

Human & inhuman opposition to the buffaloes of the Guaporé valley – In Rondônia



<https://doi.org/10.56238/interdiinnovationscresce-087>

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ABSTRACT

From research that has the power to analyze the possibilities of the existence or not of human and legal impediments, relating to the buffaloes of the Guaporé Valley, in Rondônia, and whether there is a link between buffaloes and regional environmental preservation. And in this section, we investigated the correlation between buffalo breeding in this territory and the environmental maintenance of the region. The methodology was applied with bibliographic reference surveys, and questionnaires and graphic demonstration of results aimed at clarifying the theses that were raised. And this work was justified by its thematic relevance, which allows a reflection on the benefit of preserving buffaloes in coexistence with humans. This is a consideration and analysis of the damage caused by man in the misuse of nature, with the devastation of forests, aquifers, and their incident and serious consequences, with the consequent energy crisis, dust clouds, and the desertification of large areas. , and its rivers - resulting from this environmental imbalance: unemployment, increased poverty and hunger.

Keywords: Buffalo preservation, Climate rebalancing, Change of law.

1 INTRODUCTION

Preliminarily, it should be considered that this article is the result of a research already carried out during the studies in the master's degree of the Graduate Program in Sociology and Law of the Fluminense Federal University/UFF. The dissertation entitled "Frontier buffaloes X Chimera of a sustainable economy" sought to assess the urgency of the need to pay attention to the preservation of buffalo life, since such an initiative represents a possibility to guarantee environmental preservation and human life itself. This dissertation text was developed by Terezinha Azevedo de Oliveira, under the guidance of Prof. Dr. Marcus Fabiano Gonçalves (UFF) and technical supervision of editing and proofreading by Prof. Dr. Adriana Fernandes de Oliveira (FCR).



But, it had the collaboration of the illustrious thinking masters and participants and co-authors of this article – since the first discussions developed in the classroom, focused on the objective of verifying the impediments posed by humans, through laws, to the buffaloes of the Guaporé Valley, in Rondônia, at the same time that the possible link between the existence of these buffaloes in the preservation of the environment of this Region was analyzed. It was sought to demonstrate if there is a coexisting relationship between the presence of buffalo and the environmental maintenance index, for that, this investigation was justified by the possibility of presenting, through data collection, aimed at the promotion of the master's thesis already concluded, and if there is or was a correlation between the preservation of nature and ecosystems, and these buffaloes in the Guaporé Valley/RO, where it was assessed whether their existence alone prevents humans from advancing in this space with their inhuman and thoughtless attitudes of destruction.

In this focus, the methodology applied is used through bibliographic reference surveys, and questionnaires made with the population of that area, with graphic demonstration of the results, which can clarify the established theses and the implications that involve the theme, when dealing with the right of buffaloes to exist, and or not to coexist with humans, despite being inhuman.

2 THEORETICAL AND METHODOLOGICAL BACKGROUND

In order to weave the non-anthropocentric foundations, we resorted to the theoretical and methodological references of several authors, such as: P. Brugger¹ and the book by Germana Parente Neiva Belchior, entitled Environmental Legal Hermeneutics, will also be used as the foundation of philosophical hermeneutics, under the focus of deduction and induction, to justify the application of environmental legal hermeneutics².

It should be noted that on the Island of Marajó/PA, there is a peaceful coexistence between men and buffaloes, as abstracted from the article by Marco C. Pereira: The island of the buffaloes.

Today, we seek to ensure the rights of animals, as noted in the dissertation of Diana Maria Meireles Pereira, with the theme: Animals: subjects of rights or rights of a subject?

And the article by Marco Aurélio de Castro Júnior and Aline de Oliveira Vital, entitled "Animal Rights and the Constitutional Guarantee of Prohibition of Cruelty", in which it is sought to substantiate animal rights³.

¹ BRUGGER, Paula. Nós e os outros animais: especismo, veganismo e educação ambiental. Linhas Críticas, Brasília, v. 15, n. 29, jul - dez 2009, p. 197-214. Disponível em: <https://periodicos.unb.br/index.php/linhascriticas/article/view/3532>. Acesso em: 18 out. 2021.

² BELCHIOR, Germana Parente Neiva. *Hermenêutica jurídica ambiental*. São Paulo: Saraiva, 2017. Disponível em: https://books.google.com.br/books?hl=pt-BR&lr=&id=4x5nDwAAQBAJ&oi=fnd&pg=PT9&ots=ure7SpDaav&sig=jpJz3hACEwsWo2Atui_wGQOVp3g&redir_esc=y#v=onepage&q&f=false. Acesso em: 12 out. 2021.

³ CASTRO JÚNIOR, Marco Aurélio de; VITAL, Aline de Oliveira. Direitos dos Animais e a Garantia Constitucional de Vedação à Crueldade. *Revista Brasileira de Direito Animal*, Salvador, v. 10, n. 18, p. 137-150, 2015. Disponível em: <https://periodicos.ufba.br/index.php/RBDA/article/view/13825>. Acesso



It will also be assessed by the research of Waleska Mendes Cardoso and Gabriel Garmendia da Trindade, who asks: Why animals are not effectively protected: a study on the current anthropocentrism from an emblematic judgment⁴.

3 MEDIA REPERCUSSION OF CLIMATE OBSERVATORIES - OPERANTES

For now, once the research is complete, it is necessary to consider the news published in the local media, such as: "Lower of the Machado River: level is close to the lowest historical level reached in 2020".

(Jornal de Rondônia, Rede Globo. 04/08/2021 – Wednesday).

And the national one: "Worst drought in more than 120 years – in the Pantanal". (Jornal Nacional, from: 05/08/2021 – Thursday).

The energy crisis is also included in this account: "Brazil is experiencing, in 2021, a new energy crisis with the risk of blackout. One of the causes of this scenario is the country's biggest water crisis in the last nine decades, marked by the lack of rainfall and the decrease in the level of hydroelectric reservoirs"⁵.

And the terrifying clouds of dust, as Andrea Ramos' testimony records: "First, there was this wind gust front exceeding 70 km; at Ribeirão Preto airport, 92 km were recorded; At our stations we recorded 80 km, and right behind the gust came the rains"⁶

The desertification of large areas can be seen: "In the Northeast region of Brazil, it is estimated that about 230 thousand km² are already desertified (...) In the South region, this process is also serious, however, as it occurs in a region with a humid climate, with annual rainfall around 1400mm, it is called Arenization".⁷

And this list includes unemployment, hunger, and the consequent increase in homelessness: "In March 2020, the estimated number of homeless people in Brazil was 221,869, which represents an

em: 19 out. 2021.

⁴ CARDOSO, Waleska Mendes; TRINDADE, Gabriel Garmendia. Porque os animais não são efetivamente protegidos: estudo sobre o antropocentrismo vigente a partir de um julgado emblemático. *Revista Brasileira de Direito Animal*, Salvador, v. 8, n. 13, p. 201-214, 2013. Disponível em: <https://periodicos.ufba.br/index.php/RBDA/article/download/8643/6185>. Acesso em: 22 out. 2021

⁵ CRISE energética no Brasil. Disponível em: <https://brasilecola.uol.com.br/historiab/crise-energetica-no-brasil.htm>. Acesso em: 24 out. 2021.

⁶ MARÇAL, Gabriela. Nuvem de poeira: entenda o fenômeno que atingiu o interior de SP. *Metrópoles*, Rio de Janeiro, 27 set. 2021. Disponível em: <https://www.metropoles.com/brasil/nuvem-de-poeira-entenda-o-fenomeno-que-atingiu-o-interior-de-sao-paulo>. Acesso em: 19 out. 2021.

⁷ PENA, Rodolfo Alves. Desertificação do Brasil. Disponível em: <https://www.google.com/amp/s/mundoeducacao.uol.com.br/amp/geografia/desertificacao-no-brasil.htm>. Acesso em: 20 out. 2021.



increase of 140% when compared to the estimate in September 2012, which corresponded to 92,515 homeless people in the country."^{8,9,10}

Can we change all of this as good beings? So, we must start by preserving the buffaloes!

Or as a thoughtless action, can it lead to throwing away the opportunity to exist and, if it coexists with all living beings?

For example, rivers are used as sewage for human waste, and then water is taken from this sea of dirt, and used for drinking, and for food preparation, washing clothes, etc.

In this fetid mire, cockroaches, rats, mosquitoes, etc., are concentrated.

And now they have tried to fight a pandemic, which could have been avoided with the correct treatment of sewage.

"According to Pimenta et al (2002), in most of the country the water we consume is contaminated by sanitary sewage, this generates a great concern for the authorities, the more sewage is discharged into the waterway, the more investments will be directed to health. As mentioned, contaminated water is a source of disease.

The WHO (1989) reports the great importance of monitoring and controlling the quality of water for use and suggests that examinations and analyses be carried out to determine the content of protozoan cysts and helminth eggs with the determination of viability, fecal coliforms, viruses and inorganic and organic chemical substances.

According to FUNASA (1994), the ratio of investment in sanitation is approximately 1 to 4, that is, for every R\$1.00 invested in the sector, we have about R\$4.00 saved with health.

The lack of sanitation in Brazil has serious consequences on the quality of life of the population, especially the poorest, living on the outskirts of large, medium and small cities in the interior and their rural areas.

With the increase in the Brazilian population and the disorderly occupation of areas without basic infrastructure installed, especially the service of collection and treatment of domestic and sanitary sewage, these residents are exposed to various types of diseases, because at the end of their journey the effluents produced by households end up being dumped into the soil without any treatment and eventually end up reaching water bodies and free aquifers.

⁸ SOUSA, Luciana Maria Pereira de. O que sabemos sobre a fome da população em situação de rua no Brasil? Fome e Pandemia, Brasil de fato, 2 maio 2021. Disponível em: <https://www.brasildefatopb.com.br/2021/05/02/o-que-sabemos-sobre-a-fome-da-populacao-em-situacao-de-rua-no-brasil>. Disponível em: 23 out. 2021.

⁹ PAGLIARINI JUNIOR, Sérgio Norberto; PAROLIN, Mauro; CRISPIM, Jefferson de Queiroz. Estações de tratamento de esgoto por zona de raízes, uma alternativa viável para as cidades? Disponível em: <http://www.fecilcam.br/revista/index.php/geomae/article/view/161>. Acesso em: 19 nov. 2021.

¹⁰ FERREIRA, Evandro. Os búfalos do Guaporé e a reintegração da megafauna na Amazônia. A Gazeta do Acre, 29 set. 2021. Disponível em: <https://agazetadoacre.com/2013/03/espaco-do-leitor/c84-espaco-do-leitor/os-bufalos-do-guapore-e-a-reintegracao-da-megafauna-na-amazonia/> 4/7. Acesso em: 17 nov. 2021.



Of the 49.1 million households in Brazil, about 8.6 million (17.5%) are not served by a general water supply network.

In addition, 25.6 million households (52.0%) did not have access to sanitary sewage collection systems (IBGE, 2000).

Septic tanks are one of the most used ways to capture effluents produced in urban and rural households, in places where there is partial or no existing sanitary sewage collection infrastructure.

According to Pimenta et al (2002), the presence of these cesspools can represent a risk to underground aquifers, in view of the infiltration into the soil and the offensive effects of the decomposition of organic matter.

Because this sewage can carry with it pathogenic microorganisms into these water reservoirs that transmit numerous harms to human beings, diseases caused by the ingestion of contaminated water." (FERREIRA, 2021)

Professor Ditchfield's argument is coherent: the ecology of the Amazon and adjacent regions of the Brazilian cerrado before the arrival of the Europeans did not represent something natural, but rather an environment artificially modified by the first humans who arrived in the region thousands of years before Columbus 'discovered' America.

In the Amazon, these primitive humans, or Paleoindians, also modified the floristic composition of the surrounding forest where they lived. This human intervention seems to be the most plausible explanation for the origin of terra preta and the presence of fruit trees in its surroundings. Along the great Amazonian rivers, there are dozens of localities where the occurrence of terra preta can be observed, which mark the sites of ancient villages.

It is even suspected that it was these indigenous people who were responsible for the dispersion of some species throughout the region. The chestnut tree is often cited as an example of an artificially dispersed plant. In favor of this argument, we have in Acre the mysterious limit of dispersion of this plant represented by the Purus River. Brazil nut trees are not found naturally in the forests of the Juruá River valley. Who is able to explain this mystery. Thus, if we consider that the Amazon, since the arrival of man, is not a natural environment, the solution for the buffaloes in the Guaporé valley necessarily involves their management. In addition to the physical changes in aquatic environments, what other ecological roles do buffaloes play in the Guaporé Valley? Are they helping to disperse the fruits of some particular plant species? Their existence should favour a range of carnivores. What would happen to these animals if the buffalo were suddenly wiped out?

According to Professor Ditchfield, in the past Brazilian megafauna supported bears, saber-toothed tigers, dog wolves, and other large predators that coexisted with jaguars and ocelots. The extinction of Brazil's megafauna probably led to the disappearance of saber-toothed tigers, American lions, and other carnivores only found in paleontological museums. ... predators and herbivores for the



reconstruction of natural ecosystems. Wolves, bears, cougars and even exotic species such as elephants and camels have been suggested as a solution to re-establish ecological processes.

Dr. Mauro Galetti, from the University of São Paulo, even proposes the creation of 'Pleistocene Parks' in the Cerrado and the Pantanal to manage exotic megafauna, imported from Africa. His idea cannot be discarded because historical facts show that less than 10,000 years ago the savannahs of South America – the cerrado and the wetland – were more spectacular than the savannahs of Africa. While in Africa there are only five mammals that weigh more than a ton – elephant, two species of rhinoceros, hippopotamus and the male giraffe, in South America there were between 10 and 12 species above a ton.

Megafauna that became extinct with the arrival of humans played an important role in the structure of plant communities, and the effects of this premature extinction are still poorly understood. What is assumed is that the rapid elimination of South American megafauna favored the dominance of some plants and resulted in an accumulation of dry plant biomass susceptible to fire.

For Dr. Galetti, the question is not whether we should manage the megafauna in these environments, but rather how we are going to do it. According to him, the introduction of impalas, elephants and other megaherbivores in our cerrados may shock many conservationists, but horses, cows and wild pigs, all introduced less than 200 years ago in the Pantanal, when in controlled densities, are important dispersers of large seeds and controllers of invasive weeds. Today there are more than 2 million exotic animals roaming the wetland.

Therefore, the presence of buffalo in the Guaporé Valley, inhabiting and draining the wetlands as the Toxodons probably did in the past, suggests that they are restoring the Amazon ecosystem after a 10,000-year hiatus. "More than a problem, buffalo represent an unparalleled research opportunity for advocates of the reintroduction of megafauna in South America." (FERREIRA, 2021)

4 LEGISLATIVE INPUT ON THE SUBJECT OF ACTION ON HUMAN DEGRADATIO

Article 54 of the same law (BRASIL, 1998) provides for equal penalties in the case of pollution of any nature at levels that may result or result in damage to human health, or consequently cause the death of animals or the significant destruction of flora:

Art. 54. Cause pollution of any kind at such levels as to result or likely to result in harm to human health, or to cause the death of animals or the significant destruction of flora:
Penalty - imprisonment, from one to four years, and fine.

§ 1 If the crime is culpable:

Penalty - imprisonment, from six months to one year, and fine.

§ 2 If the crime:

I - make an area, urban or rural, unfit for human occupation;

II - cause air pollution that causes the evacuation, even momentarily, of the inhabitants of the affected areas, or that causes direct damage to the health of the population;

III - cause water pollution that makes it necessary to interrupt a community's public water supply;

IV - hinder or prevent the public use of beaches;



V - occurs due to the release of solid, liquid or gaseous waste, or debris, oils or oily substances, in disagreement with the requirements established by laws or regulations:

Penalty - imprisonment, from one to five years.

§ 3 Anyone who fails to adopt, when required by the competent authority, precautionary measures in case of risk of serious or irreversible environmental damage shall incur the same penalties as those provided for in the previous paragraph (BRASIL, 1998)

Is there logic in that? Before, they could capture in a tank and prepare a biodigester for the production of gas and energy, through the thinking minds of Universities, Federal Technical Institutes and Schools in general.

For every action there is a reaction. And in the course of life this is no different. We all pay dearly for not noticing the weight of our actions and their consequences. Or if we see them, we don't give them the importance they deserve.

And of this coexistence between men, and the buffaloes, and of it is remarkable the consequent preservation reflected in nature and all around!

5 INSANE FINDINGS OF HUMAN INACTION & DISIMAGE

This is the perception captured by the increase of homeless people (PEREIRA, 2015) in the face of the news captured about this activity, which establishes the possibility of reflection through scientific data to be collected for the benefit of the preservation of buffalo and of ourselves as humans, and abstracting from the surveys of this coexistence, whether or not the possibility of reversing the game of life is born, through these inhuman allies.

6 CONSIDERATIONS OPEN TO CONCLUSION ON THE GLARING FACTS OF THE PRESENT DAY - AND IN CONSTANT CONSTRUCTION

In this research, it was aimed to verify the impediments posed by humans, through laws, to the buffaloes of the Guaporé Valley, in Rondônia, and it was sought to assess the possibility of a link between the buffaloes and the preservation of this Region.

And, with this investigation, it was proposed to search and notice: the possibility of a coexisting relationship between the presence of buffalo in this territory and the index of environmental preservation.

In this focus, and in this work, we sought to justify the possibility of collecting data for this master's dissertation already concluded, and if there is or was a correlation between the preservation of nature and ecosystems, and the presence of buffaloes in this area.

And in this way, and in advance, it was already verified that its existence alone is an impediment for humans to advance in this space with inhuman attitudes of destruction.



And, for this purpose of a scientific nature, the methodology, which was used: bibliographic reference surveys, questionnaires applied to the population of that area, and graphic demonstration of its results.

And so, through the data obtained, it is possible to obtain clarifications of the preliminarily established theses and their implications on the subject, and the right of buffaloes to exist, and to coexist with humans, despite being inhuman.

And if we should see from these surveys whether they have contributed to the coexistence of current and future humanity.

See the discussion in this dissertation that follows, by students of the University of Coimbra: "The whole discussion about the attribution of rights to non-human animals is based on whether or not these sentient beings should have their own juridical-civil regime in which they are recognized or whether, on the contrary, they should maintain the legal status, still arising from Roman law, of *res mobiles*, having the same legal treatment as, for example, a car.

Although, in our Civil Code, the non-human animal is still considered a thing, the hope of evolution and legal adequacy is increasing, namely because most of the foreign legal systems have operated to create a specific regime for non-human animals, leading to the non-consideration of them as *res mobiles*, as well as by the fact that, Law No. 69/2014 of 29 August 2014 recently came into force, criminalizing the mistreatment of pets, thus envisioning a change in the legal, social, cultural and even political paradigm.

But this change, strange as it may seem, is also not consensual among animal rights advocates. In fact, a question arises that I consider quite pertinent: since the nonhuman animal is considered a center for the attribution of rights, then what are the extensions of these same rights? That is, by attributing to the non-human animal a set of rights – and whether these should be absolute, thus proclaiming a complete animal liberation, or, on the contrary, should they be relativized, with there always being a suffering imputed to the nonhuman animal that is considered necessary? This is where animal welfare advocates and animal rights defenders come in.

This is the perception that guided the conclusion of this activity and that establishes the possibility of reflection through scientific data already collected for the benefit of the preservation of buffalo and of ourselves as human beings, conferring quality of life to the populations living in those areas: the quilombolas and the indigenous people.

And, how to look at oneself in this possibility of reversing the game of life. Since the right of buffaloes to live can be correlated in giving humans the chance to survive the chaos of climate imbalance, and all the consequences arising from the damage caused by man in the misuse of nature, such as the drought witnessed in the Amazon. (11 NR)



And it was from these assumptions that one can abstract the devastation of the forests, of the aquifers that are drying up; the energy crisis; of the dust clouds, and of the desertification of large areas and large rivers - may or may not be relevant to the disastrous consequences so far observed in the media.

As well as mass unemployment, hunger, the increase in the number of residents of street. Can we change all of this as good beings? Or not? Alone Will we continue to be observers of this frightening scenario? So, we'll continue with our arms crossed or we'll start by preserving the buffaloes! Or as inhuman action – will we throw away the opportunity to coexist as a human race? For every action there are its consequences: positive or negative.

Or if we see them, we don't give them the importance they deserve, and when ignored the consequences come to light, with exponential repercussions, and are now experienced. (12 NR)

Think!



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