ECONOMIC EXPANSION AND ECOLOGICAL PRESERVATION: THE TABULEIRO MUNICIPAL PARK DEBATE IN MATINHOS, BRAZIL

EXPANSÃO ECONÔMICA E PRESERVAÇÃO ECOLÓGICA: O DEBATE DO PARQUE MUNICIPAL DO TABULEIRO EM MATINHOS, BRASIL

EXPANSIÓN ECONÓMICA Y PRESERVACIÓN ECOLÓGICA: EL DEBATE DEL PARQUE MUNICIPAL DE TABULEIRO EN MATINHOS, BRASIL

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ABSTRACT
This study aims to highlight the Havan department store's attempt to establish one of its branches within the Parque Municipal do Tabuleiro, located in the city of Matinhos, Paraná, Brazil. This area represents a critical hotspot of the Atlantic forest amidst an urban landscape, harboring species on the brink of extinction, including the caixeta tree. This endeavor sparked controversy not only due to the proposal itself but also because of the actions taken by the local executive and legislative authorities. They orchestrated extraordinary sessions, disregarding legal deadlines, to alter the city master plan. Their objective was to reclassify the area, shifting its status from an environmental conservation unit to a zone open for commercial exploitation. This maneuver garnered widespread attention from the media and the Public Prosecutor's Office, leading to the latter's recommendation to halt the process, warning of potential administrative misconduct by the executive branch.

Keywords: Atlantic Forest Brazil biodiversity hotspot; illegal logging in Brazil; atlantic forest biome Brazil; Brazil atlantic forest deforestation; saving Brazil's Atlantic Forest.

RESUMO
Este estudo pretende destacar a tentativa da loja de departamentos Havan de estabelecer uma de suas filiais no Parque Municipal do Tabuleiro, localizado na cidade de Matinhos, Paraná, Brasil. Essa área representa um hotspot crítico da Mata Atlântica em meio a uma paisagem urbana, abrigando espécies à beira da extinção, inclusive a caixeta. Este esforço provocou controvérsia não só devido à proposta em si, mas também devido às ações tomadas pelas autoridades executivas e legislativas locais.

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Eles orquestraram sessões extraordinárias, desrespeitando prazos legais, para alterar o plano diretor da cidade. Seu objetivo era reclassificar a área, mudando seu status de unidade de conservação ambiental para uma zona aberta à exploração comercial. Essa manobra chamou a atenção da mídia e do Ministério Público, o que levou a este último a recomendar a paralisação do processo, alertando para uma possível má conduta administrativa do poder executivo.

Keywords: Mata Atlântica Brasil biodiversidade hotspot; extração ilegal de madeira no Brasil; bioma florestal atlântico Brasil; desmatamento florestal atlântico Brasil; salvamento da floresta atlântica do Brasil.

RESUMEN
El objetivo de este estudio es destacar el intento de los grandes almacenes de La Habana de establecer una de sus sucursales en el Parque Municipal de Tray, ubicado en la ciudad de Matinhos, en Paraná, Brasil. Esta zona representa un punto crítico en el Bosque de las Lluvias Atlánticas en medio de un paisaje urbano, albergando especies al borde de la extinción, incluyendo la caja. Este esfuerzo ha causado controversia no sólo por la propia propuesta, sino también por las acciones de las autoridades ejecutivas y legislativas locales. Organizaron sesiones extraordinarias sin respetar los plazos legales para cambiar el plan maestro de la ciudad. Su objetivo era reclassificar la zona, cambiando su condición de unidad de conservación ambiental a área abierta a la explotación comercial. Esta maniobra atrajo la atención de los medios de comunicación y de la Fiscalía, que llevó a ésta a recomendar la suspensión del proceso, advirtiendo de una posible mala conducta administrativa por parte del ejecutivo.

Palabras clave: Punto de encuentro de la biodiversidad de los bosques tropicales del Atlántico en Brasil; tala ilegal en Brasil; biomasa forestal atlántica en Brasil; deforestación forestal atlántica en Brasil; salvación del bosque atlántico en Brasil.

1. Introduction

On July 2, 2018, Matinhos City Hall published an article on its website titled “Matinhos to Welcome Havan Mega Store.” The article reported a meeting held between the company's expansion director, the city's mayor, and other representatives from the urban planning and legal sectors of the city hall.

The purpose of the meeting was to discuss the construction of a "megastore" by Havan. The store was planned to have a built area of 6,771.59 m² on a plot of 22,316.65 m², situated on Avenida Juscelino Kubistchek de Oliveira. During the meeting, the director mentioned that the store would be large and modern, featuring cinema rooms and a food court. The city council emphasized that the project would create 150 new jobs, thereby generating income for the city of Matinhos. The store was anticipated to be opened by the end of 2018 (Matinhos, 2018).
The announcement sparked controversy and led to numerous discussions (GAZETA DO POVO, 2018). The proposed location for the construction of the "megastore" coincided with the site of the Tabuleiro Municipal Park, recognized as an area of environmental conservation. This park, a remnant of the Atlantic Forest within the urban perimeter, is home to endangered species such as the "Guanandi" (Calophyllum brasiliense), a tree native to the Atlantic Forest Biome, classified as a global biodiversity "hotspot" (TABARELLI, PINTO, et al., 2005).

Established through Law No. 1067 on December 5, 2006, as part of the Master Plan (COLIT, 2006), the Tabuleiro Municipal Park covers an area of 0.032 km² (32,000.00 m²) and is situated in the Tabuleiro neighborhood. Article No. 14 of the Master Plan outlined the creation of five municipal parks, including the Praia Grande Municipal Park, Sertãozinho Municipal Park, Morro do Sambaqui Municipal Park, Tabuleiro Municipal Park, and Morro do Boi Municipal Park (COLIT, 2006). The objective was to expand protected areas and develop recreational spaces and facilities, ensuring local residents access to recreation and environmental education. These conservation units, totaling 0.517 km² (517,000.00 m²), constitute 2.01% of the urban area (COLIT, 2006).

The news of the proposed "megastore" (HAVAN, 2018) led to public outcry, resulting in articles in various local and regional media outlets questioning the legality of the actions and the potential consequences if the Tabuleiro Municipal Park were to be dismantled. This outcry caught the attention of the Public Ministry of Paraná. Under Judge Bianca Bacci Basseto's jurisdiction, the vote on Bill No. 51/2018, introduced by the executive branch, was suspended. This bill aimed to declassify the park area, transforming it from a public interest zone to a commercial area, thereby altering the zoning regulations outlined in the master plan.

The Public Ministry of Paraná's decision highlighted several legal requirements that were not met. These included the failure to ensure public participation, particularly from fishing communities and local farmers, in discussions regarding the document. Additionally, an audit of the Master Plan had not been conducted for over a decade, contrary to the legal guideline (COLIT, 2006). Diagnoses and technical studies assessing the environmental, urban impacts, and damages resulting from the proposed changes were not carried out.
Furthermore, the effective involvement of the Municipal Urban Planning Council and Environment was lacking, as well as the preparation of an environmental diagnosis and technical study, including a survey and mapping of cultural, historical, and natural heritage sites.

The proposal to change the Matinhos Master Plan, as per the Prosecutor's Office, has been deemed unconstitutional, violating both Federal and State constitutions, the City Statute, and the Resolutions of the City Council. Additionally, it disregards the Atlantic Forest Law 11.428 of 2006, specifically concerning the absence of public utility and the existence of alternative locations for the project's construction, as analyzed by the Prosecutor's Office (CORREIO DO LITORAL, 2018).

In response, Matinhos City Hall expressed regret over the Public Ministry of Paraná's decision to suspend the project, contending that the area was never officially designated as a Municipal Park; it was merely an intention that never materialized. The City Hall announced its intention to appeal the decision, asserting that the project aligns with public interests such as development, recreation, tourism, and job creation within the municipality (MATINHOS, 2018).

In opposition to the decision, a public petition (PETIÇÃO PÚBLICA, 2018) has been initiated, garnering signatures from over six hundred individuals. The petition urges the continuation of the disaffection process and is addressed to the prosecutor. Notably, the petition reflects various criticisms of the suspension, portraying the MP-PR, the Master Plan, and environmentalists as hindrances to the city's development. This situation mirrors a conflict discussed by ZHOURI and OLIVEIRA (2007) regarding the installation of a hydroelectric plant, emphasizing the perception of those opposing the project.

Indeed, the title "The Guardians of Misery" carries significant weight, serving as an offensive term directed at environmental technicians. These professionals, by contesting the project based on its social and environmental viability, are perceived to be obstructing the region's "progress." This situation highlights a clash of ideologies: one side represents redemptive developmentism in the name of the Nation, advocating for progress, while the other side embodies the conception of territorial rights articulated by local communities. This ideological conflict underscores the complexity of balancing economic development with environmental preservation and the rights of local communities.
The article's objective is to analyze the conflict arising from the attempt to dismantle the area within the Parque Municipal do Tabuleiro in Matinhos for the construction of a branch of the Havan department store. It delves into the turbulent process, outlining its procedures and legal steps involving the local executive and legislative powers. The article also examines the intervention of the Public Prosecutor's Office, analyzing the narratives and speeches of the involved parties. This analysis characterizes how the company positions itself and operates within this context. The timeframe considered spans from the announcement of the installation until the suspension of the project by the judiciary. Importantly, the article points out the political nature of the arguments used in both the city hall's text and the petition, making it challenging to discern whether the initiative originated from a citizen of civil society or a member of the executive branch.

2. Methods

The research employs a methodology that combines a literature review, documentary research, and content analysis. It delves into matters related to the executive and legislative powers, examining a comprehensive array of laws and procedures. The study also analyzes reports generated as a result of the widespread attention the issue received from the media, environmentalists, and non-governmental organizations. Regarding the content analysis approach, the study follows the guidelines outlined by BARDIN (1977), emphasizing the systematic examination and interpretation of textual, visual, or audio materials to extract meaningful insights.

[...] In qualitative analysis, there is room for limited quantification. Specifically, indices are considered without emphasizing their frequency. Analysts can utilize quantitative tests, such as identifying the occurrence of similar indices in comparable discourses. Qualitative analysis is characterized by the inference being rooted in the presence of the index (which could be a theme, word, character, etc.), not solely on how frequently it appears in each individual communication. The focus is on the qualitative aspects and the meaning derived from the presence of these indices, allowing for a nuanced understanding of the data.

Using the beginning of the process and its publications with the proposal to create the enterprise until its suspension by the Public Ministry, a reflection is
open on the role of the executive, legislative and judiciary bodies and the private sector in relations involving the environment.

In Brazil, there are currently around 2,029 Conservation Units registered with the Ministry of the Environment, such as the Tabuleiro Municipal Park, which extend over an area of around 1,544,833 km², representing around 17% of the national territory, the country. In this way, it meets the goals of the Aichi Biodiversity Convention, which determine that 17% of the entire planet must be protected by 2020 (SCALCO, 2017). But even with advances, the vast majority of UCs are still only on paper, when we talk about problems such as irregular land tenure, lack of infrastructure and equipment, as well as outdated management plans or their complete absence.

Since the beginning of the announcement of the construction of the Havan company’s megastore, the process has been involved in several controversies and questions from a legal and ethical point of view. The first of them refers to the area, a conservation unit created by specific legislation, in this case the Master Plan established in 2006 by ordinary law no. 1067 (COLIT, 2006). As it is a strip of Atlantic Forest, law 11,428 states in its article number 12 that “new projects that involve the cutting or suppression of vegetation in the Atlantic Forest Biome must be implemented preferably in areas already substantially altered or degraded” (BRAZIL, 2006).

Aware of the current legislation that prevents deforestation, the head of the executive proposed bill no. 51/2018 (MATINHOS, 2018) which in its content dismantles the Tabuleiro Municipal Park area, transforming the site into an area that could be commercially explored, changing the laws contained in the Municipal Master Plan, thus defining new perimeters for the park area.

Regarding the disaffection process, it is necessary to consider that despite its legal viability, it must follow strict procedures regarding its definition and purpose, for example, the disaffection process cannot be allowed if it benefits only a portion of society, we can give as For example, the construction of a social club, leisure allotments or allocating the area to a specific charity. There are cases in which dispossession is permitted, when intended for a social purpose, for example occupation by low-income families, which may exceptionally allow
for dispossession of green areas for housing purposes, but even in this way it must be analyzed whether this is a case extremely necessary and if it is already consolidated, that is, there are no more possibilities other than disaffection itself (LOPES and DISCONZI, 2012).

In 2018, according to (IBGE, 2018) the estimated population of Matinhos was 34,207 inhabitants with a demographic density of 249.93 inhabitants/km and according to projection data from (IPARDES, 2019) it could reach 40,200 in 2030. In 2017, the average monthly salary was 2.0 minimum wages. The proportion of employed people in relation to the total population was 28.2%. In comparison with other municipalities in the state, it occupied positions 205 out of 399 and 59 out of 399 respectively.

The legislative power of Matinhos is made up of 11 councilors from the administration that began in 2017 and runs until 2020 (MATINHOS, 2019) of which 5 are remnants of the previous administration (2013-2016), in a study carried out in 2016 showed that laws aimed at economic interest are what dominate the chamber’s agenda with a percentage of 54% of all legislative production (OLIVEIRA, 2016). One of the functions of the legislative power is to monitor the acts of the executive power (JURISWAY, 2016), but in Matinhos, specifically in the case of Havan, what drew attention was that there were no questions about the conduct of the head of the executive in relation to the bill no. 051/2018 (MATINHOS, 2018), first through the public hearing held on July 12, 2018 (MATINHOS, 2018) which had as its main theme the law itself and its benefits, leaving out the Master Plan and the implications arising from the change, we see a marginalization of the public hearing as speech (ZHOURI, 2008) in which hearings take place late, even when decisions have already been taken, with difficulty in accessing documentation that does not encourage more informed participation. According to that extraordinary sessions were scheduled as a matter of urgency to vote on the project for the following day 13 (Friday) with two further sessions for the 14th and 15th of July which were only canceled after the intervention of the Public Ministry of Paraná (PARANÁ, 2018).

Among the arguments used by the executive branch to justify the construction of the Havan megastore, one of them was that despite the creation of the Parque Municipal do Tabuleiro by law no. 1067/2006 of the Master Plan
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(COLIT, 2006), the project did not come to fruition, as the area was not expropriated and does not have a management plan. Currently, the area would be a “wild” place prone to crime, affected by the accumulation of rubbish and the deposit of rubble, even contributing to a possible breeding ground for the Aedes Aegypti - Dengue Mosquito, as published in the note on its website (MATINHOS, 2018). This situation shows a portrait that is repeated in relation to the conservation units on the coast of Paraná as presented (TIEPOLO, 2016) where the majority are in a state of abandonment by the public authorities and even with the changes in power during the last three decades little contributed to consolidation and implementation in the region’s protected areas.

3. Results

Brazil has more than 13 million unemployed people according to data from (IBGE, 2019), in Matinhos only 28.2% of the population has some type of occupation. It is in this scenario that the discourse of both the executive, legislative and private sector powers comes into play. in confluence, as (ACSELRAD, 2010) points out:

Such socio-territorial segmentation has deepened with the globalization of markets and commercial opening - namely, with greater freedom of movement and relocation of capital, a fall in the cost of relocation and an increase in the power to exercise locational blackmail by capital, which can use the lack of jobs and public revenue as a force to impose polluting practices and the regression of social rights.

Through an analysis of the content of the articles issued by the city hall, Matinhos city council and Havan itself regarding the period from the announcement by the company until the suspension of the project proposed by the Public Ministry, it is possible to perceive a common element in their speeches, the generation of jobs and income, this narrative takes a more concrete form when it is stated that the exact number of 150 new job vacancies will be created in the municipality with the construction of the department store, characteristic elements of location blackmail or locational blackmail (ACSELRAD, 2006):

Arguing their ability to generate jobs and revenue for local governments, large companies began seeking to obtain tax and regulatory advantages as a necessary condition for the allocation of
their investments. On the one hand, they began to activate the mechanisms of interlocal competition, driven by the willingness of each location to attract investment resources available on the global market. On the other, they began to divide local societies, which found themselves pressed, on the one hand, by the need to create jobs and, on the other, by pressure from corporations seeking locational advantages - in the form of fiscal, social and environmental deregulation.

As the author demonstrates, coalitions of elites centered on real estate properties end up shaping public policies, giving free rein to the purpose of expanding the local economy and increasing wealth. An economic common sense is built resulting from the promise of jobs, fundamental to fostering an environment of permanent competition between cities (ACSELRAD, 2013). Thus, for example, a city can be classified as a “growth machine” or “entrepreneurial”, one that imposes risks on the weakest, also constituting a machine for disorganizing workers, who want a job at any cost, and society in general, which is in need of investment resources, a source of public revenue (ACSELRAD, 2004).

Economists in the 20th century already theorized about the mutation of purely economic capital into the political field, exerting influence on government policies, businesspeople have a monopoly on job creation, with the state only being responsible for maintaining a “business climate”, if this is contradicted. Entrepreneurship can threaten social stability with unemployment and disinvestment. This climate generated by the market ends up becoming an essential variable for the state. This is why public investment combined with a full employment policy causes aversion to this sector as it cannot take advantage of the effects generated by a crisis, especially in relation to labor. This articulation ends up becoming part of the dynamics of capital investment together with the economic action of governments in a “political economic cycle” in which the “business climate” is the “regulating” variable, ensuring the internalization of the “norm” by workers. In this way, an analogy can be made between the “laissez faire” state, which ensures the ability of investors to punish social actors in areas where they are interested in investing, with the promise of jobs to obtain locational advantages and free access to resources environmental issues (ACSELRAD, 2013).
4. Discussion

After the announcement of the intention to decommission the area, several entities such as non-governmental organizations and environmentalists spoke out about the proposal, some raised issues such as the disorderly urban growth that has been occurring on the coast of Paraná, more specifically in Matinhos since the 1980s. (CONEXÃO PLANETA, 2018), followed by the deforestation of the restinga forest to make way for enterprises that in return will generate taxes such as IPTU (O ECO, 2018), pointing out the consequences of unplanned development, such as essential services, citing the example of basic sanitation that did not happen at the same speed as the occupations and subdivisions resulting from real estate speculation combined with the myopic vision of public authorities (CBN, 2018).

Other environmentalists mentioned the owner of the Havan stores, Luciano Hang, a controversial figure due to his political position in supporting the Lava-Jato operation (CARARETO, CALONEGO and ANDRELO, 2016) and his active participation in the 2018 elections campaigning for the then presidential candidate Jair Bolsonaro, a fact that generated a lawsuit filed by the Ministry of Labor because of a video published in a closed group of Havan employees but which ended up becoming public, in which Luciano Hang asks his employees to vote for the candidate under the pretext that “if the left win” would close stores and fire employees (O GLOBO, 2018). In the most recent controversy in which he was involved, the owner of Havan stores, in a speech given at the city council of Joinville in Santa Catarina, stated that “The environmental issue is the cancer of the country” (C MARA DE VEREADORES DE JOINVILLE, 2019), claiming that businesspeople are in a hurry to build businesses and create jobs, but environmental laws are an obstacle for those who want to undertake.

It is not only in Matinhos that Havan has been having problems related to environmental issues. Cacoal in Rondônia, São Miguel do Oeste, Joinville, Florianópolis in Santa Catarina, Campo Grande in Mato Grosso and Jacareí in São Paulo are other examples where the company faces lawsuits for non-compliance with legislation.

The Tabuleiro de Matinhos Municipal Park is not the only park at risk of
being extinguished in Paraná, in a period in which we are experiencing uncertainty and setbacks related to environmental issues, the Campos Gerais National Park could also be included on this list soon since there is a protocol with the Ministry of the Environment made at the beginning of 2019 in which it requests the end of the park, which according to some sectors would be an obstacle to economic activities, as a result of lobbying by businesspeople in the mining and agricultural sector (PLURAL, 2019). The park was created in the same year as the Tabuleiro park (2006) through a federal decree, covering an area of more than 21 thousand hectares, located between the municipalities of Ponta Grossa, Castro and Carambeí, under the administration of (ICMBio) Chico Mendes Institute for Biodiversity Conservation, the park houses one of the last remnants of native vegetation and biodiversity of the general fields, according to environmentalists.

5. Conclusions

This research aimed to analyze the process of attempting to dismantle the Parque Municipal do Tabuleiro in Matinhos, through this study it was possible to note the importance of key actors such as the judiciary in this case represented in the role of the Public Prosecutor's Office, with the increasing number of large projects, an assessment of local impacts is necessary in the context of environmental licensing, where it acts as a balancing agent on issues involving the environment and private interest, through recommendations and legal actions (COELHO, LOUREIRO, et al., 2015).

The crisis that the country is going through, combined with the lack of perspective of the growing number of unemployed, is one of the weapons used by companies through rent blackmail to obtain their "social license", pressing for changes to labor, tax and environmental laws and so on. benefiting from a given enterprise without paying attention to the inherent risks and problems that it may cause, are short-term visions like this, which only take into account the greed for capital at any cost that cause announced tragedies such as in Mariana and Brumadinho where they were lost human lives with great national and international repercussion, but there are tragedies that happen silently every day, such as the extinction of thousands of species that have already disappeared and
thousands more that are at risk of becoming extinct. Brazil currently has 1,173 threatened fauna species and another 10 are considered extinct in Brazilian territory (ICMBIO, 2016).

The importance of presenting sustainable alternatives, as opposed to the exploitation and degradation of environmental conservation areas, is extremely important, starting with the local population’s perception of environmental conservation and this can only happen through consistent environmental education, promoting sustainable tourism and green entrepreneurship as a source of income instead of underemployment generated by companies that act as blackmailers of capital using employment as a bargaining chip, this is the first step towards breaking paradigms towards a more conscious and less unequal society (SACHS, 2004).

The process of dismantling the Parque Municipal do Tabuleiro, despite being suspended by the Public Ministry of Paraná, has not yet had a final or conclusive outcome, and it is still possible for the Havan department store to appeal the decision to the public authorities, this article was premised on contributing for discussion and serve as a reference for future researchers on the topic.

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