



[Unpublished articles]

“The Doce River is basically the mother of Tumiritinga”: the meanings at stake in the Doce River Valley and the limits of the institutional treatment of the “Samarco Case”

“O rio Doce é praticamente a mãe de Tumiritinga”: os sentidos em jogo no vale do rio Doce e os limites do tratamento institucional do “Caso Samarco”

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Abstract

After three years of discussions, the renegotiation of the agreements signed in the “Samarco Case” to repair the Doce River basin was signed in October 2024. But little is known about what the communities affected by the failure of the Fundão dam think, how they live in each affected region, what they make of their losses locally and what they demand in terms of reparation. The aim of this article is to investigate the meanings of the losses and the demands for reparations in the middle part of the Doce River, also known as the Doce River Valley. To this end, the research, which is qualitative and ethnographic, used semi-structured interviews and participant observation in Tumiritinga and Galileia, two riverside towns in the region. Listening attentively to the accounts and the experience of following daily life on the banks of the Doce River allowed us to glimpse other meanings for the river, for the losses and for reparations, far removed from those considered institutionally. Something that reveals the cosmological conflict underway in the Doce River basin and exacerbates the difficulties of dealing with the disaster-crime, even after the renegotiation disregarded the local meanings expressed by the river dwellers.

Keywords: Samarco Disaster; Conflict Management; Mid Doce River.

Resumo

Após três anos de discussões, a repactuação dos acordos firmados no “Caso Samarco” para a reparação da bacia do rio Doce foi assinada em outubro de 2024. Mas pouco se sabe sobre o que pensam as coletividades atingidas pelo rompimento da barragem de Fundão, como vivem, em cada região afetada, o que elaboram das suas perdas locais e o que demandam em termos de reparação. O objetivo deste artigo é investigar os significados locais das perdas e das demandas por reparação na porção média do rio Doce. Para tanto, a pesquisa tem cunho qualitativo, valeu-se de entrevistas semiestruturadas e da observação participante em Tumiritinga e em Galileia, duas cidades ribeirinhas da região. A escuta atenta dos relatos e a experiência de acompanhar o cotidiano às margens do rio Doce permitiu entrever sentidos outros para o rio, para as perdas e para a reparação, muito distantes daqueles considerados institucionalmente. Algo que revela o conflito cosmológico em curso na bacia do rio Doce e acirra as dificuldades de tratamento do desastre-crime, mesmo após a repactuação, que desconsiderou os sentidos locais expressos pelos/as ribeirinhos/as.

Palavras-chave: Desastre da Samarco; Administração de Conflitos; Médio Rio Doce.



Introduction¹

The collapse of the Fundão dam, under the responsibility of the mining companies Samarco S.A. (Samarco), Vale S.A. (Vale), and BHP Billiton Brasil Ltda. (BHP), released 44.5 million cubic meters of toxic mining waste into the Doce River basin (LACTEC, 2019). The *crime*² committed by Samarco, as it is referred to in the affected territories, impacted approximately 675 km of rivers and continues to affect 2.2 million people and 45 municipalities in Minas Gerais and Espírito Santo to this day (FGV, 2022).

In turn, the “Samarco Case”, as it is called by the justice system, records the low effectiveness of the reparation and/or compensation measures sponsored by the defendant companies in the affected regions (RAMBOLL, 2021). This is why, over the last three years, representatives of the National Council of Justice (CNJ) and the Federal Regional Court of the 6th Region (TRF-6) have mediated meetings to review the agreements originally signed for the reparation of the affected territories and communities. To this end, they renegotiated the Terms of Adjustment of Conduct signed in the two main public civil actions³ in the “Samarco Case.” As widely reported in the media, the renegotiation agreement was finally signed on October 25, 2024 and involves the sum of R\$ 170 billion in obligations to pay and do by the mining companies. But, as in the previous arrangements, the renegotiation meetings also took place between representatives of the Public Authorities, the defendant companies, the Justice Institutions and the Judiciary, on a confidential basis⁴, under popular protest (SCOFIELD, 2024; MANSUR, 2024).

The new agreement was unanimously ratified on November 6, 2024, by the Justices of the Federal Supreme Court (STF), whose ruling endorses “the consensual solution reached” as: “compatible with the general interest, having been able to establish an effective mechanism for damage reparation, overcoming ineffective management models and avoiding the continuation of the litigation”⁵.

¹ “The Doce River is practically the mother of Tumiritinga”: Sentence taken from an interview given by Luiz (fictitious name). Tumiritinga, 22/11/2019.

² In the text, the terms collected in the field appear in italics.

³ These are the “Union’s Public Civil Action”, filed under ACP number 23863-07.2016.4.01.3800/ PJE 1016756-84.2019.4.01.3800 and the “MPF’s Public Civil Action”, filed under ACP number 23863-07.2016.4.01.3800/ PJE 1016756-84.2019.4.01.3800.

⁴ The negotiation tables were originally mediated by the National Council of Justice (CNJ), but in mid-2023, the Federal Regional Court of the 6th Region (TRF-6) took over coordination of the proceedings.

⁵ Homologatory decision issued by Minister Luís Roberto Barroso, President of the Federal Supreme Court (STF) on 06/11/2024, in the case of Petition no. 13157/2024, Federal District.



Before that, in June 2024, amidst the return of the issue to the media when little was known about the new agreements for the Doce River basin, Vale had released a material fact⁶ to the market, detailing the financial values of the proposal then made to the courts - despite the alleged secrecy (VALE, 2024a). In the communication, the company highlighted, in particular, the search for the “definitive settlement” of the obligations related to the failure of the Fundão dam. At this point, the market was already pricing the legal risks associated with the outstanding liability for the Fundão dam collapse, which was once again being discussed, putting Vale's responsibility at the center of the debate. On the same day that the new agreement was signed, on October 25, 2025, the company released yet another material fact, reporting the “definitive” amounts of its liability for the Fundão dam collapse (VALE, 2024b). The disclosure of information is intended to meet investor demand for transparency and legal certainty regarding the liabilities involved.

The same effort at transparency was lacking when it came to informing the affected populations, who were directly interested in the process. In the territories where the disaster is taking place (OLIVER-SMITH et al., 2017), there were only rumors about what the procedural authorities discussed in order to reach the final term of the new agreement: presented by Vale as “definitive” and by the Judiciary as a measure to “avoid the continuation of litigation”, in the terms of the homologatory sentence. The different attitudes towards the “Samarco Case” indicate that each procedural actor has its own interests. Both in terms of how they assess the “damage” and in terms of what they consider to be the “integral reparation” of the Doce River basin.

While Vale is interested in pricing its responsibility to the market and reducing uncertainties about its institutional image and the financial contributions it owes, it also seemed important to the judiciary to publicize the supposed “definitive” closure of the conflict, which has dragged on in the courts for almost nine years. Little is known, however, about what the communities affected by the Fundão dam collapse think, how they live in each affected region, what they make of their local losses and what they demand in terms of reparations.

The ethnographic research of Cardoso de Oliveira (2010, p. 456) shows that an agreement or a court ruling may formally conclude a legal case. However, contrary to the

⁶ This is a technical concept of Corporate Law, defined in article 157 of Law 6404/76, the Brazilian Corporation Law.



legal field's representation, these "terminating acts" do not have the power to definitively end conflicts if their underlying causes persist. For this reason, he draws attention to the importance of the symbolic dimension of disputes. For this reason, he draws attention to the importance of the symbolic dimension of disputes. In other words, how conflicts and demands for rights are experienced, how they take shape and gain meaning for the parties involved, far beyond procedural or institutional outcomes.

In the "Samarco Case", it seems relevant to ask the victims, the main stakeholders in the process, about their local meanings, as suggested by Cardoso de Oliveira (2010), inspired by Clifford Geertz (1997). In contrast to the violence of general and abstract institutional discourses, the aim of this article is to investigate the local meanings of the losses and the demands for reparations in the middle portion of the Doce River, also known as the Doce River Valley.

The research was carried out in Tumiritinga and Galileia, two riverside towns separated by just 10 km - each on one bank of the river. Each town has around 6,000 inhabitants, both have a significant rural context and a Human Development Index (HDI) below the average for the state of Minas Gerais (IBGE, 2022).

As a professor in the region, having established connections in the cities through university extension programs⁷ facilitated communication, field access, and the building of trust with the research participants who informed this article. This trust, stemming from being a known figure, was essential for conducting semi-structured interviews as well as for participant observation, carried out during fieldwork between September 28 and December 6, 2019, during which I lived in the cities, hosted by local residents.

In total, 28 interviews were conducted with men and women from various occupations, including fishers, farmers, islanders, washerwomen, sand extractors, cart drivers, and both formal and informal traders. All interviews were authorized by the participants through a Free and Informed Consent Form, including those that were recorded. Names have been changed to protect the individuals' identities.

This article represents a fragment of the research and systematizes what appeared recurrently in the field material, especially about: the local losses along the Doce River; and the demands for reparations.

⁷ Based on projects registered at the Federal University of Juiz de Fora, Governador Valadares campus, the largest city in the region.



Listening carefully to the reports and the experience of following daily life on the banks of the Doce River made it possible to perceive other meanings for the river, for the losses and for reparation, quite distant from those considered institutionally in the “Samarco Case”, as I will try to demonstrate.

While the legal actors treat the Doce River as a compensable watercourse, field data suggests that the river is understood by the riverbank dwellers as "the mother," a source of life, work, recreation, memory, and autonomy. Given the gap between these worldviews, it is not surprising that the reparation of the Doce River, the territories, and the communities is compromised.

The literature reflecting on the Samarco *crime* or disaster highlights several factors that exacerbate the challenges of managing a conflict like this. Among them are: the lack of institutional capacity within the Justice system to enforce agreements (ROLAND et al., 2018); the privatization of reparation (MILANEZ, MAGNO, and PINTO, 2019); and the lack of popular participation (LOSEKANN, DIAS, CAMARGO, 2020; MILANEZ, ALI, OLIVEIRA, 2021).

Based on fieldwork, I highlight the absence of understanding regarding the local meanings expressed by the affected communities. I argue that the lack of comprehension about: the local relationships with the Doce River; and the reparation demands of the affected population, exacerbates the challenges of dealing with the disaster-crime. Without these local meanings, there are no elements to characterize the "damages" or to develop any "viable reparation" plan. Something that would allow the affected communities to process their grief and rebuild the path toward autonomous life with dignity.

The article is structured in four sections, besides this introduction. In the first, I present the institutional approach to the “Samarco Case”; in the second, I discuss the relationships and local meanings held by the Doce River and the losses expressed by the river dwellers; in the third, I analyze the claims for reparations elaborated by my interlocutors. Finally, I conclude that there is a gap between the local meanings and the legal-institutional meanings that guide reparation, which intensifies the challenges of handling the disaster. These observations, combined with those of Moreira and Nicácio (2022), corroborate the thesis that the Doce River basin has a legal conflict, as much as a cosmological one, which is apparently far from being resolved.



1. The institutional approach to the “Samarco Case” and the legal field's limits

In the months following the collapse of the Fundão dam, several collective actions were filed against Samarco and its shareholders in the Federal Court and state courts of Minas Gerais and Espírito Santo. However, for the purposes of procedural organization, the “Samarco Case” was concentrated into two Main Public Civil Actions⁸ (Main PCAs), which manage the reparation of the damage caused to the Doce River basin and the affected communities.

The first Public Civil Action was filed by the Federal Government in 2015, and the second by the Federal Public Prosecutor’s Office in 2016. Both are currently ongoing in the 4th Federal Civil and Agrarian Court of the Judicial Subsection of Belo Horizonte⁹. During the course of the Federal Government’s action, the defendant companies and public authorities signed, in 2016, the Transaction and Conduct Adjustment Agreement (TTAC), the first of four Conduct Adjustment Agreements (TACs) established to guide reparation and compensation efforts in the basin.

The TTAC introduced an atypical model in the “Samarco Case,” proposed by the mining companies and justified by the supposed “efficiency of private initiative” (ADAMS et al., 2019, p. 73). Instead of assuming direct responsibility for reparation, the defendant companies established a private-law foundation to intermediate their obligations. The Renova Foundation was tasked with implementing 42 programs for the reparation and/or compensation of damages, divided between socio-environmental and socioeconomic themes (UNIÃO et al., 2016).

Prompted by the Federal Public Prosecutor’s Office, the defendant companies and public authorities signed three additional agreements¹⁰, allegedly aiming to address the serious shortcomings of the first, particularly regarding the lack of public participation and

⁸ By virtue of Jurisdiction Conflict No. 144,922/MG, the Superior Court of Justice (STJ) unified the handling of the claims related to the “Samarco Case,” designating the then 12th Federal Civil and Agrarian Court of Belo Horizonte as the competent jurisdiction. The two Main Public Civil Actions have a broad scope and therefore absorbed the other class actions.

⁹ The two Main Actions correspond to the Federal Government’s Public Civil Action and the Federal Public Prosecutor’s Office Public Civil Action, registered as PJE 1024354-89.2019.4.01.3800 and PJE 1016756-84.2019.4.01.3800, respectively. They were originally processed in the 12th Federal Civil and Agrarian Court of Belo Horizonte, under the jurisdiction of the 4th Regional Federal Court (TRF-4). After the creation of the 6th Regional Federal Court (TRF-6), headquartered in Belo Horizonte, the cases were transferred to the 4th Federal Civil and Agrarian Court of the capital.

¹⁰ These refer to the Preliminary Adjustment Term (TAP), signed in January 2017; the TAP Addendum, from November 2017; and the Governance TAC, signed in June 2018.



social oversight. In practice, however, the subsequent Conduct Adjustment Agreements (TACs) made little progress in ensuring rights or expediting judicial proceedings (LOSEKANN, DIAS, CAMARGO, 2020; FERREIRA, 2022). On the contrary, these later agreements concentrated power in the hands of the mining companies and further hindered popular participation (MILANEZ, ALI, PUPUM DE OLIVEIRA, 2021); they failed to prevent repeated legal challenges (LOSEKANN, DIAS, CAMARGO, 2020); and they were repeatedly violated by the mining companies without corresponding sanctions¹¹.

Among the 42 reparation and/or compensation programs established by the Terms of Adjustment of Conduct, fieldwork revealed that only four had significant implementation in the mid-Doce River region¹². The socio-environmental reparation, also foreseen in the agreement, was reported as precarious or non-existent. The programs identified as having relevant implementation in the analyzed territory focused on financial and individual compensation for material and moral damages resulting from the Fundão dam collapse.

Even so, the compensatory and indemnity amounts were only transferred to individuals and family units who were able to register with the Renova Foundation and were deemed "eligible for reparation" by it. Thus, the foundation, managed by the defendant companies, concentrated the prerogatives of registering families, categorizing their damages, determining who and what would be eligible for compensation, as well as the corresponding amounts.

My interlocutors reported difficulties in accessing the few available reparation programs. Most of the obstacles were related to: the lack of responses to requests; excessive delays in responses; undervalued indemnity amounts; lack of information; and the absence of transparent criteria in the analysis of financial compensation and indemnities¹³.

¹¹ The breaches of the Governance TAC were so blatant that they prompted a request from the Justice Institutions to resume proceedings in the R\$155 billion Public Civil Action (ACP), which had been suspended in 2018 following the signing of the latest agreement. The petition to resume the case was filed on September 30, 2020, under case number PJE 1016756-84.2019.4.01.3800.

¹² These are the following programs: the Impacted Population Survey and Registration Program ("Cadastro"); the Mediated Compensation Program (PIM); the Emergency Financial Assistance Program (commonly referred to as the "card" or AFE); and the Communication, Participation, Dialogue, and Social Oversight Program. Based on field observations and interviews conducted, these were the only reparation programs that showed consistent implementation, with particular emphasis on those that provided some form of financial compensation or assistance.

¹³ In the same vein, the reports that inform the main Public Civil Actions of the "Samarco Case" recorded the low effectiveness of the reparation and/or compensation measures executed by the Renova Foundation across the entire affected region of the Doce River basin (RAMBOLL, 2021). This was either due to the limited scope of the aid program in relation to the registered population, or the undervaluation of the material and moral damages being compensated.



The difficulties in the judicial and extrajudicial treatment of mass violations committed by large companies are documented in various cases around the world (SCHUCK, 1987; CASSELS, 1991; DAS, 1995; PETRYNA, 2009; LOHER, 2020). Like in the "Samarco Case," the general criticism is directed at the limitations of the legal field and Justice Systems in repairing what the victims consider irreparable. In addition to the difficulties in addressing, in a timely manner, the collective damages caused to vulnerable populations, what is common to all these cases is that the victims do not feel adequately compensated by the measures presented.

Similar to the Bhopal¹⁴ tragedy that occurred in India in 1984, analyzed by Veena Das (1995) as a critical event, the "Samarco Case" raises questions about the proper representation of the victims' interests in the collective process. In both cases, the power to speak about the damages, the repair, and what is just was confined to the authorities: technical, judicial, and medical actors involved in the process (DAS, 1995, p. 160). There was no room to consider the victims perspectives on their losses, nor the reparation they sought. It was as if the affected people did not understand the devastation imposed on their own lives, nor the ways to mitigate it, where possible.

In contrast to the universal abstract, the Anthropology of Law (LIMA, BAPTISTA, 2014) offers valuable contributions for reflecting on the handling of conflicts, the consideration of individuals, and the "symbolic dimensions" involved in disputes (CARDOSO DE OLIVEIRA, 2010, p. 456). Beyond the representation of interests by legitimate bodies or mere public participation in hearings (VITORELLI, BARROS, 2022), anthropology emphasizes that the meanings people assign to their losses matter. Amid the devastation of their worlds, recovering these meanings, the truth of the victims (DAS, 1995, p. 23), seems essential for thinking about any form of repair considered viable by them.

In this case, the work of recording their testimonies, narratives, and the meanings they assign to the collapse and their losses is an effort to counter the violence of totalizing and universal discourses. In institutional handling, the legal field tends to reproduce situated values, taken as universal, by representing people and communities in an objectified

¹⁴ The Bhopal tragedy refers to the 1984 industrial gas leak at a pesticide factory owned by Union Carbide India Limited. Around 2,700 people died and 40,000 were seriously poisoned. In the end, the company was not held fully responsible and the victims were left unassisted (CASSELS, 1991).



condition during long judicial processes that decide their lives and losses, even without truly understanding them.

2. The Doce River is practically the mother of Tumiritinga: the local relationship with the river and the losses expressed by the riverside dwellers.

The towns of Tumiritinga and Galileia were founded in 1948, on opposite banks of the Doce River, under the influence of the construction of the Vitória Minas Railroad (EFVM), which runs along almost the entire length of the river to the sea. In the 1940s, the railroad was acquired by the then newly-created Companhia Vale do Rio Doce, which took its name from the region: the Rio Doce valley was, at the time, an important expansion frontier in Minas Gerais and Espírito Santo. As in other frontier areas, “expansion” in the valley was accompanied by violence, the expropriation of indigenous peoples and poor squatters, land grabbing, predatory exploitation of land and land concentration (ESPÍNDOLA, 2015, p. 166).

In Galileia and Tumiritinga, degradation is visible everywhere: the hilltops are bare and eroded, and gullies seem to be tearing up the land. The overexploitation of the areas has left serious consequences, such as altering the rainfall regime, desertification of the soil, the extinction of biodiversity and the depletion of springs (VILARINO; GENOVEZ, 2019, p. 36).

In the gaps of the latifundium, however, other ways of life persist in the territory: artisanal fishers, riverside dwellers, traditional farmers, islanders¹⁵, and agrarian reform settlers. For them, the critical event (DAS, 1995) of the Fundão dam collapse triggered such a crisis that it disorganized the world at the time. The Samarco mud suffocated the Doce River, which was central to local production, sociability, identities, and ways of life.

Even so, the people and communities did not cease to be riverside dwellers: they continue trying to rebuild their lives along the banks of the Doce River. Yet, although daily tasks—such as drinking water, bathing, planting, watering the plants, etc.—are seemingly

¹⁵ A term native to the middle Doce River to designate the people who work, produce or live on islands formed in the riverbed of Doce River. Traditionally, these islands have been occupied by local river dwellers for planting, as the sandy soil is very fertile and moist all year round, making it suitable for growing food. Even though the spaces were very small, it was possible to cultivate many varieties of crops on the islands of the Doce River, such as sugar cane, fruits, manioc and various subsistence crops, as will be seen in the interviews. Often, the islanders were also fishers and sometimes farmers on other lands, so that productive activities dependent on the Doce River complemented each other in the formation of local work and income.



resumed, they are not performed in the same way. This is because the core meanings of intimate relationships (with the river, the land, the waters, and the community) were profoundly altered by the disaster process that took hold in the basin (OLIVER-SMITH et al., 2017).

Before the dam collapse, it was common for people to cultivate small plots in their backyards, along the riverbanks, and on the islands formed in the riverbed. Fish was part of the local food tradition and contributed to family income. Even though each group predominantly identified with a specific occupation – fishing, farming, small-scale commerce – it was common for people to engage in multiple activities, depending on their needs.

After the arrival of *Samarco's sludge*, or the death of the Doce River, none of these activities have been possible as before. The thousands of cubic meters of toxic waste poured into the river have caused its bed to become silted, leading to almost annual floods. The remaining fish is not safe for human consumption due to high levels of heavy metal accumulation (AECOM, 2022). There is widespread concern about long-term health risks.

With each flooding period, *Samarco's sludge* reaches further and ruins the work on the land: crops in the *lowlands*, on the islands, and even the structures of some houses. After drying, the waste accumulated on the soil forms a heavy layer, with a thickness ranging from 10 cm to 1 meter (field notebook entries, 10/16/2019). The iron ore can be seen shining in it. Nothing grows on the waste, which is hard and compacted. Today, we know that the practice of removing it manually, as many people do in an attempt to plant, poses a high risk to human health¹⁶ (AECOM, 2024). However, since the removal of the waste was not done by Vale/Samarco/BHP, this is the only option for using the soils along the riverbanks.

In light of this situation, the riverside dwellers share life stories alongside the Doce River and speak about their losses through concrete and everyday frames of meaning. In the institutional spheres of the "Samarco Case", professionals authorized to address the right to reparation produce legal documents, theses, and procedural papers that do not always meet the demands of the affected populations in their diversity.

To clarify other meanings of the Doce River, narrated by the riverbank dwellers, I separated three field reports that express recurring meanings, which can thus be considered local. In the narratives of my interlocutors, the river holds various meanings beyond being

¹⁶ Large-scale studies conducted in the basin (AECOM, 2022; 2024) reveal high risks of contamination of animals, milk, eggs and crops grown in the region affected by the sludge or irrigated with water from the Doce River.



merely a water resource. As will be seen, the meanings that emerged from their speeches are interconnected and point to the relational aspect of life alongside the river.

The first account is from Luiz, 36 years old, a farmer and land reform settler. The most humid and productive portion of the lots in his settlement was located in the *lower part* of the Doce River, an area traditionally used for agriculture. He and his family had their crops and vegetable cultivation nearly rendered impossible after the dam rupture.

They were only able to recover them after moving their production to the higher part of the land, when the neighboring farmer granted them a water mine 2 km away, which became the water source for irrigation. Even so, they had to invest everything they had to buy hoses, a water tank, an electric pump, and irrigation materials (Interview with Luiz, 36 years old, farmer and land reform settler. Tumiritinga, 11/22/2019).

During the conversation that followed, I made an unexpected, out-of-context comment, which ended up being quite fitting. Luiz's response highlighted the vast divide between the worlds I was trying to understand. I had already asked about the impacts on family income, but I insisted:

Luciana: So, this [the Samarco disaster-crime] changed your life because it affected your income...

Luiz: It affected my income, and it affected my life! Like, you can't leave the house today. Tumiritinga is already a very hot region, because it's a place where temperatures exceed 40 degrees. There's no more of that, 'I'll go to the Doce River with my family for a day of leisure' (...). The Doce River is practically the mother of Tumiritinga; the Doce River is where many people made their living. A lot of people used to take sand from the Doce River in a canoe to reat their families, many people fished to support their homes, to sell, to make a living. When we ran out of meat, we had the Doce River right there... it was also a way of saving money. Leisure, as I said, it's practically over. I wouldn't have the courage, no way, to put my child in the Doce River! That's where it ended. That's something that can't even be measured... the damages caused by Vale. (Interview with Luiz, 36 years old, farmer and land reform settler. Tumiritinga, 11/22/2019).

Luiz's response placed the river back in its rightful position: as a central figure in the riverbank dwellers' lives. The losses are not limited to *income* or money, as they affect *life* itself. His counterpoint contrasts with the separation between nature and culture (DESCOLA, 2016), which I had naively reproduced. Against the river-object, reduced to a water resource, means of production, or source of income, Luiz emphasized the local relationship with the Doce River: that of a mother, as intimate as the ancestral figure who conceives life.

The second account is from Romário, a 55-year-old fisherman. Like his parents, he and his siblings were raised on the river. Until the historic flood of 1979, the family lived on



an island in the Doce River, where they cultivated small plots for food and maintained their fishing base — the family's main activity. While the men handled the nets and cast nets, their mother cleaned the fish and sold them in town. The flood, however, forced them to relocate to the urban area of Tumiritinga, where they built a new home, once again, on the banks of the Doce River (Field notebook entry. Tumiritinga, 11/24/2019).

Even though fishing was hard work, Romário explained that it was both *livelihood* and *fun*. Casting the net meant cooling off, taking a swim. In the late afternoon or at night, after setting the nets in strategic spots, he would lie down to rest on the boat itself or on the rocks, enjoying the freshness of the river breeze. Like other interlocutors, he contrasted *that life, that joy* of the past; with the *present* under the mud: *sad, lifeless*, without work or leisure.

In November 2015, Romário watched from his backyard, alongside his father, then 78 years old, as the *mud* arrived. It took at least four days from the dam collapse for the tailings to reach the middle section of the Doce River, at the level of Tumiritinga. They hadn't imagined, however, that it would be *this* serious. Through the television, they followed the path of the mud as it reached Governador Valadares, the previous city along the river toward the mouth. From that point on, all they could do was wait: first came dark, *stinking* water; then the rotten mud, the one that came *destroying everything* (Field notebook entry, Tumiritinga, 11/24/2019).

For the next six months, Romário remained in a state of denial. Probably in shock at the seriousness of what had happened: *It took time for the reality to sink in*. He still insisted on going to the river, as if he needed to test reality in order to believe what he was seeing. But the changes proved to be permanent. Only then did he understand that the river would never be the same again.

I started walking in the water, right from the boat: I'd cast a net, catch a fish or two, and see if they were good to eat... I'd catch them... I even managed to catch some little fish. But the water from the net that fell into the boat would turn my fingernails black from the yellowish tint of the water. So, you know, that started giving me a sense of anguish, and I even stopped going to the riverbank. Unfortunately, my father lives by the river, so I have to check on the boat [so it doesn't get damaged], but I stopped going up there. I used to go all the time... but this year, I haven't gone once. The year's almost over and I haven't gone up there once. I'd go there, but now if I go... where are my companions? Where are the island dwellers? (Interview with Romário, 55 years old, fisherman. Tumiritinga, 11/24/2019).

As he spoke of going *upriver* in a very natural way, as if it were solid ground, I asked where he had stopped going up. To which he replied, as if it were an everyday thing:



"Going upriver by boat, uai! Then you get there and, where's the owner of the island where I used to stop to suck on some sugarcane... or an orange? And we'd chat, catch some fish, share it with them too. And today, you pass by and you don't see anyone on the edge of the island, those islands are deserted now, just cattle, only good for cattle. They don't have any other use anymore. You don't see a sugarcane field on the island anymore, not a single banana tree, no cassava, nothing left. Unfortunately, I could put you in a boat and take you to see it, this all used to be farmland, and today... so we go back to that past..." (Interview with Romário, 55 years old, fisherman. Tumiritinga, 11/24/2019).

Romário contrasts the once *inhabited*, free, and abundant river with today's deserted river. "Deserted", not only in the sense of being uninhabited by people, but also for having become an inhospitable zone, where it is no longer possible to fish, bathe, plant, harvest, use the water, or engage in meaningful interaction.

The river used to be a meeting place for everyone, much like the street or the town square. Relationships of exchange, mutual help, and *compadrio* were part of daily life, shaping the experience of working and living along the river. Water, land, river, family, and community formed a single web of support and mutual exchange (WOORTMANN, 1990, p. 11), which made the diversity of ways of life along the middle Doce River possible.

In different ethnographic contexts related to rural life, Klaas Woortmann (1990, p. 11) identified that values such as family, home, and work equally structure the relationship between people and communities and the land, which serves as both the material and symbolic basis for their continuity in the countryside. These shared meanings give a strong element of reciprocity to the peasant ethic.

Therefore, in peasant worlds¹⁷, relationships with the land and with what is conventionally called nature carry a strong moral component (WOORTMANN, 1990): not only relatives and neighbors are recognized as others. For bonds of reciprocity to be maintained, the land, the river, and the animals are also seen as others, worthy of recognition. The Samarco disaster-crime, however, violently severed the reciprocal bond that once united the riverside dwellers and the Doce River—and vice versa. It left both river and people doubly deserted, stripped of the lives that once gave them meaning.

¹⁷ Indeed, Tumiritinga and Galileia presented a universe of pluriactive families, in which family labor and the relationship with the land and the river are significant, though not exclusive. Even so, the traits of peasantry, as defined by Woortmann (1990), are observable in the everyday relationships of both towns, whose sociability is riverside in nature—due to the strong presence of the Doce River—but also undeniably peasant, according to a broader definition (CARDEL; OLIVEIRA, 2014, p. 626). Thus, in this local context, we can speak of riverine-peasants and peasant-riverine people.



The Doce River also appeared strongly associated with the notion of freedom, through the lens of autonomy and free labor. The third account is provided by Seu Augusto, a fisherman, islander, and settler, aged 62. For many years, he lived on an island with his parents, siblings, and later with his wife. The family divided their time between fishing, cultivating the island, and sharecropping either by halves or thirds¹⁸, for the local landowners.

The flood of 1979 also forced them to move to the *street*. Seu Augusto and his father even worked for a year or two in the city, at a *ceramics company* (brick making). But as soon as they managed to save some money, they chose to return to the island.

We went back because we love the island... still do! We returned to the island and planted a lot of crops, just like I told you—I used to catch cascudo, caught a lot of fish... We fished and worked on a farm there. The landowner gave us land to plant, so we sharecropped... by halves, by thirds. This way of working, for those who own the land and let others work as sharecroppers, is good, but for those who take the land, it's not. Because it takes a lot of work. The landowner profits, it's given to him, but the one who plants, harvests, and hands over the crops has to work hard and spend a lot of money!(Interview with Seu Augusto, 62 years old, fisherman, agrarian reform settler, and islander. Tumiritinga, 11/29/2019).

Even though the family cultivated the island, the area was not large enough to support everyone. Faced with the lack of access to land and poor working conditions, in the mid-1990s, his father became involved in the struggle for agrarian reform. The rural workers of Tumiritinga and the surrounding area occupied a large, unproductive area in the city. Part of this area lies along the lower Doce River, corresponding to what is now one of the main settlements, offering both residential and working land to more than 30 families in the municipality. Some time later, Seu Augusto also secured a plot in the same settlement, near his father.

He emphasized the importance of land for family autonomy: after they acquired the land, *they never worked for others again* (Field notebook notes. Tumiritinga, 11/29/2019). They were then able to have control over their own time and even start new productive activities, such as beekeeping and raising small livestock, which allowed for a more comfortable standard of living.

Labor autonomy, productive autonomy, and time management are fundamentally linked to land ownership. This legal stability not only guarantees autonomous labor but also provides a home and the means for family maintenance on the land, through inheritance.

¹⁸ Planting by halves, by thirds refers to a type of sharecropping agreement common in rural areas, where the landowner allows someone to cultivate the land in exchange for a share of the crop.



Therefore, land and work are connected to family and home; they are the material condition and, above all, the symbol of peasant freedom (WOORTMANN, 1990, p. 61).

After the Fundão dam rupture, however, his younger children and nephews left the land, had to sell the heifers, and the bees dwindled. Fishing and cultivation in the lowlands of the river and on the island became unfeasible. Even under these conditions, Seu Augusto goes to the island every day and still tries to cultivate the areas that were not affected by the tailings (Field notebook notes. Tumiritinga, 11/29/2019).

The mud from Samarco] ruined everything, then everyone had to go their separate ways, right? It's horrible, it's horrible... I think no amount of money can buy back our sorrow. And they want to compensate us with money. The Doce River was something that served for everything, we would leave here and go there to take a bath, I used to go to it [Doce River], I didn't even bring water with me, I drank water straight from the river...(Interview with Seu Augusto, 62 years old, fisherman, agrarian reform settler, and islander. Tumiritinga, 11/29/2019).

In the peasant context, the land, and in this case, the river, holds a moral value¹⁹, not reduced to a mere commodity or exchange value (WOORTMANN, 1990, p. 62). Seu Augusto emphasizes that the river and the land on which he works with his family are not subjects of commercial valuation. Therefore, his relationship with the river as an "other" (it) does not fit within the legal forms that represent the river as an object, water resource, or means of production.

Hence, the proposal by the mining companies/Justice Institutions to compensate for the "losses," "damages," and "lost profits" with money seems impossible to him—perhaps even offensive. This is where the cosmological conflict underway in the Doce River basin lies, and it goes beyond the Indigenous dimension identified by Moreira and Nicácio (2022). It is a conflict between a moral relationship with nature, marked by reciprocity, and a commercial relationship, in which land and river can be reduced to "resources" with economic and financial value.

The meanings brought up by Luiz, Romário, and Seu Augusto make up the collective memory and are part of the local identity of riverine people, fishers, agrarian reform settlers, and islanders of the middle Doce River. At this historical moment, it is still uncertain what

¹⁹ Woortmann (1990, p. 14) points out that, not rarely, moral conceptions (land as use value) coexist with commercial conceptions of land. Therefore, it is not possible to find the "ideal category" of peasantry, but rather peasantness in varying degrees—that is, in an ambiguous relationship with modernity and the markets.



kind of territorial²⁰ relationship younger generations will establish with the river and the land affected by *Samarco's mud* in the region.

However, at least for the *elders*, who spent much of their lives working the land, living on the islands, and coexisting with the Doce River, these meanings shape an affectively significant relationship that enabled their very way of *life*. The described meanings evoke family, reciprocity, abundance, freedom, and community. These relationships and meanings could not have been assumed or narrated in the abstract, as they were built through the historical, daily, and concrete experience along the riverbanks.

3. "I don't care about this compensation; what matters to me is reclaiming my life²¹": The meanings of reparation in the middle Doce River

The obligation to provide reparation, as established in the agreements of the "Samarco Case," referred to the social, economic, and structural aspects of the damages inflicted on the population, the environment, and the quality of life in the Doce River basin.

In the field, however, riverine communities described the so-called "socio-environmental" reparation as precarious, *merely for show* (field notebook notes, 12/03/2019). Regarding the so-called socio-economic reparation, they highlighted as relevant: i) the Mediated Compensation Program (PIM), through which some received compensation payments; and ii) the Emergency Financial Aid (AFE), which provides financial compensation equivalent to a monthly minimum wage plus 30% per dependent. Through these two programs accessible within the territory, people described an individual and monetary form of reparation, despite the collective nature of the damages, which are difficult to quantify economically.

Regarding their losses, beyond patrimonial issues, riverine communities raised concerns such as recognition within the community and the sense of dignity tied to work. For a settler, having land but being unable to cultivate it is not only *sorrowful* but also *humiliating*.

²⁰ Following Godoi (2014, p. 9), territory is not merely a physical space but can only be understood through the social relations, uses, and meanings that a particular social group assigns to it. Therefore, no territory or territoriality can be understood outside local contexts, making it essential to consider the values, relationships, and culture that have been locally and historically constructed in shaping what is called "territory."

²¹ Phrase extracted from an interview with Seu Onofre. Tumiritinga, 11/20/2019.



Because it's really humiliating, you know? Humiliating... and another thing... with this situation, what happens? Today, someone passes by our land and says... looks around and says, 'Wow, landless people are all lazy.' You know what I mean... 'Landless people are lazy; they don't even have a single onion plant, in such a good lowland...' It could all be planted... it could all be planted. And then they come to the market truck to buy vegetables. You must have 'heard' this, I've heard it myself... but why do they come to buy vegetables? Because even when we have land up here, most people can't afford to have an artesian well for irrigation, you know? And they can't afford it anymore... So, even in that, our dignity was wounded... you understand? (Interview with Isabela, 53 years old, farmer and agrarian reform settler. Tumiritinga, 11/26/2019).

Faced with devastated farmland, the *landless*²² workers perceive their social recognition in the region as threatened by the stigma of laziness, a stereotype typical of discourses that criminalize rural social movements. Beyond the stigma, being unable to make productive use of the land—to the point of having to *buy vegetables at the market*, is experienced as an offense. First, because working the land to sustain the household is a strong feature of peasant morality, and second, because social productivity is a central issue for peasant movements, which advocate for productive land—for those who work it.

In addition to plunging them into poverty and food insecurity, a situation they had not faced since *gaining* access to the land, living on unproductive land, even due to a lack of conditions for production, offends the settlers' own sense of *dignity*. Even so, many of them planned to drill semi-artesian wells and install irrigation systems to move away from areas affected by waste and resume planting in higher ground. However, they faced the risk of groundwater contamination and a lack of resources for productive investments. The amounts received as compensation and/or indemnification were barely enough for family subsistence, let alone for preparing the soil, purchasing seeds, and setting up the necessary infrastructure.

Without assistance and in the midst of difficulties, Seu Onofre concluded that he would have to do something *on his own*. At the time of our conversation, he was engaged in clearing and plowing the highland soil, attempting to grow sugarcane again to supply the distillery, which had been shut down since the disaster.

But I expected them to finance it. I don't care about this compensation; what matters most to me is resuming my agricultural activities. I want to keep living my life without depending on anyone—I want to be independent. That's how we

²² The term "landless" is commonly used to refer both to rural workers who do not have ownership of the land they live on and cultivate, as well as to members of the Landless Workers' Movement. It can also refer to workers who have already been settled on legally recognized land as a result of the movement's political efforts.



see it because if there were a project to fund irrigation or something like that, it would be much easier to keep going (...). In their program [Renova Foundation], they talked about drilling an artesian well for every two families and setting up an irrigation system and all that—it's the project they have. So, we pursued that project. But it's all just talk; in the end, it leads to nothing... (Interview with Seu Onofre, 65 years old, family farmer, agrarian reform settler. Tumiritinga, 11/20/2019).

Returning to production, making a living from their own work, and reclaiming the autonomy they had before the disaster were the main aspirations expressed by the people. Far beyond financial compensation, their demands for reparation centered on *restoring their previous way of life*, something that money alone cannot provide. On the contrary, *dependence* on the payments from Renova Foundation is a source of *embarrassment* and concern. The funds are often insufficient to cover their losses, deplete quickly, and leave communities to fend for themselves, without the material—or symbolic, means to rebuild their lives.

Beyond the desire to resume production, many people expressed indignation over the lack of recovery measures for the Doce River, its riparian forests, and its tributaries, which are considered essential for any recovery of the basin. This dissatisfaction was closely tied to criticism of Renova Foundation and its approach in the affected regions. Against the institutional discourse, which *ends in nothing* and reparations that are just *for show*, the riverside communities presented firsthand evidence from their daily interactions with the river, typical of those who *know* it.

Even the reforestation they said they would do along the riverbanks... it was all just talk (...). It's been two years... nothing but empty promises. They haven't planted a thing! Travel from Valadares to here and ask along the way if Renova, or anyone, has planted a single tree on the riverbank. It's all just blah, blah, blah (...). The river is still dead, just like I'm telling you, there's been no recovery... none at all. When you drive along these roads, you see—they won't stop dumping that leftover waste [the sediment accumulated at the Risoleta Neves Hydroelectric Plant]. We go into the water, we know it. When the water looks clear, if you step into a still spot and move your foot... that mud rises up. You can tell it's their mud! [Vale/Samarco]. (Interview with Romário, 55 years old, fisherman. Tumiritinga, 11/24/2019).

Some spoke of *reviving* the streams and tributaries, hoping to see the Doce River alive once again, while others emphasized the urgent need to protect the springs, which are threatened by deforestation and soil degradation in the region. A group of settlers in Tumiritinga even developed a project to retain rainwater in the soil of their lands:



We put together a very thorough, highly detailed little project, I'd say, for Renova and Vale, demanding the use of machines so we can make a precise intervention on our hills, building a **dry box**, and small dams (...). This way, when it rains, the water is collected at the top of the hill, when the rain stops, the water infiltrates the soil, replenishing the groundwater and staying there; Otherwise, what has been happening is that heavy rains wash everything away, causing floods and carrying off the soil (...). Our land is becoming increasingly barren and dry. If we manage to build small dams and **dry boxes** on our land to retain rainwater, we'll be the farmers of the future, but if we don't, it won't work. Interview with Seu João, 58 years old, farmer and agrarian reform settler. Tumiritinga, 12/03/2019).

The proposal, presented to Renova Foundation, was not approved. The foundation insisted on carrying out the repairs itself, community participation and without earning their trust - due to a lack of results and negligent management. Without the requested technical assistance for maintaining the land and their living conditions, the settlers remain exposed to uncertain risks. However, they continue to advocate for projects aimed at preserving the territory that is deeply familiar to them and from which they have no intention of leaving.

Finally, the ambiguity of the region defined by the Rio Doce, vast in the collective imagination yet no longer a river to *live with* or benefit from, has led some people to compare it to the arid landscapes typical of the semi-arid region. It is as if they have been pushed into a harsh state of scarcity, forced to find new ways to inhabit the land, to interact with one another, and to relate to the Rio Doce.

We are thinking differently now. We are thinking that we need to achieve something we never had before, which is working more with technology, trying to get better cows, better production. I built a **sombrite** greenhouse, where I grow cabbage, little tomatoes, and other crops inside. The goal is to professionalize what we do so that tomorrow, I don't know if in a year's time, in 10 years' time, or less, if Barão de Cocais [tailings dam] bursts and pollutes the Rio Doce again, we can keep going, keep living independently. It's not about competing with what we don't have [technology], but about securing our own survival. (Interview with Seu João, 58 years old, farmer and agrarian reform settler. Tumiritinga, 12/03/2019).

Faced with the devastation of their worlds (DAS, 1995), the riverbank dwellers have, from the very beginning, taken on the task of rebuilding their daily lives along the Rio Doce. While this may be a postponable duty for corporate and judicial institutions, for those *living* on the riverbanks, it is the very work of sustaining life, something they cannot escape.

For this reason, my interlocutors put forward clear demands, rooted in local needs and knowledge. They also proposed ways to adapt the environmental, symbolic, and productive conditions of the territory. However, their perspectives and proposals were



disregarded in the damage assessment and, even more so, in the reparation plans. In other words, these communities have their own reparation demands. Yet, they face highly unequal conditions in articulating the meanings of their losses and the reparations they seek.

The inquisitorial bias of the legal sensibility embedded in Brazil (LIMA, 2010, p. 30) seems to worsen the situation of the groups affected by Samarco's disaster-crime. One after another, ethnographic studies conducted within Brazil's judicial institutions reveal highly hierarchical environments, where citizens—the supposed beneficiaries of judicial services—remain invisible in the very processes meant to address their interests (MENDES, 2012, p. 479; CARDOSO DE OLIVEIRA, 2010).

Indeed, the procedural actions, decisions, and agreements in the "Samarco Case" appear to have been shaped by meanings foreign to the local realities of the middle Rio Doce. This is something Moreira and Nicácio (2022) identified as a symptom of a broader cosmological conflict, reproduced from the territories to the legal arenas.

Even though the legal field has normalized it, the invisibility of citizens in judicial processes remains a distortion. The classic studies by Kant de Lima (2010, p. 44) indicate that this contradiction is a structural feature of Brazilian judicial practices. It is a dynamic that not only permits but legitimizes legal professionals in not merely safeguarding but outright substituting the interests of vulnerable individuals—who are perceived as unaware of their rights and incapable of exercising them.

From the field, it is interesting to note that concrete reparation demands, such as those related to the restoration of the Doce River and degraded areas, as well as the construction of infrastructure to support family-based economic activities, encompass aspects that go beyond the technical and material sphere. These reparation demands also revealed themselves to be tied to symbolic dimensions, to values of an ethical and moral nature: autonomy, dignity, and reciprocity, which were described as essential conditions for rebuilding viable ways of life in the Middle Doce River territory. In other words, reparation demands are both material and symbolic. The interlocutors made it clear in the field that the river was never "just" a river, just as the land was never "just" land. River and land are mother, labor, family, autonomy, community, and home.

The handling of conflicts in which the moral dimension is significant, as in this case, poses even greater challenges for judicial institutions, as identified by Cardoso de Oliveira (2010, p. 461) in successive ethnographic studies conducted in courts. This is because the



reduction of claims to legal terms, as carried out in the documents that enable the procedural treatment of conflicts, frames the expressed interests within abstract legal categories, an operation that excludes aspects that are important from the perspective of the individuals involved, who are transformed into “parties.” In this game of legal framing, moral aspects face great difficulty in being materially proven and often go unnoticed, as they are unintelligible to procedural instruments.

For good procedural technique, local contexts, the meanings attributed by the parties, their worldviews, and everything that cannot be immediately framed within legal categories are considered irrelevant. From an institutional point of view, what matters above all is delivering some form of resolution to the conflict (CARDOSO DE OLIVEIRA, 2013, p. 419), or “avoiding the continuation of litigation,” in the words of Minister Luiz Roberto Barroso, the judge who issued the ruling that approved the renegotiated agreement. Within this framework, it is not surprising that indemnification and/or monetary compensation has been widely used in the Doce River basin as a means of reparation. Nor is it surprising that, to the same extent, it has proven insufficient to address the violations as understood by the riverside communities—especially if the river remains *dead*.

Ultimately, conflicts such as those underlying the “Samarco Case” involve issues that seem unintelligible to modern courts. More than a mere difficulty in understanding, the disaster triggered by the Fundão dam collapse confronts us with an abyss between worlds: between those who see in the river an otherness, a mother; and those who see in it only water, a compensable natural resource. For this reason, the Doce River and its communities call upon the justice system and its professionals to embrace an ontological openness (BEZERRA, 2024), in order to glimpse meanings other than their own.

Final Considerations

The fieldwork in Tumiritinga and Galileia revealed local meanings and interpretations for the Doce River that largely diverge from the official perspectives—those of the Justice System, the defendant mining companies, and their Foundation—that are procedurally represented in the “Samarco Case.” The hegemonic perspective, used to assess damages and to propose reparations, qualifies the river and the land as compensable natural “resources.” As a result,



the reparation that has reached the affected populations has been primarily monetary in nature.

In contrast, my interlocutors drew from their concrete local relationships to denounce the harm they suffered and to demand reparation on their own terms. They know that the river will not return to what it was before the collapse. Still, they asserted their *knowledge* in order to formulate a viable form of reparation, one that would allow them to resume their daily activities, social life, and family livelihoods with dignity.

So far, the institutional response has been convenient from the perspective of the companies, which have controlled the implementation of reparation projects through the Renova Foundation. The management of the “Samarco Case” has failed to consider the diverse meanings and cosmologies at stake in the Doce River valley, not only in terms of what the river and the affected land represent, but also regarding the very possibilities of reparation. A response that could enable the elaboration of grief, the restoration of social ties, and a viable resumption of life paths and of the devastated territory itself has yet to be realized.

The Institutional action, however, has largely ignored concrete demands, and the judiciary does not appear open to concepts and cosmologies other than its own. By excluding the communities' demands on their own terms and disregarding local meanings throughout the basin, the scope of the recently signed renegotiation remains limited, mostly confined to procedural acts. The fact is, if those affected by the Fundão dam collapse do not perceive themselves as having been repaired, it is not possible to speak of reparation, nor of any “definitive” resolution of the conflict in the Doce River basin. On the contrary, the cosmological conflict, or the war of worlds alluded to by Latour (2002), has never been more evident.

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