless otherwise indicated, "Amazon" indicates the entire "Legal Amazon" region officially designated to encompass the northern portion of Mato Grosso state in the Center-West region and most of Maranhão state in the Northeast region, in addition to all seven states of the North region (Acre, Amapá, Amazonas, Pará, Rondônia, Roraima and Tocantins).

Brito and Barreto from the IMAZON institute calculated that 63% of petitions fall at or below 76 hectares and amount to only 16% of the total area registered for regularization. On the other hand, 39% of the total area registered is concentrated by only 8% of the petitions for properties between 400 and 1500 hectares. (Brito and Barreto 2010)<sup>2</sup> Such land concentration in the hands of so few would-be proprietors has caused rural social movements to raise uproar. They also point out how the accelerated regularization program is threatening to restrict yet unaccounted indigenous and traditional community land rights, as well as stall the agrarian reform process elsewhere in the country. (Brito and Barreto 2008; MST 2009; Pacheco and Pacheco 2010; Maior 2010) Ultimately, it is argued that this regularization amounts to legitimizing *grilagem*, the traditional Brazilian word for illegal land grabbing. (A. Oliveira 2010) Such land grabbing is most certainly taking place in the Amazon region, and while international markets for lumber and beef are still a mere link away from the process, the majority of the agents involved in the land grabbing and related agro-extractivist activities are Brazilians enveloped in the dynamics of our own society, class struggle and state-making.

In the Cerrado, on the other hand, foreign corporations and individuals play a much more direct role. They had been making extensive investments in agricultural land and agribusiness, and continue to do so despite more restrictive government regulation from 2010 that precluded further direct purchases of land, but allows for minority partnerships with Brazilian individuals and agribusinesses. Despite the successes the state may be having curtailing deforestation and foreign land grabs in the Amazon, extensive deforestation and “textbook case” land grabs are certainly taking place in the Cerrado (e.g. Saudi and Qatari sovereign funds and agribusiness partnerships investing in export-oriented agribusiness production). There, property rights had already been more regularized than in the Amazon, and transportation and communication infrastructure was consolidated at an earlier time. Indeed, the entire Cerrado has been devoted by state policy since the 1960’s towards the extensification and intensification of agribusiness, and from this perspective, the other half of its natural resources in land are still available. Consequently, extensive deforestation continues in the Cerrado at twice the rate of deforestation in the Amazon. (MMA 2009) The Japanese International Cooperation Agency (JICA) was a key agent since early years, recognizing in the Cerrado the most basic interest of foreign sovereign funds, agribusiness corporations and investors: extensive arable lands at a relatively cheap price capable of profitably producing agricultural commodities for export. (MAPA 2002) The Japanese continue to be major investors and consumers of agribusiness commodities from the Cerrado, and an increasing number and diversity of investors from Asia, the Arab world, Europe and North America have since joined. (Wolford 2008; *Qatari News Agency* 2010) Of course, there is now the requirement that Brazilian partners get a cut of at least 51%. But despite reports of divestment by foreigners from land and agribusiness in the Cerrado (*Valor Econômico* 2010)<sup>3</sup>, this regulation is not as restrictive as might seem. After all, land and agribusiness investments in the Cerrado are still profitable because of various other key factors: the region is adequate for mechanization (generally flat), irrigation (with plenty of water resources to tap), and

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<sup>2</sup> As will be discussed below, there is evidence that more recent registrations will tend towards even greater concentration of land by few large holdings.

<sup>3</sup> STCP Engenharia de Projetos Ltda., a major Brazilian corporation providing consultancies and brokerage for forestry investments, reports that foreign investors froze US\$3.2 billion due to the implementation of the recent limitations to foreign ownership and investment. This included deals on 180,000 and 150,000 hectares of eucalyptus monocultures in Tocantins and Bahia respectively, in addition to 190,000 hectares for sugarcane production in Bahia, 50,000 for soybean production in Piauí, and an unreported amount of land for eucalyptus production in Mato Grosso do Sul. A different source in the same news report also indicated that Indian investors too were retracting an unspecified amount from the forestry industry of Mato Grosso do Sul. (*Valor Econômico* 2010)

industrialization through both public and private Brazilian partnerships who know local agricultural production conditions and who can navigate domestic political issues, which remain, after all, quite favorable towards agribusiness investments and export – a state policy on which the PT government and its major electoral opposition to the right converge.

In the present essay, I first demonstrate how the differences in visibility and legibility (akin to Scott, 1998) of these two regions account for the distinct state policies directed towards each. A shorter report on current events in the Cerrado is intended to allow for a more detailed explanation of the land regularization program in the Amazon. In the second part of the essay, I discuss the relationship between the events taking place in these two regions: How are the state's policies in each region contradictory or complementary towards its overarching project of national development? What are the effects in terms of deforestation and land concentration? What territorial disputes are key to the process? And how are these processes related to the global land grab? Without denying international market pressures driving land grabs in Brazil and elsewhere, I argue ultimately that analyses centered on the “foreignization of space” and transnational actors as the central characteristic of the current land grabs (Zoomers 2010; Shepard and Mittal 2010) overlook the importance of internal dynamics of capital within each country and the way in which governments can harness these international pressures towards domestic efforts at state-making and territorial consolidation. Indeed, efforts by the Brazilian state at regularizing property claims in the Amazon and curbing international land grabs while facilitating partnerships in agribusiness investments in the Cerrado indicates the complex ways in which international tendencies and processes identified as a global land grab are accepted yet modified by Brazilian capitalist interests, subverted but not yet overturned by Brazilian actors.

### **Land grabs and agribusiness investments in the Cerrado**

The Cerrado is an ecosystem that occupies almost 2 million km<sup>2</sup> (almost 25% of Brazilian territory), standing on the central highland that splits the country southwest-to-northeast. It is the world's most biodiverse savanna, and it was listed as one of the world's 25 “biodiversity hotspots” due to its high rate of endemism and its high percentage of destroyed or degraded habitat. (Myers et al 2000) It is estimated that 40-50% of the Cerrado's vegetation has been destroyed while another 30-40% has been degraded. Many of its species, therefore, are currently endangered and on the brink of extinction. (Aguiar and Camargo 2004; Wolford 2008) Mining, damming, ranching and especially agriculture are predominantly responsible for the degradation of the Cerrado ecosystem, as well as the changing social relations that have expelled millions of peasants from the countryside and overburdened the cities; a process that has taken place at a relatively fast pace during the past century and particularly increased acceleration and foreign participation since the 1970's. (Pires 2000; Wolford 2008; Machado 2009)

The occupation of the Cerrado by European/Brazilians began centuries ago through expeditions searching for precious minerals and indigenous peoples to be enslaved. The colonial *sesmarias*, a regime in which proprietors were granted extensive “public” lands in the colony to administer as interveners of the Crown, eventually gave way to an oligarchic regime of private property over *latifúndio* lands devoted primarily to ranching. These *latifúndia* continued to be ruled more like provinces than plantations into the 1930's, when the national developmentalist dictatorship of Vargas seized power from landed elites and directed the country towards industrialization. (Santos 2009) A “march towards the West” was proclaimed by the state in order to occupy the “empty spaces” of the Center-West region of the country. This state-making impetus over the *sertão* (hinterland) involved the extension of railroads and highways from the industrializing southeastern region of Rio de Janeiro

and São Paulo, the construction of a new capital for the state of Goiás (the city of Goiânia), grants and subsidies for agricultural expansion and even land regularization and colonization programs. In other words, the Cerrado, which had previously been seen as “empty” by the Brazilian state, began to be rendered more legible already before foreign agricultural investment played a major role in the region. (CPAC 1975; Fausto 2004)

The renewed cycle of infrastructure investments associated with the construction of Brasília and the state programs promoting agricultural investments with “green revolution” technology greatly accelerated the occupation of the Cerrado and increased the legibility of the region for the state, fusing the region with the southeastern and coastal territories previously consolidated by the Brazilian state. Yet this process was far from peaceful and coherent. In one instance, members of the landed elite of Goiás falsified *sesmaria* and title transfer documents for three *latifúndia* that corresponded to over 75,000 hectares. They proceeded to forcefully evict peasants homesteading throughout the region, who ultimately resorted to armed resistance and sparked full blown uprisings in the municipalities of Trombas and Formoso. Although armed struggle was most intense during 1955-57, the conflicts between *grileiros* (land grabbers) and *posseiros* (homesteaders) that began earlier that decade lasted until the military dictatorship outlawed the peasant leagues and arrested their leaders in 1964, ratifying thereby the land grabs that sparked the conflict. (Esteves 2008)

While property regimes were still being imposed and challenged by force, the Brazilian state began to broker domestic and international investments that also increased the legibility of the Cerrado in other ways. In 1975, a branch of the federal government’s National Company of Agricultural Research (EMBRAPA) was created specifically oriented toward the Cerrado (EMBRAPA-Cerrados<sup>4</sup>) and another branch was devoted primarily towards the production of soybeans (EMBRAPA-Soja<sup>5</sup>), allowing significant interventions in the pH and nutrient availability of the Cerrado soils that rendered it profitable for the intensive production of hybrid varieties of soybeans, cotton and sugarcane. (CPAC 1975; Nassar 2007)<sup>6</sup> At this time, international influence and investments also began to play more prominent roles in the occupation of the region. The Program of Directed Settlement of the Alto Paranaíba (PADAP), for example, granted public land for the establishment of four agricultural settlements in the Cerrado region of Minas Gerais state in 1973. The beneficiaries were small-scale market-oriented farmers (*colonos*) from the southeast of the country, among whom 80% were Japanese immigrants or their descendants. (Pires 2000) Due to this fact, and also due to the Japanese state’s intention to increase the availability of agricultural products from Brazil in the international market, especially grains for which Japan has great need, the Japanese International Cooperation Agency (JICA) took special interest in the project and provided credit and technical support for soybean and other grain production under PADAP, which also included the construction of transportation, energy and communication infrastructure. (Hollerman 1988; Yoshioka 1992)

The relative success of PADAP encouraged further negotiations between JICA and the Brazilian state in 1975, which resulted in expanding the PADAP model into a region-wide Japanese-Brazilian Cooperation Program for the Development of the Cerrado (PRODECER). (Martins and Pellegrini 1984; MAPA 2002) The first stage was

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<sup>4</sup> Originally named the Center for Agriculture and Ranching Research of the Cerrados (Centro de Pesquisa Agropecuária dos Cerrados – CPAC).

<sup>5</sup> Originally located at the Paraná Agronomy Institute (Instituto Agrônômico do Paraná - IAPAR), even while it operated as a branch of the federal Embrapa company.

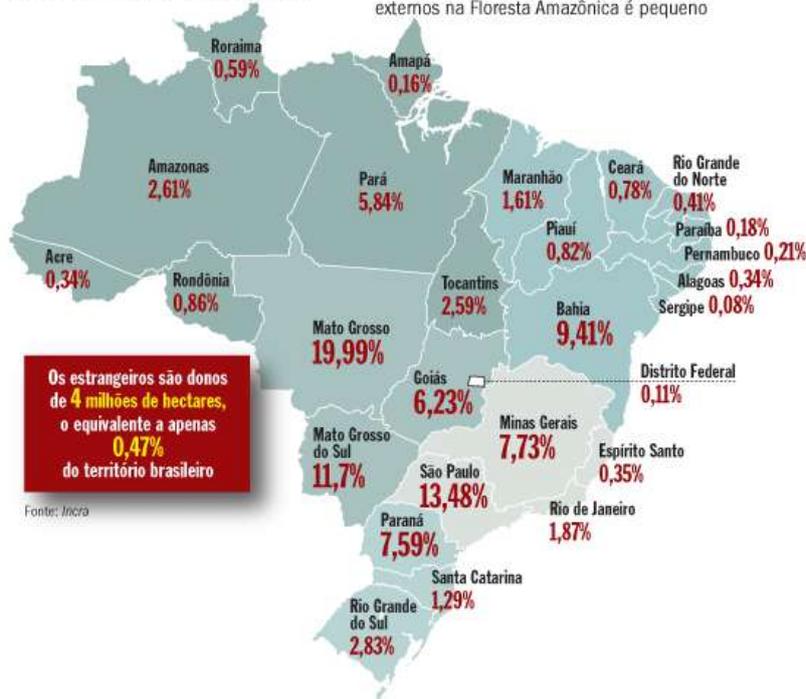
<sup>6</sup> Funding for Embrapa-Cerrados (CPAC) came from the federal government’s Development Program for the Cerrado (POLOCENTRO), which also financed road improvement, rural electrification, grain storage units, land clearing, production, commercialization, capital goods acquisition, and harvest expenses in the Cerrado. (Jepson et al 2010)

implemented in Minas Gerais state in 1980, the second stage extended the program to the states of Goiás, Mato Grosso, Mato Grosso do Sul and Bahia in 1987, and the latest stage expanded it further into the states of Tocantins and Maranhão in 1994. Currently, negotiations are stalled over a projected fourth stage that would escalate the program in Piauí, Bahia and Maranhão and expand it into the Cerrado-Amazon transition zones of northern Mato Grosso, Rondônia and Pará. (Marouelli 2003) Unlike the land grant settlement under PADAP earlier, “colonization projects” under PRODECER were administered by the Agricultural Production Company (CPA) jointly owned by Japanese (49%) and Brazilian (51%) public and private capital. CPA provided highly subsidized and flexible credit for land purchase and agricultural production. Another difference has been the greater role played by JICA in all aspects of the project: selection of the areas for settlement, provision of credit and technical assistance, investments in the construction of grain elevators and other production, commercialization and transportation infrastructure, monitoring production and evaluating each stage of the implementation of the program. (Pires 2000) By 2003, the first three stages PRODECER had benefited 758 farmers, settled in 21 projects across 7 states producing mostly grains over a total area of 353,748 hectares. The tentative fourth stage is intended to establish an additional 60 settlement projects over an additional 41,000 hectares. (Marouelli 2003; Jepson et al 2010) It is important to consider that programs such as PRODECER have impacts far beyond the directly benefited *colonos*, since its infrastructure investments dovetail with broader agricultural research, extension and economic policies that encourage extensive private investments in farmland and agribusiness in shifting agricultural frontiers. (Hecht 2005)

Currently, foreign ownership of land in Brazil, calculated by INCRA at around 4 million hectares as of 2004 (Vital 2010), is relatively scant given the size of the country. These 4 million hectares amount to a mere 0.47% of the total Brazilian territory. Yet the additional amount of land under joint ownership (such as the land owned by CPA that administers the Japanese-Brazilian PRODECER program) is far more difficult to calculate, not least because of the speed and discretion with which new deals are being made during the past few years. Foreign ownership is also unevenly distributed, highly concentrated in the Cerrado region and the sugarcane producing states of the southeast. The state of Mato Grosso contains most foreign-owned land (19.99%), followed by Sao Paulo (13.48%), Mato Grosso do Sul (11.7%), Bahia (9.41%), Minas Gerais (7.73%), Parana (7.59%), Goiás (6.23%) and Para (5.84%). All other states contain less than 3% of foreign-owned land each. This concentration of foreign-owned lands in the main sugarcane production zone (Sao Paulo, Parana, and portions of Mato Grosso do Sul, Minas Gerais and Goiás) is indicative of the growing importance of ethanol production in the dynamics of land grabs. (Holt-Giménez and Shattuck 2009; Borras, McMichael and Scoones 2010) The growth in investment in sugarcane also plays an important role raising the price of land in the southeastern portions of the Cerrado (viz. eastern Mato Grosso do Sul, southern Goiás and western Minas Gerais) and thereby displacing the previously predominant ranching and soybean production towards the northern and western rims of the Cerrado (viz. Mato Grosso, Tocantins, western Bahia). (Miragaya 2007) Despite the complex cross-regional and multi-crop dynamic of agribusiness expansion in Brazil, there is a clear correlation between the areas of agribusiness expansion and areas targeted by foreign investment in farmland itself, resulting in increased concentration of land and production. (IBGE 2006) Yet the entire process of foreign and domestic agribusiness expansion, primarily over the Cerrado, continues to be explicitly promoted and brokered by the Brazilian state. (MAPA 2010)

## PORCENTAGEM DE TERRAS NA MÃO DE ESTRANGEIROS

A maior parte das terras pertencentes a estrangeiros fica em estados com vocação agropecuária. O interesse dos investidores externos na Floresta Amazônica é pequeno



Source: Vital 2010

However, foreign ownership of land is not necessarily the best lens through which to capture the international pressures and foreign interests in Brazilian agriculture and its commodities. Brazilian agribusinesses themselves constitute the world's largest market for agricultural machinery and inputs (Dasgupta et al 2001; Mehta and Gross 2006; Arovuori and Karikallio 2009), and foreign investors often prefer partnerships and investments in Brazilian agribusinesses rather than direct investments in farmland or agricultural production itself. For example, Nasser Mohamed Al Hajri, chairman of Hassad Food, owned by the Qatari sovereign fund, claimed: "We are not deleting the option of buying farmland but we don't feel like it is the right strategy to take." (Bakr 2009) Hassad Food has been negotiating investments in Brazil for partnerships in sugarcane, poultry and poultry feed production. (Reuters 2010) Moreover, to limit a discussion of land grabs in Brazil only to the foreign investments in agricultural land and agribusiness production is to only tell a portion of the story. It is necessary to shift the focus toward the land grabs in the Amazon region and discuss ultimately the relationship between the events taking place there and in the Cerrado.

### The Terra Legal property regularization program in the Amazon

The cruel history of indigenous genocide, slavery and colonization of what has become Brazil involves an increasing consolidation of private property regimes. Due to the large extension of the country and the "friction" of so much of its terrain (Scott 2010), particularly in the rainforest regions of the north, the majority of the territory of the Amazon remained without legally defined private properties or designated public use. In 2008, 53% of the Amazon did not have clearly defined property status, including privatized lands under suspicion of illegality (*grilagens* or illegal land grabs), public lands unallocated by law, legal homesteads without property recognition and indigenous or traditional community lands yet unrecognized by law. In addition, property titles in local registries throughout the Amazon are not consistent with the National Institute of Colonization and Agrarian Reform (INCRA) registry and sometimes

they do not even match the physical location of the real estate. (Brito and Barreto 2010) In 2003, INCRA's records for the Amazon region revealed irregular occupations of 302,457 holdings over a total area of 42,205,886 hectares – and an astounding concentration due to the extensive *grilagens* typical of the region:

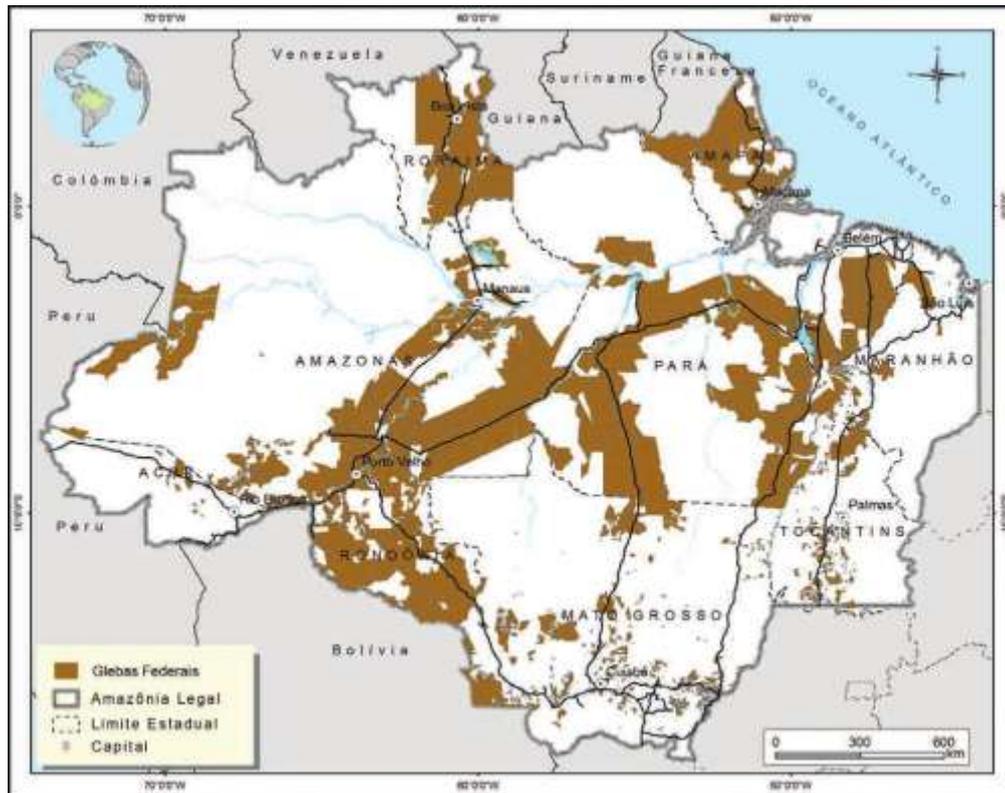
Irregular homesteads and land grabs in the Amazon registered by 2003				
Category in Fiscal Modules (MF) and average hectares	Number of real estates registered	Percentage	Area occupied	Percentage
Less than 1 MF (< 76 he)	211,327	69.9%	8,352,883	19.8%
Between 1 and 4 MF (76 to 400 he)	70,849	23.4%	8,794,225	20.8%
Up to 4 MF (< 400 he)	282,176	93%	17,147,109	40.6%
Between 4 and 15 MF (400 to 1,500 he)	13,435	4.4%	7,296,757	17.3%
Above 15 MF (>1,500 he)	6,846	2.3%	17,762,020	42.1%
Total	302,457	100%	42,205,886	100%

Source: INCRA/National System of Rural Cadaster (SNCR) 2003; adapted from A. Oliveira 2010

Rural conflicts, illegal logging and land grabs (*grilagens*) had already been rampant in the Amazon, longtime scourges suffered hardest by the indigenous peoples, traditional communities and poor peasants who had no secure use rights over the land that sustained them for generations. Glimpses of this history were grotesquely depicted by Alberto Rangel's famous fiction *Inferno Verde* (1908) over a century ago, but sadly it continues and aggravates as documented fact by human rights organizations. (Melo 2006; CPT 2010) Given this backdrop, the Workers' Party (PT) government was able to give continuation and expand the predating state policy of increasing the "legibility" of the Amazon region by adding popular concerns for sustainability and development purposes to the traditional argument that regional integration was necessary for national defense (as previous governments argued since the empire and the dictatorships of Vargas and Castelo Branco et al). Property regularization under the PT administration was promoted ultimately as a moral imperative of the state towards the rightful but hitherto victimized character of the small *posseiro* (homesteader), and against the despicable *grileiros* (land grabbers) blamed for so much deforestation. (MDA 2009a; 2009b) Moreover, it fit well with economic and juridical arguments about the greater efficiency and fairness of private property management. (Filho and Surlo 2010; Costa 2010) Finally, the concern that further privatization would also increase the visibility of this vulnerable region *to the market* is used to strengthen the state's case for greater involvement and regulation.

The Terra Legal program initiated by the Ministry of Rural Development (MDA) in June 2009. It is intended to regularize in three years titles of 300.000 homesteaders in yet-unassigned public land in the Amazon region (both urban and rural), which could affect up to 670 thousand square kilometers (equivalent to the total area of Germany and Poland combined). It involves four stages: registration, georeferencing, field inspection, and titling. Properties to be regularized must have been occupied since at least December 1<sup>st</sup>, 2004. Holdings of 100 hectares or less are exempt from payment for regularization, while larger holdings require the payment of a yet uncertain amount. Holdings that have been sites of struggle over land or modern day slavery are disqualified, yet the environmental crime of illegal deforestation would not preclude

regularization or carry any fine. (Brito and Barreto 2010)<sup>7</sup> Figure 1 illustrates the public lands that are available for regularization under the Terra Legal program.



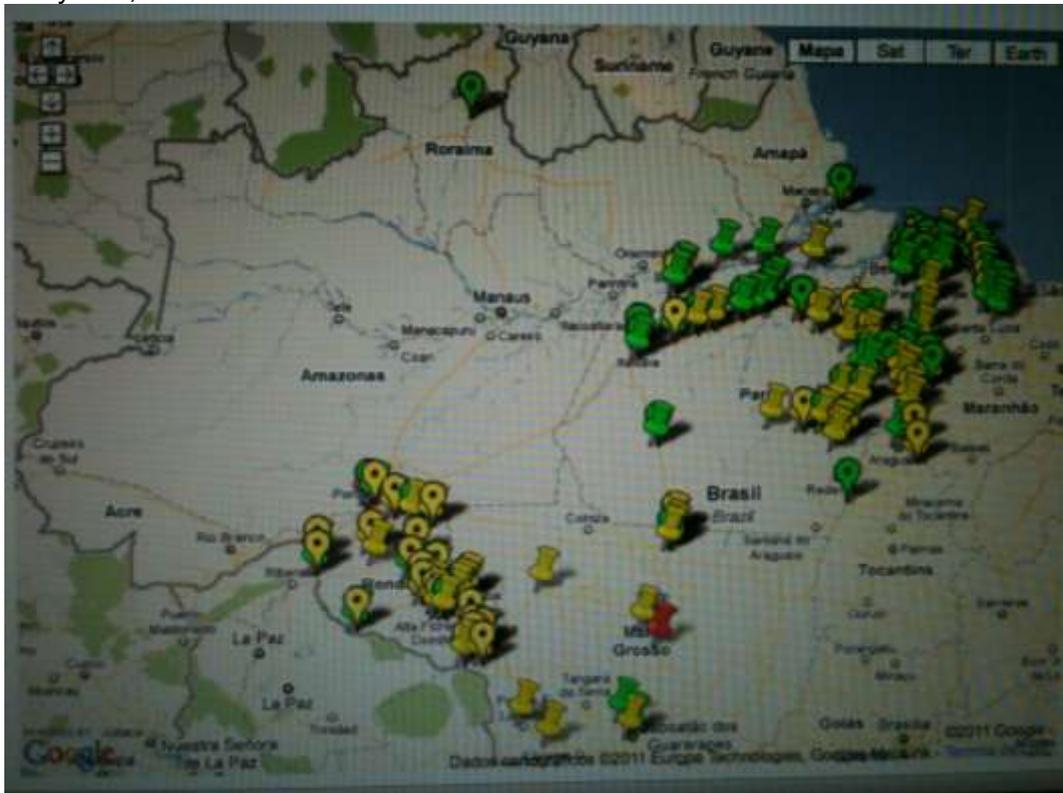
Source: IMAZON/Brito and Barreto 2010

One year and a half into the program, the majority of processes remain in the first two stages, viz. registration and georeferencing. As of January 13<sup>th</sup>, 2011, a total of 86,397 individuals have registered 10,116,715 hectares of public lands to be privatized. (A little larger than the total area of Portugal.) This number grows daily, and while georeferencing is delayed, it is steadily progressing. However, legal challenges have been filed by the Federal Public Attorney (MPF) against the regulations for field inspection and titling<sup>8</sup>, and only 518 titles have been processed so far (privatizing a total of 93,432 hectares). 216 of these titles are result of regularization processes predating Terra Legal, and practically all other 302 titles are located in urban or peri-urban areas of Cuiabá, Porto Velho and smaller cities in Maranhão and Pará. Since homesteads below 100 hectares are constitutionally exempt from payment for titling

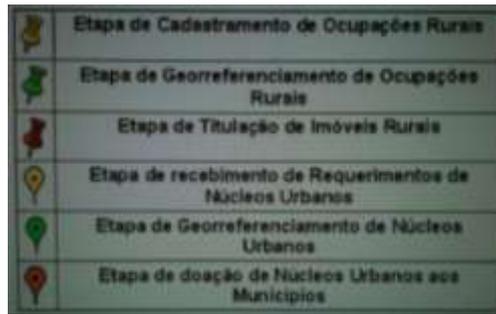
<sup>7</sup> At first, only those conflicts and crimes reported by the local police were considered, but since local police are often involved in the crimes or fail to report many instances of conflicts over land as such, human rights organizations and rural social movements successfully lobbied for claims recorded by the Pastoral Commission on the Land (CPT) and the National Agrarian Ombudsman (OAN) to also be considered. It remains a problem that the state has only established an internet-based method to denounce illegal activities pertaining to the regularization process. It is necessary to also create a telephone-based system more accessible to the majority of the population in the region. (Brito and Barreto 2010)

<sup>8</sup> Lawsuits dispute particularly the provisions that exempt properties under 400 hectares from inspection, provisions and that determine the price (under market price) that must be paid for properties above 100 hectares, the lack of provisions that condition regularization on compliance with environmental legislation (such as legal restrictions on deforestation), and the contrast between permitting properties above 4 fiscal modules (about 400 hectares) to be sold only 3 years after regularization, while smaller properties cannot be sold until 10 years after regularization. These are included in the Direct Action of Unconstitutionality (Adin) number 4,269 filed by the Federal Public Attorney (MPF) in July 2009. As of January 2011, the Supreme Federal Court (STF) has yet to rule on the issue.

and municipalities administer the vast majority of these titles in urban areas, the regularization of most titles so far sidesteps the central concerns of the judicial challenges raised by the MPF. In total, 87% of titles regularized so far were for properties below 400 hectares, and only 69 titles were given for larger properties. (These larger privatizations are likely from past regularization processes, yet I am still researching where exactly each of these larger properties is located, and how and when these particular claims were filed.) However, unless there are significant changes to the implementation of the program as a result of increasing pressure by social movements, NGOs and the judicial branch, the extent of land privatized into holdings above 400 hectares will quickly outpace homesteads below 400 hectares. As mentioned in the introduction, 63% of petitions registered during the first year fall at or below 76 hectares and amount to only 16% of the total area registered for regularization. On the other hand, 39% of the total area registered is concentrated by only 8% of the petitions for properties between 400 and 1500 hectares. (Brito and Barreto 2010) There is also evidence that this ratio is becoming increasingly higher with additional registries over the past six months.<sup>9</sup> Figure 2 illustrates the current distribution and stage of individual processes under the Terra Legal program as of January 13<sup>th</sup>, 2011:



<sup>9</sup> Their calculations are based on only the first 74,132 registries for 8,369,872 hectares made by the end of the first year of the Terra Legal program, the period between June 2009 and June 2010. According to the MDA, 53% of these registries were imported from the membership roster of the National Program for Small Farmer Support (PRONAF), to which only homesteaders with less than 400 hectares would qualify. (MDA 2010b) This indicates that the ratio between small (<400 hectares) to large homesteads (between 400 and 1,500 hectares) among the *newly filed* petitions for regularization under the Terra Legal program displays *even more* concentration of land ownership. In the period between June 2010 and January 2011, when about 12,000 additional petitions have been filed for the regularization of another 1,750,000 hectares, the average size of claims increased from about 122 to 144 hectares.



Source: MDA, <http://portal.mda.gov.br/terralegal>, accessed January 13<sup>th</sup>, 2011

I will discuss the geographical distribution of the Terra Legal regularizations in more detail in the following section, situating it in relation to the events taking place in the Cerrado. But first I present the context, dynamics and history of the first year and a half of the implementation of the Terra Legal regularization program itself. After all, it is only the latest and most conspicuous policy among many that make up a far broader project of state-making over the Amazon.

Driven in part by environmental concerns to curtail deforestation, state intervention and regulation of extractivist industries in the region has increased drastically. In 1999, a growing environmentalist movement domestically and abroad forced the MPF to halt the federal environmental agency (IBAMA) from renewing or conceding any further environmental licenses to the logging industry until it consulted property titles at the INCRA registry and inspected the location of the real estate – a process that would often take longer than a full year. In addition to increasing field inspections, IBAMA limited the types of documents accepted for authorization of lumber extraction to 13 in 2002, excluding homestead cadasters (*Cadastro de Posse*) common in the region, and then in 2006 it excluded all but 2 forms of documents in addition to regularized property titles for environmental licensing. Hence, lumber extractivists radicalized their protests, blockading roads and occupying government buildings, and their civil society representatives increased lobbying for the simplification of property regularization and the hastening of environmental licensing in the Amazon. (Brito and Barreto 2010; A. Oliveira 2010)

At the same time, technological developments such as satellite-based georeferencing and imaging techniques (in particular GIS) increased the Brazilian state's ability to impose more "fine grained legibility" over its own territory. Law number 10,267 of 2001 and the executive decree number 4,449 of 2002 required INCRA to consolidate all rural real estate registries into a single national cadaster, and demanded georeferencing for all new or renewed property registrations. (Barreto et al 2008; Costa 2010) This increased the complexity of the registration process and delayed even further the regularization and renewals necessary for environmental licensing already mentioned above. The inability of the Brazilian state to carry out extensive georeferencing in a short amount of time is demonstrated by two facts: previous georeferencing efforts over the Amazon had been carried out almost exclusively by the military in border areas considered important for state security and the MDA has found itself forced to privatize georeferencing services in order to attend the increased demand and decreased timeframe imposed by the Terra Legal program. (Brito and Barreto 2010; MDA 2010a)

Furthermore, the Terra Legal program is not the single regularization program currently taking place in the country. The Federal Property Secretariat (SPU), in association with the Ministry of the Environment (MMA) has given concessions to several conservation areas for extractivist activities, which combined with similar concessions by the MDA amount to over 693,000 hectares distributed throughout the Amazon states of Rondonia, Amazonas, as well as Santa Catarina, Bahia, Rio de Janeiro and São Paulo in other regions of the country. (SPU 2010) Unlike the Terra Legal program, however, these concessions do not amount to the regularization of

private property titles, but to communal, cooperative or corporate use rights for agroforestry. Hence, the Terra Legal program is only one component of the broader Sustainable Amazon Plan (PAS), which is nominally operated by the Ministry of the Environment (MMA) but actually subject to the other ministries that ultimately direct the national Program for Accelerated Growth (PAC) that is the hallmark of Dilma Rousseff as both chief of staff and president. In this context, it is not surprising that economic growth imperatives threaten to undermine goals of social justice and environmental sustainability of these state projects and programs. While private property regularization had still been stalled during the mid-2000's, for example, the lumber industry came to actually support the Program of Sustainable Development launched in 2006, since it allowed such concessions of thousands of hectares in the Amazon, enraging environmentalists, rural social movements and landless people who continued to be settled on average in 20 hectare plots through anemic agrarian reform programs. (A. Oliveira 2010)

Policy developments such as regularization of sustainable agroforestry initiatives should be welcome, but there is great need to distinguish those that benefit community tenure for agroecological production from corporate franchises for eucalyptus monocultures, and ascertain that the latter do not take place at the expense of the former. These other regularization programs deserve further research, but unfortunately they transcend the scope of my current work. I venture that state resources devoted to these programs have tended to favor agribusiness interests over agroecological production by poor communities, just as all regularization programs – especially Terra Legal in the Amazon – have been strengthened at the expense of INCRA's commitment towards agrarian reform outlined in the second National Plan for Agrarian Reform (II PNRA) adopted by the PT government in 2003. MDA has required INCRA to shift as much as 10% of its personnel from agrarian reform duties to work on the Terra Legal regularization program. (Brito and Barreto 2010) In fact, INCRA concluded in its yearly report on 2009 that this restructuring has curtailed its ability to fulfill its other duties and responsibilities. (MDA 2010a) The Terra Legal program, which is still mostly at the early stages of registration and georeferencing, will eventually require even more human and other resources to carry out the more labor intensive stage of field inspections before the majority of the land registered for regularization can receive legal property titles. This sharp turn towards land regularization reverses a crucial development of the democratization of the Brazilian state during the 1980's, when INCRA abandoned its previous focus on colonization and land regularization in the Amazon region to increase efforts towards land redistribution and agrarian reform in the rest of the country. (Melo 2006; MST 2009; Brito and Barreto 2010; A. Oliveira 2010)

The Terra Legal program is notable not only for the shift from land reform to the privatization of large extents of public land, but also for the speed with which the program was created and the swiftness with which the process was intended to be carried out. Ariovaldo Umbelino de Oliveira, a prominent geographer at the University of São Paulo (USP) and ally of many rural social movements in Brazil, has been a vocal critic of the regularization program, accusing that it amounts to an “agrarian counter-reform”. (A. Oliveira 2010) Oliveira recounts the history of the executive decrees, provisional measures and congressional legislation that ultimately resulted in the Terra Legal program as a history of acquiescence to land grabbing and lumber extractivist interests. Law number 6,383 from 1976 pertaining to auctions of public rural property restricted regularization of homesteading (*posse*) to 100 hectares. The first drastic change came as result of a Provisional Measure by the executive that was made into law number 11,196 in 2005, allowing an increase in the size of claims for regularization from 100 to 500 hectares. This limit was once again increased in 2008 by another

Provisional Measure (MP 422), subsequently made into law number 11,763 that same year, this time to allow regularization of properties up to 1,500 hectares. Particularly distasteful for Oliveira and other proponents of agrarian reform, MP 422 also allowed INCRA to privatize public lands that it already had previously acquired for the purposes of establishing new agrarian reform settlements. (MST 2009; A. Oliveira 2010)

The Terra Legal program itself was first established through yet another Provisional Measure (MP 458) on February 10<sup>th</sup>, 2009. The strategy of scaling up and promoting this regularization program through Provisional Measures by the executive seeks to hasten what would be an otherwise lengthy public debate and legislative process. Provisional Measures by the executive only allow for 60 days after the decree is made for public hearings to take place. Congress can extend this period at most another 60 days, and then it must reject or ratify the decree into law. During the four months when MP 458 was under legislative deliberation, Congress undertook only four public debates on the issue and not a single public hearing was held in any of the nine states affected by the regularization program. (Brito and Barreto 2010)

The aim of giving or selling 300.000 property titles in 3 years will clearly not be accomplished, as reported by Brito and Barreto's (2010) detailed analysis of the program's first year of implementation, confirmed by the author's accompaniment of more recent data, and acknowledged publicly by the MDA through revised schedules. Whether or not these schedules are maintained will depend also on pending rulings by the judicial system. What remains clear is that Terra Legal agents continue to register new homestead claims, hire georeferencing firms, and proceed with titling procedures far quicker than the processes of recognizing and regularizing community rights of indigenous, *quilombola* (maroon) and other traditional groups by the other state agencies and offices (e.g., FUNAI, Fundacao Palmares, Instituto Chico Mendes). These processes require ethnographic and historical work that may last several years or even decades. (Brito and Barreto 2010) Yet the agencies responsible remain overworked and underfunded while the state's priority has been to create the Terra Legal regularization program. Reversed priorities would be necessary to conform to the recommendations of the UN Special Rapporteur on the Right to Food in his report on the threat of serious aggravation of human rights violations due to increased land grabbing. (de Schutter 2009) Unconstitutional privatization of yet-unrecognized communal lands is the most immediate and obvious miscarriage of the Brazilian state's proclaimed intention for strengthening its presence in the Amazon.

While such concerns had already been raised even prior to the implementation of Terra Legal (Barreto et al 2008; Brito and Barreto 2008; MST 2009), important new developments have been the actions taken by certain institutions of the state itself, prominently the MPF's legal challenge to the method of execution of the third and fourth stages (field inspections and titling) of the regularization program. The federal supreme court will ultimately rule on the constitutionality of the current regulations of payment for titles and the amount of time before regularized properties can be re-sold. Payment adjustments can likely become lengthy judicial procedures, and it will take at least another 2.5 years until titles provided by the Terra Legal program can begin to be sold. As the regularization program in the Amazon continues to unfold, it will remain possible to report and resist regularization claims that overlap with lands under communal use rights, as well as other rural conflicts and human rights violations, deforestation and other environmental crimes as social movements, NGOs and the judicial system tracks and maps the regularization program's every stage.

Just how tragic is the failure of the Terra Legal program is subject to discussion. This discussion must be situated alongside similar polemics regarding the land grabs and agribusiness investments elsewhere in the country – particularly in the Cerrado. As

demonstrated above, the Cerrado is still crucial to the high-modernist project that seeks to “fill in” the “empty spaces” of the vast inland regions of the country. In regards to the state formation and economic goals endorsed, the Brazilian foreign trade balance and growing GDP are promoted as strong evidence this project has actually been extremely successful.<sup>10</sup> Yet the social and environmental consequences of the period of the military regime in particular (viz., vast deforestation and rural exodus due to land and rural production concentration) have been increasingly recognized, even by institutions like the World Bank (2010), as decidedly problematic and clearly demonstrative of the threats involved in export- and investment-driven land grabs. (Muller 2003; Schlesinger 2006; Schlesinger and Noronha 2006) Now, of course, without either an authoritarian state or a prostrate civil society that lacks the capacity to resist these plans, Brazil lacks two of four key elements theorized by Scott to result in another of “the most tragic episodes of state-initiated social engineering”. (1998: 4-5) Just as certainly, however, we still find the first and second elements: extensive administrative re-ordering of nature and society in the Amazon and the Cerrado, and a strong and relatively well-supported modernist ideology of national development.<sup>11</sup> So how are we to comprehend the dynamics of the *grilagem* and human rights violations that are still taking place in the Amazon region? What is their relation to the land grabs and agribusiness investments taking place in the Cerrado? How are the distinct policies adopted by the Brazilian state in each region contradictory or complementary towards the project of national development and state-making? What territorial disputes are key to the process? What are their future prospects and relation to the global land grab?

## Discussion

I argue that the Amazon-Cerrado transition zone is the keystone to the land grabbing taking place in Brazil. The occupation of the Cerrado by agribusiness took place from its southeast corner, where it was closer to the main industrializing and urbanizing region of Brazil that irradiated from Sao Paulo and Rio de Janeiro. This continues to be the main route of agricultural trade, but it has been suffering increasingly problematic bottlenecks on the way to the coastal ports as production has increased further into the Cerrado. (Tavares 2004) Although north- and westbound extension of infrastructure was a prominent endeavor 50 to 30 years ago, when the military dictatorship built roads like the Brasília -Belem highway, there was no renewed public and private interest in improving and extending roads, railroads and canals northwards towards the ports on the Amazon river until the past decade. This improvement in transportation infrastructure has become absolutely necessary for agribusiness interests in Brazil to remain competitive worldwide as production extends further into the corners of the Cerrado and, especially alongside these transportation corridors, into the Amazon region as well. It is precisely the transition between the

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<sup>10</sup> Unfortunately this fact escapes James Scott’s focus in his discussion of the construction of Brasília in *Seeing like a state*. His focus on the failed internal dynamics intended by Lucio Costa and Oscar Niemeyer, as critiqued by James Holston (1989), does reveal a failure of high-modernist urbanism. However, the most significant aspect of this failure – the massive growth of unplanned satellite cities surrounding the planned core of Brasília – is result and evidence not only of early construction workers who stayed on, but also of a massive rural exodus that has taken place due to the broader *success* of the same modernist project of *regional* development and state-making through increased urbanization, agricultural intensification, and greater transportation, communication and economic integration of the Center-West region with the rest of the country and the global market.

<sup>11</sup> Speaking now more as a Brazilian than a researcher, I venture the observation that much of this support is due to cooption by consumerism (for the few), bureaucratic tenure (for many) and welfare stipends (for the rest), rather than conviction in the ideology itself, or in the ability of the state to fully deliver on its ideological promises.

Amazon and the Cerrado, therefore, that constitutes the keystone territory to the entire land grabbing process that is taking place in Brazil.

The most extensive and fundamental environmental legislation below the constitution in Brazil, the Forestry Code, sets legal limits for private property deforestation in different regions. In the Amazon ecosystem, 80% of the area must be kept as environmental reservation, but in its transition zone into the Cerrado only 35% must be reserved, while in the remainder of the Cerrado only 20% native vegetation needs to be maintained. These legal parameters are hardly ever cogently enforced, and should be kept in mind during any discussion of illegal land grabs. The illegality could pertain to the acquisition of the “property”, to the deforestation undertaken during the occupation, or both. The legally challenged Terra Legal disposition currently exempting properties under 400 hectares from inspection could “overlook” serious and extensive forest degradation or deforestation due to the small scale illegal logging undertaken by Brazilians. Yet ranching and extensive row crops like soybeans and cotton that are becoming more common on holdings in the Cerrado-Amazon transition, following on the far larger legal extent of deforestation allowed in the transition zone, amounts to a far more rapid and extensive process of legal deforestation than “invisible” illegal logging. Implications for climate change due to agribusiness conversion of Cerrado-Amazon transition zones are no different, if not worse, than deforestation within the Amazon ecosystem itself, due to the amount of carbon stored underground by Cerrado plants, and the greenhouse gases emitted in the production process and production chains of ranching and agribusiness row crops. (Bustamante 2002) Other impacts upon the environment are also likely worse in the agribusiness conversion taking place in the transition zone: pollution of soil and water due to pesticides, erosion and siltation of rivers, loss of biodiversity at local, regional and ecosystem levels, etc. (Muller 2003; Schlessinger 2006; Schlessinger and Noronha 2006)

The Amazon-Cerrado transition zones, moreover, especially in north Mato Grosso, Tocantins and western Maranhao, are sites of several of the most recent large-scale investments in agricultural land and agribusinesses geared towards the foreign market (as discussed above in Cerrado section). The regularization program in the Amazon region has been prioritized in Rondonia and southeastern Para, which are also transition zones of Amazon and Cerrado ecosystems. (Eastern Para is affected primarily due to its closeness to the Atlantic, as was the case over centuries of European/Brazilian occupation of the Amazon, rather than because of an ecosystem-transition characteristic.) Moreover, the Terra Legal regularization program does not regard lands of the Amazon ecosystem narrowly defined. Holdings in the entire Legal Amazon region are eligible, including those in Amazon-Cerrado transition zones of Mato Grosso, Tocantins, Rondonia and Maranhao. The different policies adopted by the state and discussed in this essay actually overlap, therefore, precisely in those regions that are close enough to the Amazon for Brazilian individuals to benefit from the regularization program, but also which are embedded enough within the production system of the Cerrado for them to benefit from the series of direct and indirect state subsidies for export oriented agribusiness. The soybean based agribusiness conglomerate of Blairo Maggi, the world’s largest soybean producer and also governor of the state of Mato Grosso, is a prime example of the ultimate beneficiaries. Even if he and his corporations do not purchase additional land and cannot claim any land for regularization, they profit from the public investments in infrastructure, sometimes paid directly to his company in a public-private partnership, as in the case of the construction of canals in Mato Grosso, Rondonia and Amazonas, or indirectly from the higher profits made by lower transportation costs due to the paving of BR-163 highway from Mato Grosso to the Amazon river port of Santarem. These agribusiness capitalists also benefit from the larger number and scale of other producers in the region who store their grains in their elevators, process grain in their plants, and transport them through their canals.

The transition region between the Cerrado and the Amazon is an enigmatic place, linking together two seemingly distinct and contradictory state policies and processes. Deforestation and international investments characteristic of the global land grab are curtailed in the Amazon region as a whole, but seemingly at the cost of forsaking its southern transition areas and transportation corridors to agricultural intensification, targeted deforestation, and land concentration. (Jepson et al 2008) Transportation costs for agribusiness production in the Cerrado are thereby alleviated, increasing profitability and encouraging further agribusiness investments in the region from domestic capital with international partnerships. The Brazilian state, farmers and agribusinesses deepen their control over territory by privatizing (albeit in different manners) enormous extensions of land in both the Cerrado and the Amazon regions. While these agents certainly benefit from increasing their role in foreign markets and politics as they consolidate their national development project, the implications for the rest of Brazilian society and its environment are far less optimistic. They indicate, after all, a continuation and drastic escalation of the modernist project of “green revolution” agricultural extractivism into even more marginal lands and against even more vulnerable populations. This specific coupling of distinct policies in the Cerrado and Amazon regions, moreover, is ultimately necessary for the Brazilian national developmentalist project of increasing state control over the Amazon region as Brazilian agribusiness interests are extended into the Cerrado-Amazon transition zones, lowering production and commercialization costs for Brazilian agribusiness and incorporating additional territory into the production system centered in the Cerrado.

This critique of land grabbing processes taking place in Brazil is not a stubborn rejection of the role and value of land regularization, agricultural intensification, and improvements in rural infrastructure. All those are necessary for Brazilian society to make further progress towards food sovereignty, sustainability of agroecosystems, social and economic equality and peace in the cities and the countryside. But the priorities set by the state and the political struggles taking place determine *how* these processes unfold and whether they will lead towards food sovereignty or further hunger and malnutrition while food is exported, towards equality or further inequality in wealth and land ownership, towards sustainability or towards further vulnerability and possible collapse, towards peace or towards an aggravation of conflicts over land and violations of human rights. (G. Oliveira 2009, 2010)

Don Sawyer has researched for a longtime the interdependencies between the Amazon and Cerrado and has been an ally of rural social movements. He calls for a realistic approach for political struggle to shape the outcome of the state-making processes and agricultural investments over the Amazon-Cerrado transition described above: split the agribusiness interests from the more reactionary landed and ranching interests over a compromise in the Amazon-Cerrado transition, and conquer them in the broader struggles to curtail overall deforestation and land concentration in both the Amazon and the Cerrado. Sawyer is particularly concerned with the impacts of future developments of biotechnology that may produce ethanol from generic biomass, and thus bring to an end the soybean-sugarcane cycle of current agrofuel production. A rapid divestment from soybean-based biodiesel and sugarcane-based ethanol industries due to competition with cheaper agrofuels produced in the “global north” or closer to the centers of consumption the Brazilian southeast itself, he argues, would result in the abandonment of much recently cleared land in the Cerrado-Amazon transition zones. These areas would then be abandoned or relegated to low-intensity ranching, with disastrous social, economic environmental outcomes. Sawyer actually maintains that such macro-economic conditions due to agricultural intensification are the predominant factors behind the recent curtailment of deforestation in the Amazon. Where others have pointed out at threat of “savanization” in these regions, Sawyer correctly insists that savannas like the Cerrado are astoundingly biodiverse and socially and culturally rich, so what is at stake is actually a threat of “pecuarization” of the

southern Amazon fringe and the remainder of the Cerrado. (Sawyer 1984; 2001; forthcoming)

In order to avoid such agroecological collapse and pecuarization, Sawyer defends the intensification of agriculture and ranching “in stable areas with better location, but it is not a viable alternative on the frontier.” (Sawyer forthcoming) While Sawyer may be correct in general terms, the particular land grabs taking place in the Amazon-Cerrado transition described above straddle uncomfortably this dynamic situation. On the one hand, an increase in state-making alongside transportation corridors through regularized property relations, driven by strong pressure from rural social movements, environmentalist NGOs and judicial agents, could actually transform an ensuing failure of the Terra Legal program akin to those described by Scott (1998) into the test ground for a new agroecological basis for Brazilian progress. On the other hand, a concession to agribusiness and extractivist interests in the keystone Amazon-Cerrado transition zone could ultimately consolidate capitalist exploitation in the Amazonian fringe and forestall more radical demands for agrarian reform in the Cerrado and other highly populated and farmed regions elsewhere in the country, in a classic process of accumulation by dispossession (Harvey 2003).

The global context of massive investments in food and agricultural production could characterize a good opportunity for financing the establishment of an intensified agroecological push that could settle and employ millions of landless and unemployed workers in Brazil, secure food sovereignty for these people and the Brazilian state, reduce social economic inequalities throughout the countryside, and diminish the violence that mutilates Brazil. However, the situation is quickly becoming the greatest opportunity squandered. When foreign investors are received in Brazil, the Brazilian state determines that the Minister of Agriculture, Ranching and Supply (MAPA) is responsible for brokering the investments, instead of the Minister of Rural Development (MDA) who is charged with all responsibilities regarding agrarian reform and assistance for small producers. As indicated above, the MDA is in fact being restructured to create the Terra Legal program in the Amazon, redirecting INCRA officials working on agrarian reform in the rest of the country towards the privatization process that is ultimately incorporating the Amazon-Cerrado transition zones into the Brazilian agribusiness production system.

### **In the place of a conclusion...**

In my account of the Cerrado, previous state-making received more focus than current land grabs, while in my account of the Amazon the opposite was the case, with current state-making placed at the center of the issue of land grabbing. This is not to say that *grilagem* and state-making does not exist and continue in the Cerrado (where several states have more private land registered than the actual area of the state; Melo 2006), or that *grilagem* is in any way limited to the Terra Legal program in the Amazon. In fact, the largest properties *griladas* (grabbed) in the Amazon dwarf the 1,500 hectare regularizations of Terra Legal, and often lie in regions of the Amazon other than the transition with the Cerrado. Surely, then, my account of these events taking place in the Cerrado and Amazon are a rough abstraction from far more complex processes taking place throughout Brazil, South America and beyond. My intention was to highlight certain key characteristics of events taking place in the Cerrado, the Amazon, and especially their transition, as particularly pertinent for the consideration of how a global land grab is playing out in Brazil.

An even more important qualification must be made regarding the use of a state-making framework – it is not intended to displace a framework for analyzing the global land grab (within Brazil and beyond) as a capitalist process of accumulation by dispossession. (Harvey 2003; Borras, McMichael and Scoones 2010) Indeed, it is precisely the presence of Brazilian capital and foreign financing and partnerships that

sustains and benefits directly from these particular state-making efforts. Here ultimately rests the conundrum of the distinct state policies toward the Cerrado and the Amazon: the greater imposition of legibility over the Amazon might indeed curtail deforestation and land concentration, *in so far as it is possible to intensify and concentrate capitalist agribusiness production while accommodating environmental and social reforms*, yet the greater legibility of the Cerrado and its transition into the Amazon actually result in greater deforestation and land concentration, *since the state is ultimately attending to capitalist agribusiness and extractivist interests*. State-regulated (managed) capitalism is more resilient than the “anarchy of production”, it is more capable of adapting and accommodating social and environmental stress, but it still places power and profit above both social and environmental health and sustainability. What does this mean in practical terms?

Can and should the Terra Legal regularization program proceed with renewed caution regarding the problems and threats discussed above, or are there underlying problems of land regularization currently taking place in Brazil that substantiate the opposition carried out by rural social movements and their allies? Where and how can rural social movements and allies in Brazil and abroad build enough strength to force state agencies to make themselves accountable to popular interests and well-being? While I remain less optimistic than Sawyer on the strategy of dividing-and-conquering agribusiness and ranching interests – and join those who call for a moratorium on the regularization process under Terra Legal (MST 2009) – I agree that the Cerrado-Amazon transition zone should be prioritized as a territory of struggle between agribusiness and agroecological alternatives. (Sawyer forthcoming) Continued monitoring of Terra Legal and denunciations of unconstitutional regularization, overlapping land claims and human rights violations should sustain and legitimate increased land occupations and mobilizations by rural social movements throughout this region. Ultimately, the way in which the Cerrado-Amazon transition zones are integrated with the rest of the country and the global market will determine the future of both agribusiness and agrarian reform in Brazil, and thereby influence the current trend in land grabbing and export-oriented agribusiness investments worldwide.

As demonstrated, the global land grab, in so far as we can identify such a trend, has a very idiosyncratic dynamic within Brazil. Domestic agents and interests are disputing territory, primarily over the Amazon-Cerrado transition zones, and both foreign and domestic capitalist interests are tending to facilitate the consolidation of the agribusiness production system and the national developmentalist ideology that sustains it in Brazil. It is impossible to comprehend the dynamics of these processes without reference to the key role played by the Brazilian state, on the one hand limiting foreign land grabs and investments, but on the other hand facilitating the insertion of Brazilian agribusiness production chains into the global market. The international tendencies and processes identified as a global land grab are accepted yet modified by Brazilian capitalists, subverted but not yet overturned by Brazilian agents. The centrality of the role played by the state in these processes renders its failures all the more tragic, yet the possibilities created by rural social movements, NGOs, academics and even judicial and other state agents also reveal opportunities to transform the encroaching failures of national developmentalism into agroecological transitions towards greater food sovereignty, more democratic land distribution and new paths towards social progress. It is possible that similar state-making plays crucial roles in places like Sub-Saharan Africa, Asia and other Latin American countries. How are the foreign land grabs being brokered by each state, how are distinct regions in each country being favored, integrated, or overlooked? Hopefully, such questions should also reveal possibilities for

curtailing land grabs and their most tragic effects, and for discovering better prospects for the democratization of land and new opportunities for struggle towards food sovereignty. Do not ignore state-making processes and local idiosyncrasies due to an exaggerated focus on international politics, trade and investment.

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