Brazilian Indians fear ‘absurd’ setback over land rights 25 July 2012

The Guarani and other Indians are contesting a new decree which weakens control over their lands © F. Watson/Survival

Brazilian Indians have expressed their anger and dismay as a new directive threatens to weaken their control over their lands.

The directive, signed by Brazil’s Solicitor-General, prohibits the expansion of indigenous territories, upon which many tribes depend for their survival.

It is a result of pressure from Brazil’s powerful rural lobby group which includes many politicians who own ranches on indigenous land due to be returned to the Indians.

Directive 303 could prove particularly disastrous for the Guarani Indians, many of whom are living in roadside camps or overcrowded reserves while they wait for their ancestral land to be fully mapped out.

A Guarani spokesman told Survival, ‘This directive puts our survival in extreme danger… We are being ignored as human beings, as the first occupants of this land. It is the start of the extermination of indigenous people’.

The text also states that certain projects on Indian land may be carried out ‘independently of consulting the indigenous communities’. This violates Brazilian and international law, and could pave the way for more disastrous dams in indigenous territories in the Amazon.

Brazil’s Public Prosecutors’ Office has described the text as ‘absurd’ and ‘unconstitutional’.
Brazilian indigenous organizations, NGOs, and Survival have called for the directive to be revoked. FUNAI, the Brazilian government’s indigenous affairs department, has requested the Solicitor-General’s office to suspend the directive to allow indigenous peoples to be consulted about its content.

Ranchers burn bridges in anti-Indian protest
29 June 2012

Xavante Indians protest for land rights at Rio+20
© G1

Ranchers are blocking roads, burning bridges, and threatening Brazilian Indians in protest against their impending eviction from tribal land.

The violence began after the Brazilian courts ruled that the ranchers must be removed imminently from one of the Xavante Indians’ territories, which they have been occupying for the past 20 years and using mainly for cultivating soya and raising cattle.

The ranchers are threatening Xavante spokesman Damião Paridzané, who has spent decades campaigning for better health, education, and land protection for his tribe.

Paridzané and other Xavante Indians travelled to the Rio+20 UN conference last week, to demand that their territory, known as Marãiwatsédé, be returned to them urgently. They presented their demands to Brazil’s President Rousseff.

Paridzané stated in a letter to the President, ‘The illegal soy production and cattle ranching in our sacred land are a shame upon our country.’
Politicians at the summit reassured the Xavante that the ranchers would be forced to leave within the next 30 days.

The Xavante were evicted from their land in the 1960s, for large-scale agriculture. International pressure then led the Brazilian government to announce, during the 1992 Earth Summit, that the land would be returned to the Indians.

However, the Marãiwatsédé territory has been illegally occupied and almost 90% of its forest has been destroyed.

‘We understand sustainability better than anyone’ say tribes at Rio+20 22 June 2012

Thousands of Brazilian Indians united in Rio this week, to make their voices heard at the Rio+20 UN Summit on sustainability and the environment.

Sonia Guajajara, of the Guajajara tribe, said, ‘We have come here to raise awareness about our fight and to show that this model of development is not realistic… We want to show the world what it really means to live sustainably. Nobody understands sustainability better than indigenous people’.

The Indians conducted protest marches, ritual song and dances, speeches and meetings, and presented their demands to the official UN conference.
Davi Yanomami, the ‘Dalai Lama of the Rainforest’, appealed for those at the Summit to save earth’s most threatened tribe, the Awá Indians. The Awá’s forest is being cut down faster than that of any other Brazilian tribe.

Guarani Indians drew attention to the government’s extreme delay in mapping out their land. Otoniel Ricardo Guarani said, ‘We need our land to be demarcated, because once that’s done, we’ll have solved everything. That’s why it’s important for us to be here and to force the government to work on these issues’.

The Guarani have been suffering appalling living conditions since much of their land was stolen from them and occupied by ranchers. Brazil’s Public Prosecution service recently asked the government to pay $83m to one community, as compensation for ‘moral and material’ damages.

Brazil’s Indigenous Affairs Department, FUNAI, reassured the Xavante tribe at Rio that the invaders on their land would be evicted.

Around 1,000 Indians protested outside the Brazilian state development bank BNDES, against its contribution to the Belo Monte dam which is devastating several tribes’ forest. The uncontacted Indians in the area are particularly vulnerable.
Indigenous spokesman dismissed from Brazilian government 18 November 2011

Megaron Txucarramãe, an indigenous spokesman from the Brazilian Amazon, has been dismissed from his post in the government’s Indian Affairs Department, FUNAI.

Megaron, of the Kayapó tribe, has stated that his dismissal is a result of his opposition to the Belo Monte dam, which is being constructed on the Amazon region’s Xingu river.

The Belo Monte dam threatens to cause huge devastation to the forest and to fish stocks, upon which thousands of Indians rely.

It has sparked widespread opposition, amongst Indians, river communities, environmentalists, scientists and experts, and Brazil’s Public Ministry.

The Kayapó have appealed Megaron’s dismissal and stated that he has always fought ‘for the survival of all the indigenous peoples of Brazil’, and that he ‘is the best person to defend and fight for our interests and rights, as he always has done’.

Indigenous spokeswoman Sheyla Juruna, who travelled to Europe earlier this year to protest against the dam, was beaten up last week by opponents to the project, as a result of her campaigning.
In response to an appeal by the Public Ministry calling for the Indians’ constitutional rights to be respected, a judge recently stated that the Indians need not be consulted about the dam before the project proceeds, and that they are ‘privileged’ to have the right to be consulted at all.

This extraordinary assertion contradicts both the Brazilian constitution and Convention 169 of the International Labor Organization, both of which stipulate that indigenous peoples must be consulted about developments on their land.

Kayapó spokesman Raoni Metuktire recently warned the UN that the dam is causing ‘major suffering and negative effects for my people and my relatives’.

**Brazilian mining giant given green light for perilous railway plan 20 November 2012**

Awá man. The Awá are warning the expansion of the Carajás railway could bring disastrous consequences
© Fiona Watson/Survival

The Brazilian government has given the go-ahead for a railway project that severely endangers Earth’s most threatened tribe.

Mining giant Vale announced it has obtained an installation license for its doubling of the Carajás railway, which transports iron ore from its notorious huge mine to the Atlantic Ocean.
The Great Carajás industrial project opened up this eastern part of Amazonia to development and exposed the Awá to invaders who have massacred whole families in the last three decades, and who continue to destroy much of their forest.

The new license allows the company to start constructing a second railway line, to allow trains to run simultaneously in both directions, and increase capacity.

The Awá have warned that the expansion project will increase noise levels coming from the railway, scare away the game on which they for hunting, and result in more invasions.

One Awá man said, ‘We don’t accept the expansion of the train line which passes right in front of our territory. It is really bad! It makes a lot of noise! The hunters can’t find any game; the animals are scared off’.

Vale has not properly consulted the Awá about the plans, as required by Brazilian and international law. Survival is calling on the company to respect the Awá’s land rights, rather than putting their lives in jeopardy.

Earlier this year, a judge halted the project, stating that Vale’s social and environmental impact studies were ‘insufficient’, and that the expansion could cause ‘extremely serious environmental degradation’. His ruling was soon overturned.

Last month, the railway was paralyzed by the Awá and hundreds more Indians protesting for their land rights to be upheld, and earlier this month some Awá made an unprecedented trip to Brasilia, to call for their forest to be protected.

Source: Survival for Tribal Peoples (http://www.survivalinternational.org/tribes/brazilian)

On the brink

Indigenous peoples in Brazil

By: Geertje van der Pas/Cimi
Indigenous peoples

Around 735,000 indigenous people are living in Brazil. These indigenous peoples are living in different ways: some are living in their own areas, some are living in the city, others are not been contacted yet and live completely isolated. There are also persons who are just now identifying themselves as indigenous people. They are divided in 235 different peoples and staying in 24 of the 27 states of Brazil. At the moment there are still 170 different languages spoken by these peoples.

History

The Indigenous peoples in Brazil comprise a large number of distinct ethnic groups who inhabited the country’s present territory prior to its discovery by Europeans around 1500. At the time of European discovery, the indigenous peoples were traditionally mostly semi-nomadic tribes who subsisted on hunting, fishing, gathering, and migrant agriculture. Many of the estimated 2000 nations and peoples that existed in 1500 died out as a consequence of the European settlement (diseases, murder, slavery), and many were assimilated into the Brazilian population. The indigenous population has declined from a pre-Columbian high of an estimated 4-6 million to just 100,000 in 1950 – probably one of the largest genocides in human history.

Land situation

For indigenous people land is very important. They often refer to it as their mother. Land gives them water, food, a place to live. Without land there is no life. The Constitution of Brazil, of 1988, recognized the original right over the lands that indigenous peoples have traditionally occupied. It also assured indigenous peoples a respect for their social organization, customs, languages, beliefs and traditions. In Brazil there are at the moment 851 indigenous areas. Of those 851 only 325 areas are
The situation in the Brazilian Northeast

José Maurício Arruti, historian (UFF), anthropologist (Museu Nacional) and associate researcher with Cebrap, analyzes the processes of indigenous ethnogenesis that developed in Brazil from the 1970s onwards.

Though not the only region where the phenomenon occurs, Brazil’s Northeast was where the first and largest movements relating to ethnogenesis were concentrated. As well as being colonized relatively early on and having all of its indigenous villages officially declared extinct in a period of less than 10 years between the 1860s and 70s, this was where the first cases surfaced of groups of ‘caboclos’ (a Brazilian term describing people of mixed Amerindian and European ethnicity) demanding to be recognized as indigenous peoples.

These demands began in the 1920s and continued for two decades, when they were interrupted for a long period until resuming in the 1970s. This chronology can be divided into two cycles, each with its own characteristics, which I describe in a highly simplified form below.

First cycle: 1920s to 1940s

In the 18th century, the region was home to more than 60 villages occupied by around 27 indigenous nations, all officially declared extinct by the start of the 1880s. Despite the violence and antiquity of the process of expropriating the land of these groups, this last blow establishing their official extinction was essentially a classificatory and juridical measure. In accordance with a technical judgment (1) that proposed their reclassification from ‘índios’ to ‘caboclos,’ they ceased to have the legal prerogative of being under the administration of missionaries and possessing lands for common use of the village settlements.

Converted into a mass population of national workers, their lands were incorporated as ‘national assets,’ divided up into lots and sold. Meanwhile those in the villages were dispersed or confined to small tracts of their ancient territories and prohibited from performing some of the practices that distinguished them. These practices especially included Toré, which – like African religious practices – was criminalized and persecuted. A little less than half a century later, a lengthy period but one experienced by a single generation, these groups began to claim official recognition as indigenous peoples, their main objective being to recover the lands of the former village settlements. This represented an inversion not only in the expectations generated by an evolutionist view of the process of civilizing the country’s interior, but also in the practices and strategies of the government indigenist agency.

In the mid 1920s, the official indigenist agency began to work in the Northeast following the recognition – then considered exceptional – of the Carnijó Indians of Águas Bellas (Pernambuco), renamed as the Fulni-ô and presented, at that time, as the only group in the region to maintain clear signs of difference from the rest of the population: they spoke latê, performed rituals prohibited to outsiders and maintained rules limiting interethnic marriages. This exceptionality was used to justify the agency’s deviation from its declared objective of expanding the frontiers to Brazil’s north and west by providing assistance and ‘protection’ to groups from a region colonized at a much earlier date.
The most prominent feature of this first cycle of ethnogenesis was its configuration around a network of relations pre-existing between groups of ‘caboclos’ and based on a calendar of religious festivals and indigenous rituals. The latter, for their part, centred on the São Francisco river and the trips between former village settlements.

It was this network that allowed outside agents – in succession: the church, academy and state – to achieve contact with these groups. Firstly it was through his visits to the Fulní-ô (Alagoas), following the invitation of Father Damaso, that the anthropologist Carlos Estevão came into contact with the Pankararu (Pernambuco) and the Xukurú-Kariri (Alagoas). The Pankararu, for their part, took it upon themselves to mediate the contact between the SPI (Indian Protection Service) and the Kambiwá (Serra Negra - Pernambuco, a place of refuge from the ‘just wars’) and the ‘outskirt Indians’ (recognized as the Tuxá - Bahia), who would then themselves provide the link between the SPI and the Trucá (Pernambuco).

‘Official protection,’ in this case, implied an interruption to the violence suffered by the group at the hands of land grabbers, as well as the access to material goods such as tools, seeds and infrastructural improvements. These interventions had a knock-on effect throughout the entire region, awakening the interest of a series of other ‘caboclo’ communities who lived in a situation similar to that of the Fulní-ô and who maintained ritual and kinship relations with them. This triggered the first cycle of ethnogeneses in the region. A growing number of communities descending from former mission village populations began to present their own demands for official recognition as indigenous groups as a means of obtaining the same ‘protection.’ As a result, in the 1930s the indigenist agency recognized another three groups as ‘remnant indigenous peoples’ and another eight in the following decade.

In the next decade, the mediation of Father Damaso once again enabled the SPI to establish a base in Porto Real do Colégio (Alagoas), gathering the surviving population from the mission village Ilha de São Pedro de Porto da Folha (Sergipe) who had migrated to the ancient Cariri settlement, as well as the survivors of the latter mission village who occupied some of the mission’s former lands, giving rise to a mixed ethnic group, the Kariri-Xocó (Alagoas). All the federal indigenist agency’s passages from one group to another were made possible by the relations previously existing between the populations concerned.

Ethnogeneses therefore operate as a kind of superimposition of these social circuits and networks. Precisely for this reason, perhaps, this first cycle had run out of steam by the beginning of the 1940s, as if the network of ethnogenesis had covered all the relations traced by the prior circuit of exchanges sustaining it.

Second cycle: post-1970

From the mid 1970s a new wave of indigenous ethnogeneses began. Between 1977 and 1979 five groups emerged demanding official identification as remnant indigenous populations. Another ten emerged between 1980 and 1989, and another nine between 1990 and 1998, with information too on a large number of claims in the state of Ceará.

In this new version of the phenomenon, almost three decades after the first cycle, not only the volume but the pace of these ethnogeneses had altered. The pattern delineated by these cases is very different. They were no longer necessarily linked to the lands of the former mission settlements, nor were they
superimposed on a prior network of ritual and kinship exchanges. On the contrary, they seem to be linked to the constitution of an indigenist field in Brazil, with reverberations in the Northeast region, and involving the Catholic Church as one of the main protagonists.

The Declaration of Barbados (1971) had a strong impact within the Catholic Church, leading to a different approach to indigenous issues from its dioceses, the founding of the Missionary Indigenist Council (CIMI) and the holding of the various Indigenous Assemblies that marked the period and served as a basis for the political training of indigenous leaders. The 1970s (and the institutionalization of the academic discipline of anthropology in Brazil) also saw a new sensibility grow in relation to indigenous issues. This was also the period during which non-governmental and non-religious indigenous entities were created, such as the Indian Support Association (ANAI) and the Pro-Indian Commission (CPI), in 1977 and 1978 respectively, as nationwide entities operating in various Brazilian states.

While the demands in the first cycle were based on ethnohistorical and territorial continuity with groups settled in missions or linked to regions historically associated with the migrations and refuges of fleeing groups, only two of the thirteen more recent groups in the Northeast for which we have information repeat this pattern. The others can be divided into three types depending on the source of legitimacy for their claims.

The first set involves groups initially based on parthogeneses rather than ethnogeneses. After their lands were flooded in the 1940s by the Itaparica Hydroelectric Plant and their territorial needs were only partially considered at the moment of resettlement, the original Tuxá split into another two groups scattered across very different regions. While, on one hand, the three nucleuses formed in the process continued to be recognized as part of the same ethnic group, their fragmentation had political consequences (the fragmentation of leadership based on divisions within the original group) and ritual consequences (the creation of variations in the reproduction of their tradition), which ended up producing autonomous ethnic groups.

At least three other new groups of this first type emerged from factional splits (two of them through transferences sponsored by FUNAI itself). These splits led to the constitution of new sociopolitical units, which in turn led to new territorial demands and a new official structure with new leaders recognized by FUNAI, a new Indigenous Post with specific resources, though with ever fewer funds coming from the government agency. It is important to note that in these cases the critical point of the factional splits involved the limitations to the internal negotiations arising from their processes of territorialization. The territorial framework of the indigenous areas, linked to the requirement of a political-administrative unit to which a branch of the state agency was associated, the main channel for accessing outside resources, means that kinship and ritual networks assume a territorial and political dimension that would be impossible outside this context.

In the second set we find groups whose emergence does not involve the claim of an originality and distinctiveness linked to territorial connections with historically re-discovered groups, but a genealogical and ritual continuity with pre-existing and fully legitimized groups. In these cases the population claims its own identity and ethnonym, but these are considered to be a detached and autonomized part of broader units caused by the migrations in search of new land or water, extremely common among the historical indigenous populations of the interior. This situation applies to at least 10 of the 33 groups that emerged between 1970 and 1995, all linked to the Pankararu.
The third group is formed by those who, lacking the characteristics identified in the previous two groups, seek to legitimize their demands firstly by claiming traditional occupation of a particular collective territory, but also and more importantly by sharing a series of substantive traces that enable them to be classified as indigenous. They resort to ‘indices of Indianess’ (2), so to speak, among which we can highlight the Toré, identified by official indigenism as the Northeast’s indigenous dance-religion-ritual-festival par excellence.

Since the year 2000, the state of Ceará has been the most prominent in the area of ethnogeneses. In a meeting (22/01/2006) of representatives of the state's indigenous peoples, a list of more than 20 indigenous groups was compiled, only four of which are officially recognized by FUNAI while six are in the process of being recognized. Here we can also highlight the reciprocal implications of this phenomenon in relation to the organization of indigenist activism in the state, especially the area based around Christian organizations.

2002 - A new legal framework

The changes introduced to the national legal framework from 2002 onwards following the Brazilian government’s ratification of Convention 169 on “Indigenous and Tribal Peoples in Independent Countries,” established by the International Labour Organization (ILO) in 1989, had important consequences for the social dynamics involved in the processes of ethnogenesis. Since most of these processes were and still are aimed at obtaining resources, and a significant proportion of these resources originate from the state and are regulated by state laws, policies or agencies, an important element of these processes involves recognition of these groups by the Brazilian state in accordance with the labels or ethnonyms through which they identify themselves.

From the outset, though, the Brazilian state has sought to impose restrictions on this kind of recognition. Firstly through procedures internal to the state indigenist agency, FUNAI, based on an informal understanding of what indigenous groups are (which resulted in the importance historically attributed to the Toré ritual in the Northeast), but after the 1970s through formal recourse to official anthropological reports. As agents possessing formal and legitimized knowledge about indigenous groups, anthropologists were frequently asked to produce reports responding to the official demand to verify indigenous identities.

However, following ratification of ILO Convention 169, the Brazilian state formally and theoretically abdicated its prerogative over classification of the country’s population. The Convention opens by “Recognising the aspirations of these peoples to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages and religions, within the framework of the States in which they live.” It goes on to establish (Article 1, Paragraph 2) that the “Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.” From this point on, the mechanisms for legitimizing ethnogeneses cease to be determined by the start and become subject to a more complex social dynamic.

The first response to this change came the year after ratification. In May 2003, Olinda (Pernambuco) hosted the 1st National Gathering of Indigenous Peoples Fighting for Ethnic and Territorial Recognition,
attended by 90 representatives from 47 indigenous peoples, 26 of them self-identified as indigenous recently and still without official recognition of their ethnicity. FUNAI’s list contains just 36 groups in the same situation.

One of the demands contained in the event’s final text, as well as the inevitable demand for the demarcation, official approval and eviction of intruders from the areas, was precisely to remove “the need for ethnic identification reports, recognizing the affirmation of our ethnic and territorial identity in line with Convention 169 of the ILO” (3). The assembled groups reached “the conclusion that we must be recognized for our history of resistance and no longer for our supposed resurgence or emergence.” Consequently, they demanded to be designated not by one of these forms but as ‘resistant Indians.’ Here we return, therefore, to the difficulty and yet apparent necessity of designating these groups in a different form, as mentioned at the start of this text. Now the solution pursued by the groups themselves involves the attempt to invert the potentially substantializing and stigmatizing effect of earlier labels by assuming another designation that looks to overturn any such stigma.

As we can observe in other Latin American states, the Convention has had a significant influence on the definition of national policies and programs, as well as (or indeed due to) supporting the formulation of directives and policies of various multilateral development agencies. However its practical applicability still faces innumerable obstacles. Throughout Latin America there are constant complaints from indigenous movements and specialists from the Convention’s signatory countries concerning the failure to recognize its existence or indeed the open opposition of the judicial and administrative authorities to its application. The legalist, formalist and especially colonialist tradition of these functionaries, combined with strong preconceived notions of what an Indian should be like (naturalness and timelessness), have acted as a serious obstacle to implementing these theoretical and juridical advances. But even so, if the willingness of the Brazilian state to apply this precept through the practice of its indigenist agency becomes consolidated, we could be witness to a new moment in these processes of ethnogenesis. (July, 2006)

Notes

(1) As a result of the 1850 Land Law, the federation’s states were obliged to catalogue all the unoccupied lands existing in their territories. Measurement and Demarcation Commissions were instituted for this purpose, made up of engineers and cartographers who had the responsibility of assessing, based on a narrow set of items (incorporation into the local work market, the existence of marriages with whites, and profession of the Christian faith), whether the people in the settlements were still indigenous or whether they had already become civilized. The conclusion reached from the Commissions was, invariably, that the population had indeed become civilized.

(2) ‘Indianness’ here designates a particular form of being and conceiving oneself as ‘Indian,’ in the generic sense of the term, constructed in the interaction with the state indigenist agency and based on a particular image of what an ‘Indian’ should be. Thus ‘Indianness’ is a representation and a type of behaviour generated by the interaction of indigenous peoples with the state apparatus and its standardizing procedures, which imposes a single model on a large diversity of cultures and social organizations – a model that ends up being effectively assumed by these peoples. (3) Representatives of FUNAI present at the event confirmed the same interpretation relating to Convention 169 of the ILO and
claimed that the agency’s presidency had already decided to put an end to the practice of “ethnic identification reports.”