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**NET-ACTIVIST ACTIONS  
IN THE LEGAL AMAZON:  
CHALLENGES AND  
ALTERNATIVES**

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## INTRODUCTION

We live in the new times that accompanied the consecration of a society transformed by technologies, which Castells (2002) calls informational society,<sup>1</sup> and this framework leads to several reflections, notably those related to the development of net-activist actions in the Legal Amazon <sup>2</sup>, specifically the challenges for its implementation and possible alternatives to ensure that excluded individuals have access to this important tool of social manifestation.

The informational society is the social organization whose main axis is theoretical knowledge, that is, its support base is information, but it develops thanks to technological innovations in a continuous process. Castells (2002) states, in this regard, that the fundamental sources of productivity and power in this society are the generation, processing and transmission of information, in a continuous process that develops from the application of knowledge and information.

This new social organization contributed to the emergence of the notion of digital citizenship. According to Di Felice (2021), it takes care of a new way of seeing the different relationships that are established between human beings, non-human beings, technologies and nature, encompassing an extensive list of interconnected entities, but also a connection of different worlds: geological, biological, climatic, technological, etc.

According to the author, it signals the modification of traditional paradigms and the opportunity for a profound transformation of relationships and our idea of society.

This phenomenon described by Di Felice

takes place at the heart of the informational society, which faces several problems, among which the difficulty of accessing technologies for many individuals in the Legal Amazon stands out, in a process of true digital exclusion.

This scenario drives several reflections and numerous research possibilities, but some problems in particular call attention: (a) what are the challenges found in the Legal Amazon that prevent the access of countless citizens to net-activist movements? (b) what are the possible alternatives to enable these people to participate in this social movement?

This way, the objective of this research is to analyze Net-activism, as a popular and social manifestation, to identify the challenges that prevent several individuals from the Legal Amazon from having access to this form of social organization and to investigate the appropriate alternatives.

In order to achieve the objective, presented in the introduction (1), the challenges that many individuals in the Legal Amazon face in carrying out net-activist actions (2) are analyzed. Then, some suitable alternatives to overcome these challenges are investigated (3). The final considerations are listed.

## CHALLENGES TO NET-ACTIVISM IN THE LEGAL AMAZON: DIGITAL INCLUSION AND DIGITAL EXCLUSION IN THE INFORMATIONAL SOCIETY IN THE LIGHT OF MANUEL CASTELLS

When talking about digital inclusion, one must bear in mind overcoming the incipient notion of having equipment and

1 However, it is possible to find another designation for the same phenomenon as information society, an expression first used by Daniel Bell in his work *‘‘O advento da sociedade pós-industrial’’*, written in 1973 (ZILIO; DE FREITAS, 2022).

2 For the purposes of this investigation, we will use the expression Legal Amazon to designate the states of Acre, Amapá, Amazonas, Rondônia, Roraima, Tocantins, Pará and Maranhão, in its portion west of the 44th meridian (Complementary Law from January 2007). We chose to exclude Mato Grosso from the research, as it is part of the Central-West Region and is currently undergoing a bill to exclude it from the Legal Amazon in the National Congress (PL number 337/2022).

the internet and knowing how to use them. Warschauer (2006) states, in this step, that access to information and communication technology includes a “complex set of factors, encompassing physical, digital, human and social resources and relationships” Warschauer (2006, p. 21). It is also necessary to avoid the temptation to use the antagonistic notion of digital exclusion, because despite the evident opposition of these expressions, digital inclusion can no longer be seen as the positivization of digital exclusion; it goes beyond, as will be shown.

The construction of the notion of digital inclusion entails the identification of several elements, aspects, factors or issues and here we will present some of them that we consider most important. From the lesson of Bonilla and Oliveira (2011) the following can be extracted: (a) appropriation of technology; (b) development of individuals; (c) production of improvement in the quality of life of families; (d) encouraging the construction and maintenance of an active, cultured and enterprising society. Warschauer (2002) understands the need to combine four different factors to talk about digital inclusion: (a) financial resources; (b) digital resources; (c) human resources; (d) social features. Lemos, Rigitano and Costa (2007) highlight the need for: (a) access; (b) training (teaching-learning); (c) community development; (d) cultural initiatives. Silva et al. (2005) state that it is essential to identify the following factors: (a) access to information; (b) assimilation of information; (c) re-elaboration of new knowledge; (d) improvement in the quality of life of individuals.

Digital inclusion, therefore, must be analyzed at a complex level, as it needs to contemplate four basic capitals: social, cultural, intellectual and technical. Social capital refers to valuing the identity and community dimension, social ties and

political action. Cultural capital refers to the history and symbolic assets of a social group. Intellectual capital concerns the formation of the individual and his development from learning. Finally, technical capital is related to the power of action and communication. These capitals complement each other, to a greater or lesser extent, depending on the individual's position in society, but they need to coexist in the process of digital inclusion.

According to Lemos and Costa (2005), digital inclusion can be spontaneous or induced. In the first case, the use of technology by individuals is necessary, which impels them to include themselves or learn to use these different tools. In the case of induced digital inclusion, spaces, projects, educational dynamics are created by government, private or third sector initiatives, such as telecentres and totems, aiming to induce training.

After having made these considerations about digital inclusion, it is necessary to reflect on its importance and scope in the informational society. To do so, we will take as a basis some lessons from Castells (2002).

The author considers the importance of technology as a starting point for the development of his studies regarding the ongoing changes and emphasizes the fundamental role of information in the new socio-economic-cultural processes. Computer networks, in the author's view, are providing a new space for communication, interaction, learning and socialization.

Castells(2002)identifiesthreerevolutionary processes, responsible for the transformation of society, that is, virtuality, interactivity and globalization and still considers knowledge, in the current context, as a source of wealth and productivity. According to the author, the new social organization is structured following a network model, especially based on information and knowledge, hence the name ``*Network Society*`,`, place where the

sources of wealth depend on the ability to generate knowledge and process information. The author goes on to argue that this capacity depends on relationships with human resources, technological infrastructure and organizational and structural innovation. For this reason, Castells (2002) asserts that there are mostly connected societies and others in which only one dynamic pole belongs to these global informational networks.

In this context, we realize that digital inclusion is fundamental for the progress and development of this informational society, whether from an economic, social or cultural point of view. This network mentioned by Castells, in order to develop its maximum potential, requires the interaction of the greatest possible number of individuals, which will only occur if there is success in a broad process of digital inclusion, since knowledge is a source of wealth and productivity. This is a new development paradigm and in this process, technology has a prominent role in the system, as a fundamental tool, but the human being cannot be left out.

It is extracted from the Declaration of Principles of Geneva, released by the Internet Steering Committee in Brazil (2014), that the information society must be centered on It is extracted from the Declaration of Principles of Geneva, released by the Internet Steering Committee in Brazil (2014), that the information society must be centered on the person who is integrative and development-oriented, so that everyone can create, consult, use and share information and knowledge. This centrality in the individual, to be really achieved, needs to be preceded by the strengthening of digital inclusion.

3 In this regard, Dias (2011) argues that there are relationships between the digital inclusion of low-income youth and their social inclusion. In the opposite direction, Alonso; Ferneda; Santana (2010) state that digital inclusion does not necessarily guarantee social inclusion.

4 Lemos (2007), in the second part of his work Digital City: portals, inclusion and networks in Brazil, developed a study that included the analysis of content and interfaces in Brazilian government portals. Xavier (2022) carried out case studies in his Doctoral Thesis, analyzing the portal of three institutions that offer services of public interest: Instituto Benjamin Constant, Special Courts of the Court of Justice of the State of Rio de Janeiro and City Hall of the city of Rio de Janeiro January.

In addition, digital inclusion is essential for the social and cultural development of individuals, as from the use of information and communication technologies, it is possible to democratize social processes, foster transparency in government policies and actions and encourage the mobilization and participation of citizens. citizens in the appropriate instances (TAKAKASHI, 2000, p. 45).

From the moment the processes of digital inclusion intensify, it becomes possible for the individual to obtain knowledge that can be used in the process of social self-affirmation, providing or increasing their participation in this context<sup>3</sup>, including in net-activist actions.

Furthermore, in the wake of Melo's (2016) and Mendonça's investigations; Maciel and Alonso (2017), digital inclusion can become an important instrument for the evolution of the learning process in schools, something that was identified in the Research on the Use of Information and Communication Technologies in Brazilian schools (CGI.br, 2017).

Another aspect that draws attention refers to access to government services by individuals, through Electronic Government (*E-Gov*)<sup>4</sup>. In Brazil, there are numerous public services that are made available to individuals through E-Gov and aim, among others, to improve the relationship with the user and the integration with partners and consumers (LEMOS; ROCHA, 2007, p. 106).

Farias (2016) mentions another consistent experience in ``*Pensando o Direito*`` (*PoD*), initiative of the Ministry of Justice that allows interested parties to participate in the public debate through agendas and exchange of

information, in a collaborative manner.

These described experiences indicate that, in the informational society, the figure of the cyber citizen prevails, that is, the one who uses the virtual space for the exercise of democracy, according to Di Felice (2008). In this step, according to Dutra and Oliveira Júnior (2018), “possibilities of balance between the forms of democratic exercise, the auxiliary tools in socio-political improvement, with participatory or deliberative action” are developed.

Digital inclusion is fundamental to make these relationships viable not only between the State and individuals, but between individuals, a hallmark of net-activism, in addition to enabling access to various public services, providing the exercise of citizenship, in the space digital<sup>5</sup>.

Having demonstrated the need to expand digital inclusion, we also realize that digital exclusion is still very large in Brazil, according to studies developed by Côrtes (2003), Almeida et. al. (2005) and Grossi, Costa and Santos (2013).

Moura et. al. (2020) carried out a systematic literature review in which they identified in the texts found the main expressions that characterize digital exclusion. In summary, from this investigation, we noticed that digital exclusion is linked, on the one hand, to the absence of: (a) access to technologies; (b) digital literacy. On the other hand, it is configured in a scenario of: (a) social inequality; (b) inequality of access to technologies.

In this regard, we need to assess how digital literacy and the absence or inadequacy of public policies influence digital exclusion and, consequently, prevent many individuals from organizing around net-activist actions.

<sup>5</sup> About the notions of cyber citizenship and cyber democracy, read about Félix (2021) and Santos (2013).

<sup>6</sup> Duran (2008) states that the concept of digital literacy is still open and after presenting the position of several authors on the expression, he concludes that there is only consensus in relation to the mediation provided by digital language. For the purposes of this study, following Oliveira and Azevedo's (2007, p. 106) lesson, digital illiteracy is understood as the inability or incompetence of people to minimally use modern technologies, “by the complex modality: The person does not want to be, the person cannot be, The person does not want to do, The person cannot do”.

According to data released by the IBGE - (BRAZILIAN INSTITUTE OF GEOGRAPHY AND STATISTICS - 2019), in the Continuous National Household Sample Survey 2016/2019 (Continuous PNAD), 6.6% of the Brazilian population, over 15 years old, is illiterate, which is equivalent to 11 million people, and in the North Region this number is 7.6%, below only the Northeast Region, which presented a rate of 13.9%. This research also indicated the existence of a relationship between illiteracy and age, so that the older the population group, the greater the proportion of illiterates.

The digital illiteracy<sup>6</sup> it also contributes decisively to the digital divide. According to the Survey on the use of information and communication technologies in Brazilian households, carried out by the Regional Center for the Development of the Information Society (Cetic.br), only 39% of Brazilian households have a computer, but this number drops to 29 % when it comes to the North Region (CGI.br, 2021), ahead only of the Northeast Region (27%). The investigation also pointed out that there are approximately 35.5 million individuals who do not access the internet in Brazil and 43.5% of the population have never used a computer, and in the North Region 48.9% of the inhabitants declared that they had never used a computer, a lower rate only to the Northeast Region, where only 51.9% stated that they had never used this type of machine.

Add to this panorama the fact that there were no public policies adequate enough to overcome these vicissitudes and those that were developed failed. This statement is based on the absence of significant results from the main state initiatives that have been triggered



since the creation, by the Federal Government, of the Information Society Program in Brazil.

It appears that the Federal Government has not adequately considered the needs of users in a way that could “promote universal access and use of electronic means of information”, as intended and described in the Green Book (TAKAKASHI, 2000). Xavier (2022), in a study on the issue, asserts that the government actions, including electronic government, are not accessible to ordinary citizens, as technological resources were developed without thinking about users and aspects of physical accessibility of potential users to services provided by the State were disregarded.

Since then, other State initiatives have not been able to reduce the digital exclusion of individuals, especially in the Legal Amazon. Programs such as the Transparency Portal and the Government Portal did not reach the humblest layer of the population, so that no significant results were produced. In this step, Lemos (2007) presented the list of almost 50 main digital inclusion projects in Brazil and we can see that the majority were discontinued, except for the following projects: Viva Favela, Rede Saci, “Escola de Arte e Tecnologia” (Kabum!), “Consulado da Mulher”, “Estação Futuro”, “Cibersolarium” in Network and Digital Education – Housing and Citizenship, whose websites continue to function.

Thus, after investigating the main challenges to the exercise of net-activism in the Legal Amazon, the need arises to investigate alternatives to provide excluded individuals with the opportunity to participate in this social movement.

## **ALTERNATIVES FOR OVERCOMING THE CHALLENGES OF ACCESS TO NET-ACTIVIST MOVEMENTS IN THE LEGAL AMAZON**

Di Felice (2018) recalls, invoking Schwatz’s lesson, that the expression NetActivism configures the abbreviation of Network-Activism, which symbolizes, in short, a new modality of social participation. It is a “set of collaborative actions that result from the synergy between actors of different natures – people, information circuits, devices, digital social networks, information territorialities” (DI FELICE, 2013). Cardoso and Manieri (2019) explain that in Net-activism “cyberspace acts as a technology that allows the interaction of networks between different actors, such as humans, biological and technicians through network actions”, leading to a new digital informational architecture. In their investigation, when analyzing the “*Movimento Passe Livre*”, concluded that it was a net-activist action due to the presence of the following elements: (a) autonomous; (b) nonpartisan; (c) horizontal; and (d) independent (CARDOSO; MANIERI, 2019, p. 271).

Roza and Melo (2017), when investigating the “*Movimento das vadias*” in Brazil, concluded that it was a movement that was close to Net-activism due to the following characteristics: (a) decentralized, (b) non-partisan, (c) not used to hierarchy, (d) born in digital environments, (and) outlined by communicative technologies.

Ferreira et. al. (2022) listed the following net-activist configurations in two investigated movements: (a) use of digital platforms; (b) absence of government actions; (c) collective mobilization, through community actions; (d) alternative to state actions; (e) complex ecosystems.

As it can be seen, net-activism has an

inherent popular appeal, develops in a reticular ecological ecosystem and configures a dimension of non-institutional action. Hence, we clearly perceive the need to expand the digitization process and, also, the emergence of an ecosophical culture, that is, one that combines ecological attitudes with abstract human thinking (DI FELICE, 2020, page: 32), something that will only be possible in a context of maximum digital inclusion.

At this point, it is questioned what would be the viable alternatives for individuals excluded from the Legal Amazon to have access to technologies and, thus, exercise their right to participate in net-activist movements<sup>7</sup>.

We understand that in this scenario of low digital literacy, reported above, and little access to technologies, the achievement of inter-institutional partnerships can be configured as the necessary impetus for the digitization process mentioned by Di Felice.

According to Law Number 13,019, of July 31, 2014, these partnerships can take place between state bodies, among themselves, or between them and legal entities governed by Private Law, through a cooperation agreement, in which there is no obligation transfer of appeals among the participants, pursuant to Opinion 15/2013, of the Attorney General's Office of Union; or through agreements, in which there is a transfer forecast (BRASIL, 2014).

This way, within the scope of the Legal Amazon, we can consider the signing of instruments, between the City Halls or the Municipal Chambers and the Civil Registry

Offices, with immense capillarity in the local territory and with access to the Internet, to provide excluded individuals with an alternative to access to technologies and thus obtain E-Gov services on previously scheduled days and times, for example.

This kind of initiative can also be used by the Courts of Justice that are part of the Legal Amazon, through their local Forums, and the Extrajudicial Notary Public Offices, with the aim of providing excluded jurisdictions with participation in hearings by videoconference at the headquarters of the Extrajudicial Offices. It is about inter-institutional cooperation that is provided for in Resolution number 350/2020 of the National Council of Justice (CNJ), applicable as long as it can “promote the improvement of the administration of justice, the speed and effectiveness of the judicial provision” ( BRAZIL, 2020).

The proposal is similar to the use of “passive rooms”<sup>8</sup>, authorized by the National Council of Justice, through Resolution Number 350, of 10/27/2020, and which are foreseen and installed in several Brazilian Courts, including within the scope of the Legal Amazon, such as the Court of Justice of Amazonas ( CGJUS Provision Number 402/2021); the Regional Labor Court of the 11th Region, which includes Amazonas and Roraima (Administrative Resolution Number 65/2021); and the Court of Justice of Rondônia (Provision number 13/2021). The difference lies in the fact that the headquarters of the Extrajudicial Offices are used as “passive rooms” and there is an inter-institutional agreement between the

7 Regarding this aspect, the adversities of access and displacement, characteristics of the Amazon Region, mentioned by Lima and Costa (2012) and Bastos and Brasileiro (2020) are not overlooked. This study suggests alternatives for accessing technologies in the headquarters of the Municipalities that make up the Legal Amazon, with the exception of Mato Grosso, as previously mentioned, so that they would reach the following number of Municipalities: (a) Rondônia 52; (b) Acre 22; (c) Amazonas 62; (d) Roraima 15; (e) Pará 144; (f) Amapá 16; (g) Tocantins 139; (h) Maranhão 183.

8 “Passive videoconferencing rooms are physical spaces reserved for carrying out procedural acts through videoconferencing, especially depositions and hearings. The parties and witnesses who do not have the technical conditions will be heard by the Magistrate, through videoconferencing, in passive rooms made available by the PJBA in the Districts for this purpose, or through the Judicial Cooperation Network (CNJ Resolution n. 350/2020), from any court in the country” (100% Digital Judgment Booklet)

partner bodies.

We noticed that these actions are similar to the disruptive initiatives of totems and telecenters, but with much greater capillarity, due to the participation of Extrajudicial Notary Publics.

In view of the possibility of reaching these proposals, it is reasonable to consider that this is the first stage that can favor a large number of individuals excluded from the Legal Amazon to have access to technologies and, thus, develop their right to participate in social movements. activists, not only in street demonstrations, but especially in deliberations on digital networks.

## **FINAL CONSIDERATIONS**

Given the above, we can conclude that in the informational society the rights of most individuals in the Legal Amazon are restricted in a context of low digital inclusion and high digital exclusion.

The challenges, in this context, are embodied in the need to promote digital inclusion as well as the urgent reduction of digital exclusion, providing excluded individuals in the region with access to technologies and technological education.

Some alternatives were suggested in this study, specifically, the opportunity for excluded individuals to access technologies, through inter-institutional partnerships between public entities, such as the City Hall, the City Council and the Forum, headquarters of the Comarca, with extrajudicial notary offices, given the its territorial capillarity.

Once the expansion of access to technologies has been ensured, for a large number of individuals excluded from the Legal Amazon, in the first stage, other subsequent alternatives must be considered, especially regarding digital literacy, something that deserves to be the subject of future studies.



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