



Corporate (Il)legal Enclosures: How Fraudulent Land Titles Override Community Rights in Forestry Land Conflicts in Bahia, Brazil

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Received: 1 September 2025 / Accepted: 7 September 2026
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Abstract

This article examines the ethical and legal dimensions of corporate land grabbing in Bahia, Brazil, focusing on the forestry sector's use of fraud, legal manipulation, and violence to acquire land. Through a case study of Veracel Celulose, a joint venture between the Swedish-Finnish corporation Stora Enso and the Brazilian company Suzano, we analyze how corporations exploit legal ambiguity and manipulate land registries to dispossess local populations. Drawing on archival data from federal and state land governance institutions, we develop the concept of corporate (il)legal enclosure, defined as the process through which corporations transform contested, public, or informally held land into de facto corporate property by mobilizing intertwined legal and illegal practices that exclude local populations from access, use, and control over land. Our findings show how title forgery, cadastral manipulation, administrative procedures, and legal regularization operate together to convert fraudulent land claims into seemingly legitimate corporate property. We demonstrate that land grabbing increasingly occurs not only through violence or outright illegality, but through the strategic mobilization of legal and bureaucratic institutions that render dispossession lawful in practice. By integrating insights from agrarian studies, sociolegal scholarship, and business ethics, the article advances a contextually grounded understanding of land-based injustice and challenges compliance-oriented approaches to business ethics. In doing so, it highlights the need for business ethics scholarship to engage more directly with the role of law in enabling and legitimizing corporate dispossession.

Keywords Agrarian change · Brazil · Business and human rights · Land grabbing · Legal pluralism · Property rights

Introduction

Land grabs are on the rise globally, affecting the lives of millions every year, often driven by corporations seeking access to land and resources. The influx of foreign capital fuels financialized, violent, and fraudulent land acquisitions, particularly in rural resource frontiers of the Global South, such as in the state of Bahia in Brazil where industrial monocrop

tree and soy plantations are rapidly replacing native forests and small-scale agriculture (Campos, 2022; Hershaw & Sauer, 2023; Kröger, 2013). These processes involve the transformation of collectively used, publicly held, or informally governed land into corporate-controlled assets through legal, quasi-legal, and extra-legal means.

Many land acquisitions, referred to as land grabbing in the literature on agrarian change (Borras et al., 2012), are based on long-term (50 to 99 years) leases, where governments have made legal concessions to corporations (see Borras et al., 2012; Edelman et al., 2013). There are also cases of outright illegality, where corporations acquire land outside legal framework (Torres-Mazuera, 2023). For example, in Western Bahia, funds from Harvard University have been linked to plantation investments involving illegal land purchases supported by a range of coercive and violent tactics, including offering bribes, fomenting conflicts between neighbors, and using threats and intimidation to displace local communities and secure control over large tracts of land (GRAIN, 2020; Pitta et al., 2023). In Brazil,

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such enclosure processes are widely known as “grilagem,” involving the illegal appropriation of land through forged titles, manipulated registries, and eventual legalization (de Sousa, 2023).

Despite increasing public awareness and scholarly debates about the violent tactics of and corporate involvement in land grabbing (Priyatno et al., 2023), as well as recent calls for greater attention to the role of land in business ethics (Böhm et al., 2022), questions of land ownership, access, and control have remained relatively limited within the field of business ethics. In the few rare studies, Hassan and Prasad (2025) detail the rhetorical strategies used by dominant actors to advance land grabs, while Brandl et al. (2022) argue that corporate foreign investment can worsen rural poverty by weakening local communities’ informal institutions. Although attention to business-related human rights violations is increasing, most of this literature has to date focused on exploitative labor relations rather than land ownership disputes (Amengual et al., 2023; Schrempf-Stirling & van Buren, 2020; Shivji, 2024). As a result, less attention has been paid to how struggles over access to and ownership of land constitute a source of human rights violations and how these struggles shape the conditions under which firms operate “within the rules of law” in postcolonial contexts.

Debates on corporate social responsibility (CSR) in global value chains have largely focused on voluntary governance arrangements, stakeholder engagements, and corporate compliance mechanisms (Baumann-Pauly et al., 2016; Bianchi et al., 2024), while critical scholarship has pointed toward the violence, land grabs, and dispossession that often accompany corporate activities in the places where the materials of these value chains are extracted (Banerjee, 2011; Böhm et al., 2026; Whelan, 2012). However, less attention has been paid to the role of legal frameworks and bureaucratic processes that facilitate and normalize these forms of dispossession. This reflects a broader tendency in business ethics debates that tend to treat legal compliance as the minimum standard of acceptable corporate conduct and ethical responsibility as what lies beyond it (Carroll, 1991; Vogel, 2005). Even where business ethics frameworks call for conduct “beyond compliance,” they often retain legal adherence as their point of departure, despite the fact that legal and regulatory systems are themselves politically and unevenly constituted and enforced (Whelan, 2012). Such framings risk overlooking how legal systems themselves may enable, legitimize or obscure harmful practices associated with human rights violations, including the dispossession of local populations through seemingly lawful processes.

Scholars in agrarian studies who examine land grabs, in contrast, tend to emphasize structural processes of dispossession, capitalist transformation, and the reorganization of land control, rather than acknowledging the central role that

transnational corporations play in these processes (Margulis et al., 2013; White et al., 2012). Thus, both strands of literature fail to directly engage with how specific corporations are directly implicated in land-based dispossession, and how such processes should be ethically evaluated.

In this study, we examine the overlooked role of land grabbing and dispossession within business ethics and human rights debates, focusing on the case of ongoing land fraud in Bahia, Brazil, where forestry-sector expansion depends on the appropriation of land under the guise of legality, or what we refer to as corporate (il)legal enclosure [from hereon corporate enclosures], through which land is reorganized under regimes of exclusion, control, and accumulation (White et al., 2012). Building on White et al. (2012), we use the concept (il)legal enclosure to describe a political-economic process through which land is reorganized under regimes of exclusion, control, and accumulation. Here, we understand enclosure not merely as the dispossession of land but as the transformation of social relations and governance through the imposition of exclusive property regimes (see Szablowski, 2019). Hence, enclosure captures how contested lands are converted into corporate territories, while local populations are excluded from access, use, control, and participation in governing these lands. The term “(il)legal” highlights that these processes are constituted through the intertwining of legality and illegality. Rather than occurring solely through either legal or illegal means, corporate enclosures are produced and stabilized through the strategic mobilization of legal and bureaucratic practices, often in combination with violence, which together transform tenuous, fraudulent, or unlawful claims into *de facto* corporate property.

Drawing on a sociolegal analysis of the processes through which corporations acquire rights of use, access, and control over land for which they cannot substantiate legitimate claims—we ask: (1) how do processes of corporate enclosure unfold through the interaction of legal systems, corporate strategies, and violence? and (2) what are the broader ethical implications for the affected local populations?

Focusing on the case of Veracel Celulose’s operations in Bahia, Brazil, a joint venture between the Swedish-Finnish corporation Stora Enso and the Brazilian company Suzano, we examine the range of tactics through which the corporation, while publicly presenting its actions as legal and socially responsible, produces, legitimizes, and renders dispossession invisible. Based on comprehensive archival research in official land registries in the state of Bahia, we develop the concept of corporate enclosure to describe how legal tools such as falsified deeds, cadastral manipulation, and judicial practices are used to exclude local communities and reorganize land as corporate assets.

Our findings show how forgery and land title fraud are systematically used to expand eucalyptus plantations onto

land often used or owned by local farmers. Rather than occurring solely through violence or outright illegality, these land grabs are increasingly enacted through the strategic manipulation of legal documents and property claims, enabling dispossession while maintaining an appearance of legality. We argue that such practices constitute a form of corporate (il)legal enclosure, through which corporations consolidate control over land by mobilizing legal and bureaucratic mechanisms that obscure and legitimize the displacement of rural communities.

With this concept, we seek to explain the processes through which land is transformed into an exclusive corporate asset and local populations are excluded from access, use, and control.

Drawing on the empirical case of Veracel, we show how transnational corporations exploit legal ambiguity in post-colonial contexts. Through legal and bureaucratic processes, illegal land claims are transformed into recognized or de facto corporate property, undermining local populations' ability to defend their land rights and retain their ties to the land. We conclude by discussing the broader ethical implications of these findings by analyzing two ongoing federal legislative initiatives, known as "grilagem laws," which would allow for further corporate enclosures while effectively legalizing many of the illegalities described in this article.

The 'Good' Ethical Conduct of Forestry Corporations

Forestry corporations, particularly those with Nordic ownership, are often portrayed as leaders in sustainability and ethical business conduct (D'Amato et al., 2022). In fact, the forestry sector often positions itself as a leader in the transition to a greener, carbon-neutral economy, distinguishing itself from extractive industries such as mining and petrochemicals that frequently face greater ethical scrutiny (Hennen, 2015; Lévy, 2025). This favorable image is actively cultivated through extensive CSR initiatives and reputation management (see critical Ehrnström-Fuentes & Böhm, 2023). Such efforts are strategically important because forestry companies depend on relationships with ethically sensitive buyers, including publishers and newspaper companies, which are vulnerable to activist pressure and reputational risks associated with environmental and human rights controversies (Dauvergne & Lister, 2011; Schirmer, 2013).

The Finnish-Swedish corporation Stora Enso, which jointly owns Veracel with Suzano, is widely recognized for its ESG performance, climate commitments, and human rights reporting (CDP, 2024; Danish Institute for Human Rights, 2015; FIBS, 2022). Consistent with this reputation, corporate disclosures portray Veracel as a model of rainforest restoration, biodiversity conservation, and community

development (Stora Enso, 2023, 2025). Yet, these representations contrast sharply with longstanding allegations of illegal land acquisitions, land grabbing, and associated conflicts surrounding Veracel's operations (Finland de Andrade & de Oliveira, 2016; Laschefski, 2019; Stolzmann, 2019, 2022; Times, 2015).

The Veracel case raises broader questions about how ethical corporate conduct is evaluated within CSR and business ethics scholarship. Much of this literature equates ethical behavior with legal compliance, sustainability certifications, and stakeholder engagement practices, while giving less attention to the structural conditions that enable exploitation and harm (Bull et al., 2021; Peredo et al., 2020). As Greenwood and Islam (2025) note, business ethics often relies on a "thin" ethical analysis focused on procedural inclusion, compliance, and reporting rather than on the structural dynamics and forms of violence in which corporations may be implicated (Böhm et al., 2026; Ergene et al., 2024). At a deeper level, this limitation reflects a broader neglect of land itself as a site of ethical and legal contestation (Böhm et al., 2022).

Business Ethics and Land: Corporate Role in Dispossession and Enclosure

While recent work has begun to engage with dispossession of Indigenous peoples (Scobie et al., 2026), the structural violence attached to land dispossession (Böhm et al., 2026), decolonial critiques of CSR (Banerjee, 2022; Herzog & Maximo Pereira, 2026), and corporate-driven biodiversity frameworks (Wiat, 2026), it has yet to address the dynamics through which land dispossession is organized and enacted in practice. Existing literature on land dispossession often conceptualizes the phenomenon in abstract and structural terms, tracing its roots to capitalism or (settler) colonialism rather than directly to the acts of specific corporations (Banerjee, 2000; Scobie et al., 2026).

Land is also notably absent in recent debates on "marginalized stakeholders" (Chowdhury, 2026), that is, groups facing systemic exclusion based on class, gender, race, or vulnerability, which have largely focused on how the needs of such actors can be, or are not, incorporated into corporate decision-making processes (Bianchi et al., 2024; Shivji, 2024), rather than focusing on land-related violations and historic roots of dispossession (for a notable exemption see Maher et al., 2024). This is particularly surprising given how central land is in many business sectors—such as forestry, mining, and agribusiness—for the survival of the individual corporations and for the material throughout underpinning the entire global growth economy. Also, much of the business and human rights literature has focused on labor abuses within global value chains, framing corporate human rights

violations primarily in terms of power asymmetries affecting economically vulnerable workers (Amengual et al., 2023; Schrempf-Stirling & van Buren, 2020), while overlooking how human rights abuses are also exercised through the reorganization of land and territorial rights.

Our study addresses this gap by examining how legal systems are mobilized to transform contested land into legitimate corporate property. We conceptualize these dynamics as corporate (il)legal enclosure, through which corporations, in interaction with legal systems and state actors, reorganize access to and control over land. These processes are deeply rooted in historical legal and political structures in which property regimes and state actors function less as neutral arbiters than as mechanisms for the enforcement of elite interests (Comaroff & Comaroff, 2006; Coronado, 2021). Hence, our conceptualization of corporate enclosures highlights *how legal systems and corporate strategies co-produce dispossession*. This requires attention to how corporations mobilize legal infrastructures and navigate plural legal orders to shape the conditions under which rights are recognized, contested, or denied. To develop this argument, we draw on sociolegal studies of land and property in post-colonial settings.

The Politics of Legality in Postcolonial Corporate Contexts

Socio-legal studies of land in postcolonial settings provide important insights into how corporate (il)legal enclosures are produced in practice. This literature shows that property is not a fixed legal fact but requires continuous social and institutional recognition to function as a right and confer authority over access and control (Sikor & Lund, 2009). As a result, competing claims to land are constantly negotiated, with actors seeking to legitimize their claims and consolidate power by displacing rivals (Fitzpatrick, 2005).

These dynamics create conditions in which fraudulent or contested land titles can prevail, particularly in contexts where corruption and selective enforcement shape the recognition of rights. Judges and prosecutors may be influenced or co-opted (Holston, 1991), a phenomenon well documented in Brazil's land-based investments (Pedlowski, 2013). Ongoing contestation over legal authority in Brazil, including in Bahia, is reflected in cases where judicial actors involved in legitimizing land grabbing have been imprisoned (González-Ocantos et al., 2023), highlighting how the authority to define property rights is itself a site of struggle.

These land politics unfold at the intersection of neoliberal globalization and postcolonial legal ambiguity. As Comaroff and Comaroff (2006) argue, practices of illegality are often appropriate and mimic the forms of rule of law, giving rise to parallel systems of governance and accumulation. In

such contexts, the boundary between legality and illegality becomes blurred, and law itself becomes a resource through which power and accumulation are organized.

Insights from the land grabbing literature further demonstrate that control, not formal ownership, is the key mechanism through which land is appropriated (Borras et al., 2012; Sauer & Borras, 2016). What matters is not who legally owns the land, but who is able to control access to it, its resources, and its use. This helps explain how diverse actors—from armed groups to state elites and transnational corporations—participate in what Comaroff and Comaroff (2006) describe as “outlaw economies”—referring to economic systems in which legality and illegality are deeply entangled, and where practices that appear unlawful in fact operate through, appropriate and even depend on legal forms.

What this shows is that law is not a neutral arbiter, but a contested and politically mobilized resource (Von Benda-Beckmann & van der Velde, 1992). Corporate (il)legal enclosure operates precisely through this terrain, as corporations mobilize legal systems, navigate competing claims, and secure the authority needed to transform contested land into corporate-controlled property. Drawing on these insights also helps to explain why environmentally destructive practices—such as the expansion of eucalyptus monoculture plantations—persist despite their social and ecological impacts (Kröger, 2014). When legal authority is unstable or contested, powerful actors are incentivized to secure control often irrespective of their formal rights (Fitzpatrick, 2005). This leads to conflicts that test the rule of law and autonomy of judicial authorities, with results varying depending on the polity in question.

Although previous research in business ethics has highlighted how the enforcement of legal “rules of the game” is shaped by bribery and fraud (Meyer et al., 2024), with powerful actors exploiting institutional weaknesses and linking human rights abuses to weak or biased law enforcement (Yan & Qi, 2021), this perspective remains insufficient to capture the complexities of postcolonial legal infrastructures. Focusing on corruption alone risks obscuring the broader political-legal configurations through which corporate enclosure is actively produced, normalized, and sustained. Our empirical focus on land deed forgery (grilagem) illustrates how land grabbing unfolds in practice, converting land into corporate enclosures. The case of Veracel provides an illustrative case of how in postcolonial land regimes marked by historical dispossession and unequal access to legal recognition, law may not simply fail to prevent corporate land grabbing but can also become implicated in the processes through which it is produced and legitimized. Before analyzing these dynamics in detail, we present the methods used for this study, followed by a brief overview of Brazil's contested system of land titling and its regulation.

Methodology

This study employs a qualitative, sociolegal case study approach to investigate the ethical and legal dimensions of corporate land grabbing in Bahia, Brazil. The research is grounded in a critical business ethics framework that challenges the idea that ethics can be universally applied without considering the spatial and historical context (Lacerda et al., 2021). By incorporating theoretical-methodological insights from postcolonial legal studies and agrarian studies (Campbell, 2015; Comaroff & Comaroff, 2006; Fitzpatrick, 2005), we engage in an analysis of how corporations engage in land appropriation through legally ambiguous and extra-legal means.

Case Selection

Veracel Celulose was selected due to its prominent role in forestry-sector expansion in Bahia and its documented history of contested land claims. This organization represents a paradigmatic case (Mills et al., 2010) that reveals key elements of how corporate actors engage in land grabbing through fraudulent behavior. The case was selected due to its paradigmatic role in multinational forestry-sector expansion in the global South and its documented history of contested land claims, violence, and socio-environmental damages (Fase et al., 1993; Kröger & Nylund, 2012; Lerrer & Wilkinson, 2016; Myllylä & Takala, 2011; Perpetua et al., 2017). Veracel exemplifies how corporations navigate legal ambiguity and constraints, making it a fitting case for exploring the intersection of legality, violence, and ethical responsibility in contexts of violent dispossessions.

Data Collection and Analysis

The case study analysis combines archival research at CDA (Coordenação de Desenvolvimento Agrário), and INCRA (Instituto Nacional de Colonização e Reforma Agrária). INCRA is the federal level responsible institution for land titling, while CDA is responsible for the state of Bahia: they have records on federal and state land ownership, which we used to track the illegality of land claims. These institutions maintain federal and state-level records on land ownership and titling. The research involved systematic analysis of land deeds, titling documents, and registry entries associated with Veracel's pending landholding petitions in INCRA and CDA, which need to authorize a private property title. If the land in question is federal or state land, or has other owners or unclear status, these institutions cannot grant property deeds.

The archival analysis was done by one of the authors, who has the expertise and connections required to be able to read and understand the thousands of pages of correspondence between INCRA and CDA, as visible in CDA public archives. This analysis found several farms which were paralyzed in the licensing process, and do not have property titles due to their fraudulent nature—yet which the company claims ownership. Greater attention was paid to inconsistencies, missing documentation, and evidence of falsification.

We also draw on prior research findings (e.g., diocesan archives from notary offices), with a historical analysis (e.g., municipal boundary changes) of irregularities in land title, to understand how law and fraudulent practice have been used as a tool of land grabbing and dispossession. Official land use statistics are used to understand the implications of corporate enclosure on federal politics and local socio-environmental injustices. Additional sources such as investigative reports, civil society publications, and prior academic studies on land fraud and forestry-sector practices were used to strengthen our findings and contextualize the archival data. Table 1 summarizes the secondary material used in the study.

Ethics and Accountability of Our Research

Ethical implications in this study are assessed through a “thick” ethical lens (Greenwood & Islam, 2025), emphasizing the lived consequences of corporate (mis)conduct and structural inequalities in postcolonial legal contexts. We have sought to minimize harm, while being attentive to risks of misrepresentation or appropriation (Frers & Meier, 2022), by ensuring our engagement with sensitive data, particularly around land dispossession and violence, is handled with care and respect. To protect those who might be harmed, we base our findings only on publicly available information and not on the countless eye-witness stories that could trace our research to particularly vulnerable groups. For our own security, we have taken precautionary measures. In Brazil, locally based actors, who expose detailed information on land titles such that we present here, have been threatened and even killed by *grileiros* (e.g., the case of Sister Dorothy Stang, see CPT, 2025). However, individuals operating outside these conflict zones, particularly academic researchers, are rarely subject to the same level of risk, as their findings seldom reach local media or decision-makers capable of intervening, which typically occurs only under substantial political pressure.

Having outlined our methodological approach and positionality, we next introduce the institutional context of land regularization in Brazil and the key legal concepts necessary for understanding the empirical analysis.

Table 1 Secondary sources used for the analysis

Source type	Reference	Contribution to analysis
Prior studies on Brazilian land governance and <i>grilagem</i>	Treccani (2001); Torres et al. (2017); Torres (2024); de Sousa (2023); Stassart et al., (2021, 2025); Spadotto et al. (2021); Kröger (2024)	Understanding mechanisms of land fraud, title forgery, regularization, and land governance dynamics
Prior studies on Veracel and forestry expansion in Bahia	Koopmans (2005); Joly (2007); Malina (2013); Souza (2016); Perpetua and Thomaz (2016); Perpetua et al. (2017); Myllylä (2015); Kröger and Nylund (2012); Lerrer and Wilkinson (2016); Laschefski (2019)	Historical context for Veracel's land acquisitions, conflicts, and land claims
Investigative reports and civil society publications	GRAIN (2020); Castilho (2023); CPT (2025); Consultor Jurídico (2017); IHU (2017)	Documentation of land conflicts, land grabbing practices, violence, and legislative changes
Government statistics and databases	IBGE (2023a, 2023b)	Data on eucalyptus expansion, land use, and territorial concentration
Legal and policy documents	MP 759/2016; Law 13.465/2017; Law 11.952/2009; Law 12.651/2012	Analysis of legal regularization processes and changing land governance frameworks

Institutional Context: Land Governance and Property Rights in Brazil

To understand the empirical analysis that follows, this section introduces the key concepts and institutional arrangements governing land claims, registration, and regularization in Brazil.

Brazil's land regime is highly complex and frequently described as “land tenure chaos” (Torres et al., 2017; Treccani, 2001). In fact, land grabbing reflects longstanding patterns of land appropriation in Brazil, where *grilagem* has played a central role in shaping property regimes (for a historic overview see Torres, 2024). Scholars have long argued that reform is needed to mitigate conflicts and improve tenure security (e.g., Guedes & Reydon, 2012; Moffette et al., 2024). It is this institutional complexity that creates the conditions under which corporate enclosure can occur and be stabilized as it enables the strategic mobilization of legal ambiguity in processes of land appropriation.

The application of land tenure principles depends first on whether land is classified as public or private. Rights are further differentiated by the status of claimants, including Indigenous peoples, peasant families, landless rural workers, and Afro-Brazilian *quilombo* communities. This stratified legal landscape is central to corporate enclosure because it enables the selective recognition of land claims and privileges wealthier, whiter, and non-Indigenous actors. Rooted in Brazil's history of slavery and settler colonialism, these racialized hierarchies continue to shape whose land claims are rendered legitimate and whose are ignored (Sullivan, 2021; Wolford, 2021).

A key site for corporate enclosure is land categorized as public and not productive, legally called *terra devoluta*. Under the Brazilian law, such land should primarily be designated for the regularization of actual possession by

peasant families (*posseiros*) or for environmental conservation. However, its unclear status makes it particularly vulnerable to appropriation. In principle, these lands cannot be transferred to private actors beyond certain limits or when already occupied by traditional users, whose claims should take precedence. In practice, *terra devoluta* becomes a central terrain of corporate enclosure, where legal ambiguity enables competing claims and facilitates the conversion of public land into private assets. Many *devoluta* lands exist in Bahia, within the pulp company conflicts.

This process is closely linked to the widespread phenomenon of *grilagem*, the systematically used method of land title fraud involving the appropriation of public land through forged documents and often violence (de Sousa, 2023; Spadotto et al., 2021). Three common types of document falsification techniques have been identified by prior research: 1. Using a land title from an estate in another municipality (called flying title), 2. Over-exaggerating the claim size in hectares, 3. Inventing title numbers. Using any of these three techniques also typically creates a false land claim on top of existing ones. Many regions in Brazil have multiple competing land claims on a piece of land, most of which are fraudulent (Treccani, 2001).

Organizations that track *grilagem* detail that it is often accompanied by violence, coercion, and political influence aimed at expanding the resource frontiers of agribusiness (Castilho, 2023; Stassart et al., 2025). Yet, *grilagem* does not solely involve illegality, as the forged appropriation has been periodically followed by processes of retroactive legalization through legislative or administrative measures that consolidate large landholdings (Calmon, 2022). This reveals how corporate (il)legal enclosure functions as a process of dispossession-by-law, where legal-political systems do not merely fail to prevent land grabbing, but actively participate

in transforming illegitimate land claims into recognized corporate property.

At the operational level, the process involves a network of actors spanning the legislative, executive, and judicial spheres. Initial land deed forgeries are often facilitated through collusion with regional notary officials responsible for registering property claims.

Besides land registry officers, judges, prosecutors, politicians, police, and regional elites have been shown to participate in the *grilagem* based on land deed forgeries, such actor grouping having thus been analyzed as land mafias (Kröger, 2024). Together with their lawyers, grileiros seek to multiply transactions to create an appearance of legitimacy and to make it more difficult to detect or contest fraudulent claims (Campbell, 2015, p. 63). These dynamics illustrate how corporate enclosure depends on the capacity to mobilize legal institutions and hide the traces of fraud and who truly appropriates the land through illegal deeds.

These dynamics have contributed to numerous land conflicts in Bahia involving pulp companies, landless movements, peasant communities, and Indigenous peoples (Lang, 2018; Myllylä, 2015). These conflicts illustrate that struggles over land are fought not only through physical occupation and resistance, but also through legal and administrative processes. Competing claims to land become central arenas of contestation, making the law itself a key mechanism through which dispossession is both enacted and resisted. Understanding these struggles requires attention to the forms of landholding and property rights recognized within the Brazilian legal system.

Two concepts are particularly important for understanding the findings that we present below: *posse* (possession) and formal private property. *Posse* refers to land held through long-term occupation and use, sometimes supported by informal documentation (e.g., utility bills or attestations of continuous use) that establishes use rights without conferring formally registered property titles. *Posse* often occurs on *terra devoluta*, land that legally remains under state ownership because it has never been validly transferred into private hands. Informal but widespread markets exist for such possession rights, including the circulation of *posse* deeds issued by notary offices, which may signal occupation but do not confer formal ownership.

While the law provides mechanisms through which possession can be converted into formal property, these processes are often inaccessible to those who lack economic resources due to their cost and bureaucratic complexity. As a result, conflicts over land use rights often arise when long-term land occupants are displaced by companies or land grabbers asserting ownership through dubious or falsified titles that are upheld by the courts.

The second form of landholding is formal private property, which is organized through three key legal instruments:

título, *matrícula*, and the *cadeia dominial* (chain of title). A *título* is a document asserting a claim to land, while the *matrícula* is the unique registry record assigned by a real estate notary office (*cartório*), serving as the official identity of a property. Each *matrícula* may contain multiple *títulos*, and together these records constitute the *cadeia dominial*, documenting the historical sequence of ownership transfers, including the conversion of public land into private property.

The registration process, through which land claims are formally linked to *títulos* and *matrículas*, relies on supporting documentation, submitted to notary offices that operate under limited oversight. This creates opportunities for manipulation, including the registration of falsified, inconsistent, or unverifiable titles. As a result, the validity of property claims often depends less on the legality of underlying land transfers than on their successful inscription into the registry system.

In principle, ownership can be verified through the state and federal real estate registry. State (e.g., CDA) and federal institutions (e.g., INCRA) are tasked with verifying property claims by cross-checking registry records against public land databases. Where no valid title can be established, land should be classified as public (*terra devoluta*). In practice, however, navigating this system requires significant resources and institutional connections, as procedures are highly bureaucratic and opaque. Although the integrity of the *cadeia dominial* is formally required, even dubious titles may be recognized and enforced. Overlapping or competing claims are widespread, and courts often privilege formally registered documents over both possession-based claims and alternative titles.

Consequently, while possession-based claims are particularly vulnerable, even formally titled smallholders are not immune to dispossession under conditions of overlapping claims and contested legality. As our analysis in the next section shows, discrepancies between registries are common, and claims lacking documentary foundation may nonetheless persist within the legal system. These dynamics create a system in which formal property rights can be constructed through documentation, even where underlying land claims remain legally and historically unresolved. Together, these institutional arrangements create opportunities for both the contestation and the legalization of disputed land claims. The following section examines how these dynamics unfolded in Veracel's efforts to secure control over land in Bahia.

Findings

Our findings are structured in two parts. First, we present three categories of irregularities and illegalities identified in Veracel's land claims. Second, we analyze ongoing

legislative initiatives that would further normalize and legalize such practices.

(1) Veracel's Land Claims

Through archival research conducted in 2018 and 2022, we examined Veracel's attempts to obtain formal recognition of land ownership, as officially notified to INCRA and the Bahian CDA to verify the validity of their land title documents.

This analysis is based on the examination of **eight land regularization case files, each averaging approximately 500 pages**, to identify transactions referring specifically to Veracel. Of the eight case files identified in 2018, two showed no indications of fraud. The files were obtained through a formal information request to the CDA under Brazil's Access to Information Law and contained property records, agency correspondence, title certificates, and related documentation pertaining to the land regularization process. All files were systematically analyzed by the third author using a coding protocol designed to identify irregularities in land registration.

When reexamined in 2022, all the remaining six cases with problems remained unresolved, indicating that state institutions had not advanced Veracel's petitions to recognize its land claims due to irregularities in the, submitted titles.

Our categorization of irregularities builds on research showing how land grabbing in Brazil is facilitated through the manipulation of land registries, geospatial information, and legal documentation (Sparovek et al., 2019; Stassart et al., 2021). Given Brazil's fragile land tenure governance,

institutionalized land theft, and widespread title fraud, the discrepancies we identified are more plausibly interpreted as fraud than as unintentional inconsistencies (Stassart et al., 2025). This interpretation is also supported by research on corruption, elite power, and rule-of-law regression in Brazil (Souza, 2019; Taylor, 2024).

While prior studies identify a wider range of practices at a higher level of abstraction, they still draw on insights from these studies to group the irregularities observed in our data into three core types:

Discrepancies in **geographic location**: *títulos* are located in a different municipality from the *matrícula*.

Discrepancies in total **claimed size**: *matrícula* overrepresents the size of the *títulos*;

Discrepancies in **the chain of ownership** (*cadeia dominial*): title numbers did not match or could not be found.

We use these categories to structure our analysis. As summarized in Table 2, titles are frequently registered in different municipalities; claimed land areas exceed those supported by documentation; and presenting false, invented property title numbers. Under Brazilian land law, such irregularities should not exist.

The irregularities in land ownership documents filed by Veracel presented in Table 2 demonstrate the key tactics commonly used in Brazil to create false land ownership documents when appropriating land. Of the cases listed in the table, those involving *títulos* transferred across municipalities to be incorporated into a different *matrícula* (such as Boa Esperança) are particularly revealing. They rely on the existing paperwork on another farm (deeds, specifics,

Table 2 Type of discrepancy in land ownership documents (*título* and *matrícula*, not *posse*)

Name of farm (its <i>matrícula</i> number), location, size	Discrepancy in location	Discrepancy in claimed size	Discrepancy in the chain of ownership
Fazenda Santa Maria (n°25.388), Porto Seguro, 951 ha	All the <i>títulos</i> are located in Una, not Porto Seguro	The <i>títulos</i> total 192 ha, not 950 ha	Two of the seven <i>títulos</i> do not exist (17.749 and 19.393)
Fazenda São José (n°1.218), Santa Cruz de Cabralia, 3.844 ha	n/d	n/d	Three <i>títulos</i> (184.861, 184.864, 184.856) of 13 do not exist
Fazenda Maravilha A, B, and others (no <i>matrícula</i> number mentioned in the transaction); Eunápolis, total size of claim not mentioned	Three <i>títulos</i> listed for the farm (30.942 with 488 ha; 184.857 with 599 ha; and 184.858 with 590 ha) located in Santa Cruz de Cabralia, not Eunápolis		
Fazenda Muqui A (n°768), Itabela, 313 ha	Three <i>títulos</i> located in Porto Seguro, the <i>matrícula</i> is in Itabela		
Pedra Bonita (no <i>matrícula</i> mentioned); Itabela, total size not mentioned	Two of the three <i>títulos</i> are located in Porto Seguro, the farm is located in Itabela		The third <i>título</i> (17.420) has deteriorated so much that it cannot be deciphered, making it impossible to verify the land claim
Fazenda Paraíso e Boa Esperança (n°29.876 and n°29.856), Porto Seguro, 374 ha	One <i>título</i> (194.569) out of four is located in Eunápolis, not in Porto Seguro	The <i>títulos</i> total 282 ha, not 374 ha	

title numbers, etc.), transferring these to another municipality to make a claim on a completely different piece of land. This type of *grilagem* is commonly referred to as a “flying title” (*título voador*) highlighting how prevalent and unreliable ostensibly formal property claims are in Brazil (Asselin, 1982; Ferreira, 2009; Souza, 2016). Through this strategy, land grabbers appropriate title numbers and documentation from properties located in one municipality and use them to substantiate ownership claims over entirely different land in other municipalities. This manipulation depends on the complicity of notary officials, who register these documents as if they corresponded to properties within their jurisdiction. In doing so, they effectively re-anchor land titles in new locations, enabling the fabrication of formally recognized property claims despite the absence of any legitimate connection between the documentation and the land in question. In some cases (Muqui and Pedra Bonita), discrepancies in location may be explained by administrative boundary changes following the separation of Itabela from Porto Seguro in 1989, and this opacity in the legal system makes the presence of irregularities more difficult to trace.

The cases also show how irregularities occur through discrepancies in the land size between *matricula* and *título*, and how there are inconsistencies in the actual registration of the titles. Several properties exhibit substantial discrepancies between the claimed area and the land supported by *títulos*. For example, Fazenda Santa Maria is recorded as comprising 950 hectares, while the combined area of the associated *títulos* amounts to only 192 hectares. Similar patterns in other cases (e.g., Fazenda Paraíso and Boa Esperança) point to the systematic overstatement of land claims through the registry system.

Irregularities in the chain of title are also widespread. In Fazenda Santa Maria, two of the seven *títulos* do not exist, while in Fazenda São José, several titles cannot be verified in official records. These inconsistencies indicate that property claims are actively constructed through misrepresentation and the selective assembly of documentation. Notary offices play a central role in facilitating these processes, as records are formalized despite obvious discrepancies in size, location, and title validity. The recurrence of similar inconsistencies across multiple registers—even within our limited sample but also reported in other studies of *grilagem* tactics in Brazil (Spinelli, 2022; Stassart et al., 2021)—points to a systematic strategy through which land claims are expanded, reconfigured, and ultimately legitimized within the formal registry system. These attempts at registering land titles that do not exist or do not correspond the size or location of the farm matter because corporations can use such fraudulent *títulos* and *matrículas* in court to obtain eviction orders. These evictions force those occupying that land—whether through *posse* deeds or actual registered titles—to be

removed by police, even if the company’s land claims have not been legally verified.

In addition to our findings of irregularities in the actual land registry documents, prior research has also shown how a large share of Veracel’s landholdings are located on public lands (*terra devoluta*), contradicting the company’s claims that it acquires only formally titled property (see Koopmans, 2005; Joly, 2007; Malina, 2013; Souza, 2016). Drawing on archival records from the Diocese of Teixeira de Freitas, Malina (2013, p. 144) shows that up to 90% the land acquired by Veracel’s predecessor, Flonibra, consisted of *terra devoluta*. Flonibra used intermediaries—or violent *grileiros*—whose actions directly or indirectly forced peasants to leave their land, while the company planted eucalyptus trees in areas that it subsequently registered as its property. Based on research of registers of *cartórios*, Malina (2013) found that Veracel claimed 48,796 hectares of land as *posse*, not as property. In fact, the registers analyzed by Malina (2013) show that a very large part of the land claimed by Veracel is in fact public land that has been illegally grabbed (*griladas*) from local peasants. Perpetua and Thomaz (2016, p. 244) go as far as to call Veracel’s land appropriation tactics as a strategy of “territorial plundering,” involving threats and acts of physical and verbal violence against local populations by private security actors. These forms of coercive violence appear closely linked to processes of land grabbing, highlighting the need for further in-depth, field-based research to examine how legal and extra-legal mechanisms of dispossession are intertwined and operate in practice.

(2) Ongoing Legislative Attempts to make Land Laws Aligned with Corporate Interests

Next, we examine how falsified land titles are deployed across Brazil, including the processes through which they are subsequently legalized. These dynamics have broader implications for business operations, demonstrating how corporate enclosures are retrospectively legalized by high-level politics, through high-level political interventions, such as amnesty and relaxing legal interpretations, which in turn facilitate more corporate-friendly regimes of land access, control, and ownership. From a theoretical perspective, such attempts explain how corporations seek to secure formal ownership titles in postcolonial context by changing laws so that appropriated land is recognized as legal property *a posteriori*.

Several land law projects (*Projeto de Lei*, PL) to legalize the kind of illegalities described above are currently being debated in the Brazilian federal congress. For example, Bill n° 2633/2020 originated from the Parliament and Bill n° 510/2021 from the Senate. The two law projects have been combined to form a single project since they are so similar, differing only in the method and size of the would-be

regularized areas. Both bills seek to change the rules governing the alienation, or transfer, of public land as private property. The changes would only apply to land that lacks documents and land that was occupied by a certain date. The laws aim to regulate land that does not have a *título*, or state land that has not yet been assigned to anyone (*terra devoluta*), which might still have a *título* on it. Many of the pieces of land and farms being contested in Bahia fall at least partially under the *devoluta* category, which means that the new laws would affect the legal basis of these conflicts. The laws include components that would, first, augment the maximum size of public land eligible for privatization without inspection in situ, even up to 2,500 hectares. Second, the Senate bill proposes moving the cut-off date from 2008 to 2012, thereby extending the necessary time for a person to have occupied the land to regularize the claim. This change would favor large-scale land grabbers, especially since the global land grab and extractivism boom increased following the 2008 financial crisis (Chagnon et al., 2022; Gudynas, 2015; Svampa, 2019).

Table 3 outlines the implications of the proposed land law reforms for the three most common irregularities and fraudulent practices in Brazilian land grabbing identified in Table 2. It also shows how these legal changes may reshape disputes over overlapping land claims.

The proposed legal changes weaken existing safeguards across all three types of irregularities identified in Table 2. By reducing the importance of municipal jurisdiction, allowing the regularization of claims without valid title histories, and maintaining space for inflated land claims, the reforms risk normalizing practices that would otherwise be considered irregular or fraudulent.

The final point in Table 3, where current landholders are granted only 15 days to contest a land claim, is the most problematic. In practice, affected populations would have no way of knowing that a regularization claim had been initiated on the land they occupy, or even that such a legal mechanism exists. Under these conditions, well-resourced actors could rapidly and systematically appropriate vast areas through formal legal procedures. It also converts all previous illegalities into legal titles. All the changes undermine

the possibility of tracing and contesting land grabbing, as they shift from—at least formally—verifying land claims facilitating the administrative validation.

In July 2022, several congressional committees began to debate the bills (Senado Federal, 2022). The majority of the deputies and senators are aligned with large landholders' interests. The passing of either of the bills would have a major impact on land grabbing practices, including the Veracel cases listed in Table 2. As of May 2026, they were still awaiting discussion in the Commission of Environment and the Commission of Agrarian Reform and Agriculture.

It is important to highlight that the legal changes are part of a longer trajectory of changes to regulatory frameworks in Brazil. For example, President Temer's Provisional Measure MP 759 passed in 2016 has been called an MP of *grilagem* as it profoundly eased the possibilities to legalize illegally grabbed lands. It allowed up to 2500 hectares of land to be regularized and gave amnesty to recent investments in public lands, making privatization of public land easier and with prices considerably below market values. The law 13.465 passed in 2017 turned the MP 759 into a law, further extending the possibilities for land theft regularization (Consultor IHU, 2017; Jurídico, 2017).

While legal officers are constrained by limited state resources and widespread corruption, top political actors—at the federal, state, and municipal levels—have simultaneously enacted laws that create loopholes and institutionalize land theft (Torres et al., 2017). For example, law n° 11.952/2009 (Tenure Regularization in the Legal Amazon by the Terra Legal Program) and law n° 12.641/2012 (the New Forest Code), while from the government's viewpoint possess several merits, have also contributed to land theft (Torres et al., 2017). The Terra Legal program reversed the goal of the federal prosecutors, who since 2006 had been trying to retake lands illegally grabbed in the Amazon, but whose work was overturned by actions of the Congress in 2009. Through the Terra Legal program, the government even legalized the land claims of those who had used extreme violence and slave labor.

In line with Brazil's government policy to support the largest extractive corporations (Kröger, 2012), the programs

Table 3 Potential impact of PL n° 2633/2020 (CD) and PL n° 510/2021 (SF) on the legality of contentious land claims

Type of irregularity	Impacts of PL n° 2633/2020 (CD) and PL n° 510/2021 (SF), if passed
Different municipality	Municipal jurisdiction would become largely irrelevant, as the assessment of legal title validity would be replaced by government declarations authorizing claims and enabling their registration in notary offices
Discrepant claim size	Largely unaffected by the proposed laws, allowing inflated land claims to persist within the formal registration system
Irregularity in the chain of ownership	The laws introduce mechanisms to regularize land without valid <i>títulos</i> or <i>matrícula</i> , rendering missing, invented, or inconsistent title records effectively irrelevant
The creation of false land claims on top of existing ones	Land claims regularized after 15 days if uncontested, despite limited access to information, reducing the ability of affected parties to challenge claims

to legalize or regularize land title issues have ended up serving the large and medium-size properties at the cost of smallholders, as also Moutinho (2024) found based on Terra Legal. Torres et al., (2017, p. 16) argue that due to the chaotic and incompetent way the program was extended and applied, it ultimately benefited the largest land grabber. They explain that while small landholdings up to a maximum of 400 hectares represented 85% of the demand for regularization, they occupied only 15% of the area to be regularized, while the large landholdings, which represented only 19% of all farms, occupied 81% of the area to be regularized. The impunity of the practice is the key here, because land theft is one of the key ways of de facto becoming a landholder: “Even if the State may emit millionaire fines (very rarely paid) and, more rarely, order imprisonments, the restitution of illegally appropriated public lands is never discussed” (Torres et al., 2017, p. xvi, authors’ translation). This applies also in the case of Veracel, whose landholdings rely on prior illegal land grabbing and dispossession (Malina, 2013; Souza, 2016).

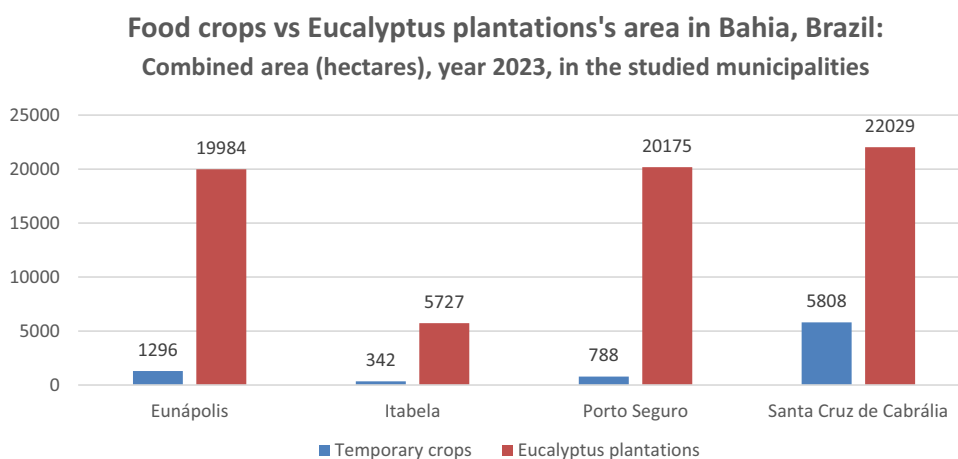
The consolidation of vast extractivist enclaves (Dunlap, 2020; McKay et al., 2021), driven in part by the strategic use of fraudulent land deeds (Pacheco et al., 2026), has profound consequences for local food production and social equity (Sauer, 2019; von Redecker & Herzig, 2020). In this sociolegal context, where fraudulent land titles prevail, land concentration to forestry and other agribusiness corporations has intensified. Figure 1 illustrates the stark differences in land use in four municipalities in the extreme south of Bahia where Veracel holds land with eucalyptus plantations. Here, the eucalyptus plantations account for a dramatically high share of land use in comparison to land used for temporal food crops, such as rice, beans, corn, pumpkin, or manioc (IBGE, 2023a, 2023b). In Eunápolis where the Veracel pulp mill is located, food crops account for just 6% of land use, and eucalyptus plantations dominate in all nearby municipalities, counting for in total 94% of their combined land area.

The stark inequality in land access and control between export-oriented, non-edible forestry-based commodities and local food production—persisting alongside widespread hunger and tens of thousands of landless peasant families—highlights the deeply unjust landholding situation that results from the corporate enclosure of lands, turning them into forestry enclaves. In 2023, Bahia had a total of 560,344 hectares of eucalyptus plantations, concentrated mainly in the extreme south, where approximately 30% of the land area is covered by eucalyptus monoculture (IBGE, 2023a)—while the numbers from the municipalities presented in Fig. 1 suggest that the land concentration is much higher in many municipalities. These numbers point to a profoundly unequal land regime in which corporate enclosure entrenches socio-ecological injustices. Building on these findings, the discussion section now turns to the legal and ethical implications of these dynamics, examining what forms of injustice they produce and how—and by whom—such injustices should be addressed.

Discussion

Our analysis of the Veracel case demonstrates that land grabbing should be understood not as isolated misconduct but as part of broader processes of corporate (il)legal enclosure. In such contexts, corporations operate within plural legal landscapes characterized by overlapping land claims and competing categories of titles, where legal ambiguity becomes an entry point for securing land under conditions of contested legality. Rather than operating outside the law, corporations navigate and mobilize these plural legal frameworks to their advantage. Veracel’s use of falsified and inconsistent land titles—combined with violence and coercion—illustrates how formal legal instruments can be deployed to dispossess communities, even where ownership remains unresolved.

Fig. 1 Food crops vs Eucalyptus plantations in Bahia, Brazil



To capture this dynamic, we introduce the concept of *corporate (il)legal enclosure*, defined as the process through which corporations mobilize formal legal instruments to enclose contested or public land while obscuring the dispossessive origins of their claims. This concept extends prior sociolegal work on the construction of property rights (Campbell, 2015; Lund, 2016) by foregrounding the role of corporate actors in strategically assembling documentation across fragmented institutional systems. It also resonates with research showing how bureaucratic procedures can generate, rather than resolve, uncertainty in land governance (Fitzpatrick, 2005).

Our findings show that corporate control over land is not simply achieved through overt illegality, but through what we term *dispossession-by-law*. In practice, fraudulent or unverifiable *títulos* can be inscribed into notarial registries and mobilized within judicial processes to produce effects of legality. This is facilitated by a fragmented institutional landscape, characterized in Brazil by thousands of semi-private notary offices, where oversight is limited and records are neither centrally coordinated nor systematically audited. As a result, as Fitzpatrick (2005) argues, complex bureaucratic procedures may “breed fraudulent practices,” while enabling powerful actors to navigate legal ambiguity to their advantage. Building on Campbell’s (2015) notion of “conjuring” property, our analysis shows how corporations can assemble multiple forms of documentation to stabilize land claims, even where their legal basis remains questionable.

These dynamics have important implications for business ethics. Much of the traditional CSR and business ethics literature assumes that corporate compliance with the law constitutes some kind of ethical baseline (Carroll, 1991; Vogel, 2005). Our findings challenge this assumption. In post-colonial contexts marked by legal pluralism, institutional fragmentation, and historical inequalities, legal compliance is not only insufficient—it may even *actively contribute to dispossession*. Our analysis shows how the formal apparatus of legality (e.g., registries, documentation, judicial orders) functions in a way that launders the origins of corporate land titles, transforming contested or illegally acquired land into recognized property.

This mechanism of *legal laundering* shifts the focus of business ethics away from individual corporate wrongdoing toward the role of corporations in reproducing unjust legal orders. It suggests that corporations cannot be understood as simply complying with or violating rules, but rather as actors embedded in, and benefiting from, legal systems that systematically marginalize certain forms of landholding while privileging others. Corporate responsibility and ethical behavior must instead be evaluated in relation to the historical and political conditions under which legality is produced, or what recent work in business ethics refers to as a “thick” ethical analysis (Greenwood & Islam, 2025).

Finally, our analysis situates corporate (il)legal enclosure within broader patterns of dispossession in the Global South. As shown in prior research, land grabbing processes often involve the intersection of legal manipulation, coercion, and violence (Kröger & Lalander, 2016; Levien, 2018). The Veracel case demonstrates how these dynamics extend beyond frontier regions typically associated with *grilagem* and are actively reproduced in areas targeted by large-scale corporate land investments. Viewed in this light, such practices constitute forms of corporate human rights violations that extend beyond labor relations, encompassing violations of land rights and peasant livelihoods, where access to land is fundamental to social reproduction.

These findings align with emerging work in business ethics that foregrounds violence as constitutive of corporate activity, highlighting how firms become implicated in, and benefit from, coercive and violent processes of accumulation (Böhm et al., 2026). Beyond legal manipulation, our findings point to the central role of violence as mediated through legal and bureaucratic apparatuses in processes of corporate (il)legal enclosure. Recent work in business ethics highlights that violence is not external to corporate activity but often constitutive of it (Böhm et al., 2026), while studies of dispossession emphasize its deep historical entanglement with colonial violence (Banerjee, 2011, 2022) and displacement of Indigenous communities from their lands (Banerjee, 2000; Maher et al., 2024; Scobie et al., 2026). The Veracel case illustrates how coercion and violence operate through the claims of legality, as contested claims are formalized, validated, and enforced through registries, courts, and administrative institutions. Once legally recognized, these claims provide the basis for eviction orders and the mobilization of security forces, thereby facilitating the removal of communities from their lands. In this sense, bureaucratic procedures and legal recognition do not merely document land relations but actively enable the material and social processes through which communities are separated from their land.

Conclusions

This article examined how land title fraud and administrative irregularities underpin the expansion of large-scale land investments, using the case of Veracel in Bahia to show how corporate land control is secured through the interplay of legal and illegal practices. We introduced the concept of *corporate (il)legal enclosure* to capture how dispossession is not merely enabled by weak governance but actively produced through legal-political arrangements that facilitate and legitimize corporate claims to land.

Rather than relying on formally valid ownership, such enclosures operate through a combination of legal,

para-legal, and illegal mechanisms—including forged deeds, registry manipulation, selective enforcement, and judicial/bureaucratic validation—that together produce de facto property rights. Our findings show that corporations can retain control over land even in the absence of legally valid titles, as fraudulent or questionable claims become stabilized through their inscription into formal institutions. In this sense, legality is not simply circumvented but strategically mobilized.

Our account of corporate (il)legal enclosures exposes the fraudulent legal practices associated with land grabbing in Brazil and challenges conventional business ethics approaches that equate responsibility with legal compliance. In this sense, we draw on insights from previous critiques of corporate misconduct that position corporate responsibility as embedded in transnational power relations rather than voluntary ethical commitment (Banerjee, 2017; Ehrnström-Fuentes, 2016; Whelan, 2012). Our analysis shows how national legal systems themselves are implicated in the production of inequality, and how also compliance with the law can contribute to legitimizing—or as we argue, laundering—dispossession. We conceptualize corporate (il)legal enclosure as a mechanism of dispossession-by-law, through which the origins of land claims are obscured and unjust appropriations are rendered difficult to trace.

By foregrounding land in business ethics (see Brandl et al., 2022; Böhm et al., 2022), this article has highlighted the need to move beyond narrow compliance-based frameworks and thin ethical analyses toward a more critical engagement with the political and historical conditions that shape legal regimes. Corporate conduct in ambiguous legal contexts must be assessed not only in relation to adherence to the law, but to the ways in which corporations participate in, and benefit from legal systems that sustain dispossession.

Acknowledgements We would like to thank the Editor and the anonymous reviewers for their constructive comments and thoughtful engagement with the manuscript. Their feedback significantly strengthened the clarity of our arguments, the development of the conceptual contribution, and the overall quality of the article.

Funding Open Access funding provided by University of Helsinki (including Helsinki University Central Hospital). The study was funded by Kulttuurin ja Yhteiskunnan Tutkimuksen Toimikunta, 251321, Markus Kröger, 316725, Markus Kröger.

Declarations

Conflicts of interest There are no financial, personal, or other relationships that could influence the work.

Informed consent Informed consent was obtained from all participants involved in the research, where required.

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