

# They want to arrest Zé Rainha

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*Manifesto for the annulment of the trial against Zé Rainha and Claudemir, leaders of the FNL. The people will not allow their imprisonment!*

They want to jail Zé Rainha. They want to arrest him once again. Those who condemn him do so out of a thirst for injustice. No witnesses, no conclusive evidence, nor what they said they heard was heard. Nobody confirms the untruths. The crime of Zé Rainha, leader of the National Front of Struggles (FNL), is to have the insolence to keep alive the struggle for land in a country of rural oligarchies, whose history is plenty of jail and death to the insurgents. He knows this. He knows it from a very early age.

Zé Rainha was 17 when he began his militancy in the late 1970s. His family, in the interior of the state of Espírito Santo, had lost the only piece of land they owned. He had only recently become literate, and the Ecclesial Base Communities (CEBs) of the Catholic Church were the school possible in the remote corners of Linhares, where access to education was a part of the daily life of only a few. Frei Betto, at that time recently released from a four-year prison term, became a great friend and the one who would introduce Rainha to the notions of Agrarian Reform and union organization, even though the military dictatorship imprisoned and consumed the daring who meddled in these matters. Zé Rainha knew the cost of opting for the peasant and worker cause in Brazil.

In the beginning of the 1980s, the struggle for land would gain other contours, and in the middle of that decade it would become the Movement of Landless Rural Workers (MST), and Zé Rainha was one of the main leaders of this struggle. They also persecuted him, accused him, and put him in prison. Zé Rainha

was arrested 13 times, but in dozens more he was victorious in the occupations in which he was in the front line. He is facing more than 20 lawsuits, all related to his actions in the peasant movements.

Now, again, they want to arrest Zé Rainha. They want to demoralize his 61 years of life and the more than 40 years dedicated to the confrontation with the latifundium, with the squatting of public lands by landowners and the expulsion of farmers, indigenous and quilombolas from their pieces of land. The Federal Public Ministry of São Paulo (MPF-SP) accuses him of criminal association, extortion and misappropriation. The judiciary convicted him without any legal basis in anything they presented as alleged evidence of criminal conduct.

Without evidence, the judges then convicted on their "perceptions". In the country of institutionalized land grabbing, of the tyranny of agribusiness, and where the togas also rest on the latifundium, perceptions almost always criminalize social movements. They want to arrest Zé Rainha. They want to arrest him again.

The trial they imposed on him was political, and all those who fight against this kind of oppression now have the commitment to strengthen the trenches of the campaign for his freedom. The fragility of the process is the defense's tool to innocent him, but without the streets, without the marches, without the support of the entities linked to workers, peasants, students, and activists, the strength to defend him cools.

Zé Rainha has already been sentenced to 22 years and five months in prison by the Federal Regional Court of the 3rd Region (TRF-3), but the defense lawyers are gathering information to prove that this is a political conviction. They intend to use appeals to guarantee that the appeals will be heard by the Superior Court of Justice (STJ) and the Federal Supreme Court (STF) and that the illegalities in the process will be demonstrated. This includes disregarding the testimony

of witnesses, who did not confirm the alleged extortion practiced by Rainha or people close to him. Among these witnesses are employees and directors of companies that operate in Pontal do Paranapanema, a region in western São Paulo where the FNL has promoted land occupations and today maintains at least three large camps, with the plan to settle 5,000 families by 2022.

In no testimony was there any statement that Zé Rainha had embarrassed, threatened or intimidated these people in exchange for vacating areas, as a strategy to ask for money from the movement or for his own benefit, nor did they point to facts that would constitute the crime of misappropriation of funds intended to benefit the camped families, such as the purchase of basic food baskets. Among the “evidence” presented in the process are conversations obtained by breaking the telephone records of Zé Rainha and also of Claudemir Novais, another leader of the FNL, accused of criminal association and embezzlement, whose conviction was five years and four months in prison. The illegalities are in the efforts to convict him. They want to arrest Zé Rainha.

The investigations started by the Federal Police and involve companies that own land and plantations in the Pontal region and one of the toll plazas. Zé Rainha was pointed out as the leader of a gang that embarrassed people connected to these companies as a way to ask for money. The accusation also states that part of the money he received, including funds from INCRA, were used for his own benefit, to pay off personal debts. There were nine months of wiretaps, but only excerpts are included in the case file. There were no reasons for the breach of secrecy to be granted by the judiciary and the defense points to the violation of Law 9.296/1996, whose article 2 says that this should be a measure used when there are no other means of obtaining evidence.

They want to arrest Zé Rainha, but he challenges his accusers: “Show me the evidence! There is none. It is a political

process, which has to do with confrontation, with the struggle for land, it has to do with Agrarian Reform. Every time the peasant movement has risen up, those who were not killed have been put in jail. That's how it is!"

In his history, the FNL leader has other judicial battles to prove innocence, arrests, convictions reversed into innocence and attacks – the last one in 2002, when he was shot in the back during an occupation in Rosana (SP). Jail does not impose fear on him, but it is not his nature to paralyze in the face of injustice and blatant political persecution of the movement for land, labor and housing, strengthened under his tutelage since 2010. Not surprisingly, the process against him and also against his fellow worker was opened when the growth of militancy and the organization of the FNL in Pontal do Paranapanema were already evident. They want to arrest Zé Rainha, because they need to stop the struggle that is only growing.

In the three big camping sites in Pontal do Paranapanema, the Miriam Farias, with 1,300 families in the municipality of Sandovalina, the Mandela, with around 900 families, in Rosana, and the Paulo Freire, with 300 families in an area of Marabá Paulista, there is movement so that, In the beginning of October, or even before that, a march from Sorocaba to São Paulo will take to the streets the causes defended by the FNL, such as land, housing, work, education and, under the urgencies imposed by the pandemic, the valorization of SUS and of public and free health. The FNL is organized in at least 11 states, has more than 20 thousand campers in the country, and its goal is to reach 100 thousand campers by 2022.

The process against Zé Rainha and Claudemir must be annulled. This is the flag to be raised against injustice and criminalization of those who struggle. We must defend it by mobilizing people. It will be the political fact of the battle for his innocence. They want to arrest Zé Rainha. The people will not let them.