# Brief responses to the commentaries on Traditional Peoples and Biodiversity in Brazil, from the quilombola point of view

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# Brief responses to the commentaries on *Traditional Peoples and Biodiversity in Brazil*, from the quilombola point of view

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The editorial proposal for *Traditional Peoples and Biodiversity in Brazil: Contributions of Indigenous Peoples, Quilombolas and traditional communities to biodiversity, policies and threats* is admirable for, among other things, bringing together under a single area of interest the variety of populations that currently comprise the orbit of social conflicts in favor of socio-biodiversity in Brazil, identifying issues that distinguish them, but also those that are shared among indigenous peoples, quilombolas, and other traditional peoples.

Even though the social and legal histories of these groups are very different, their realities are all grounded in the shared use of land and an understanding of nature that does not separate it from culture, nor reduces it to a resource. For this reason, the conceptual and political convergence of these populations directly impacts the project to completely commodify life on the planet by means of what Silvia Federici (2022 [2019]) called «new enclosures».

It is also for this reason that the images of these groups encourage the search for ways out of the crisis of civilization, outlined in the agreements, conventions, and multilateral treaties commented by Laura Zanotti. They have placed indigenous peoples, quilombolas, and traditional communities in a high ranking position among sources of inspiration for a political philosophy that chooses «the commons» as an alternative principle both to privatistic individualism and to statism (Dardot and Laval, 2017 [2014]).

Thus, despite the accuracy of Jeremy Campbell's diagnosis regarding the «generalized confusion over the precise nature of territorial rights» of these populations and how the Brazilian political right has encouraged it and profited from it, it is necessary to realize that this confusion is not the source but a tool of the reasonings that are at stake.

Maria Rosário de Carvalho's commentary points to what underlies these reasonings: the repugnance felt towards legal and cultural pluralism, as well as the aversion to recognize ethnically differentiated rights. The author finds the same repugnance and aversion—already noticed by Maybury-Lewis regarding the military during the dictatorship—in different agents of contemporary Brazilian politics, both right-wing militaries and left-wing politicians. Rosário claims we should interpret that attitude in terms of structural racism—an anti-indigenous racism—insufficiently dealt with in the literature on racial relations and in the literature on indigenous peoples, despite the preceding work of Jonathan Warren (2001).

In this regard, it is worth providing comments specifically about quilombola communities to show that they are subject to cumulative racism. That is, in addition to the racism that affects the urban black population, they suffer a kind of anti-indigenous racism, meaning the negative reaction to the recognition of their lands and ethnic rights. Further, it is unquestionable that structural racism also appears in the unequal attention given to them by scholars. While the quandaries of indigenous peoples are reasonably known and subject to analysis, this is not the case for quilombola communities.

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It is interesting to engage with Artionka Capiberibe's comments about the recent increase in violence against indigenous peoples. It is pertinent to lay bare the data from the report *Racismo e Violência contra Quilombos no Brasil* (Racism and Violence against Quilombos in Brazil) alongside her data. The report stretches from 2008 to 2017 and was produced by the organization *Coordenação Nacional de Articulação das Comunidades Negras Rurais Quilombolas* - Conaq (National Coordination for the Articulation of Black Rural Quilombola Communities) in partnership with *Terra de Direitos* (a non-governmental organization active in the field of litigation and advocacy). The data were obtained through samples, and thus do not present absolute numbers that would reflect the reality of violations suffered by quilombolas. However, they allow a qualitative approximation to the state of vulnerability of these communities. The data about the situation of quilombola communities in the context of the political and institutional changes that began with the impeachment in 2016 are as alarming as those for indigenous populations, even though they are less well known. The year 2017 was the most violent of the period:

- 14 murders (an increase of 350% compared to the previous year),
- 29 threats and abuses,
- 5 arbitrary imprisonments,
- 6 cases of poisoning due to agrochemicals and/or water pollution, when the community was deprived of the use of natural resources,
- 15 filings of court proceedings (civil, penal, and administrative) against communities or individuals, with the intention of criminalizing quilombolas through judicial disputes, as well as the filing of several administrative proceedings for alleged environmental crimes,
- 5 episodes of destruction of houses or plantations, and
- 22 registered expropriations of the communities from their lands, during which there were evictions, as well as illegal sale of plots of land.

When the episodes are classified according to aggressors and types of registered conflicts, the following proportions are obtained:

- 33% related to institutional racism,
- 24.8% deriving from disputes with large estates (*latifúndios*),
- 20.8% resulting from the impact of megaprojects, and
- 11.8% of conflicts related to real estate speculation.

Besides the numbers—always difficult to examine and interpret due to the absence of official statistics—the report provides an important contribution for the qualitative analysis of the violence suffered by the communities. Noting that for ¾ of the murder cases, the identity of the murderer remained unknown, and the police investigations concluded that the motives for killing were interpersonal. Thus, the report adds to its record of direct violence experienced on the lands a record of institutional violence that occurs through the erasing or silencing of conflicts and of the violence itself.

The strategy of dissolving quilombola territorial conflicts into other types of conflicts is heightened by a number of factors, of which two are particularly notable. Firstly, the fear of speaking out against perpetrators leads to a negligible or entire lack of effectiveness of protection for witnesses and human rights defenders. Secondly, the gendered nature of these

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violences is also underreported, since—despite the leading role of women in the struggle for their territories—official statistics tend to classify them as victims of domestic or interpersonal violence. The report indicates that six women were murdered between 2008 and 2017, and all of them were leaders or representatives of their communities campaigning for their rights. With all this in mind, we can start to discern a complex understanding of the violences suffered, in which the murders, aggressions, or registered threats are only the tip of the iceberg.

Another arena of these conflicts are the legal, normative, administrative, and budgetary clashes within the State itself—that which the Conaq reports as "institutional racism", being the largest proportion of conflicts registered in 2017. This concept deserves special attention, so that its normality, or its structuring character, does not erase the concrete expressions of the current necropolitical project. It would be a mistake to confuse such a project with some timeless dimension of "local" (or continental) culture.

We have seen that the Bolsonaro government simultaneously applied four strategies against quilombola rights. First, to question the rule of law by tacitly adhering to the arguments of a case alleging the unconstitutionality of the decree that implemented a constitutional right. Second, to dismantle or defund the government agencies responsible for quilombola policies, under the guise of a ministerial reform. Third, to manipulate the new restrictive fiscal regime so that, by issuing a state of emergency decree and distributing secret funding, it would apply only to unavoidable expenses in public policies. Finally, the fourth strategy involves personnel appointments. Our article in section 3 of *Traditional Peoples and Biodiversity in Brazil* refers to this, quoting cases in which the federal government appointed directors of government agencies central to the steering of public policies for quilombolas who were openly against the institutional missions of those agencies.

The murder of the FUNAI employee on leave, Bruno Pereira, as well as the conditions under which it occurred, while he was engaged in actions to document threats to isolated indigenous peoples in Vale do Javari (see Ribeiro, Aparício and Matos, this volume), compels us to say more about this type of situation in our analysis. When the replacement of agency directors is insufficient to neutralize an agency's action, the government turns against the long-term employees themselves when they are unbreakable in their defense of the institutional mission of the agency to which they are linked.

As the actions of Bolsonaro government leaders not only upend the agencies' values, but also subvert the most basic routines and procedures, they often cross the border of legality, creating dissensions with employees. In that clash, the individuals in positions of power do not hesitate to harass employees, as occurred with Bruno Pereira, leading him to take leave from the agency and proceed to act directly with the Javari indigenous organization.

In mid-2020, a survey based on data from the *Controladoria-Geral da União - CGU* (the internal control agency of the Brazilian Executive Branch) showed that the Bolsonaro government registered an average of one case of harassment per day since the start of his administration. The grievances came from employees in the ministries of Education, Health, Economy, and the ministry of Women, Family and Human Rights, as well as from employees in schools, the police, and the CGU itself. A year later, there were already 709 accusations of institutional harassment, according to a survey by the *Associação dos Servidores do Ipea - Afipea* (association of employees of the federal public foundation Institute of Applied Economic Research) and the *Articulação Nacional das Carreiras para o Desenvolvimento Sustentável - Arca* (National Articulation of Careers for Sustainable Development).

In the case of policies for quilombola communities, we are aware of at least three accusations of harassment against INCRA employees who, fulfilling their duties, were carrying out

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regular actions of the agency. This is just a small sample obtained from press articles that can give us a qualitative approximation. These types of conflicts rarely make it into the newspapers.

The first happened in 2017 when an internal probe was opened by the presidency of INCRA to investigate the process of land regularization of the Morro Alto quilombola land in the state of Rio Grande do Sul, due to an "accusation" brought forward by a federal deputy who represents agribusiness in the state. The association of employees published an article against the probe, exposing its spurious motives.

In December of 2020, another article publicly denounced the harassment suffered by an INCRA employee in the state of Pará due to her witness account in a public hearing regarding land regularization held in the Municipal Chamber of Marabá. The accusation spurred the *Ministério Público Federal* - MPF (Federal Prosecution Office) to summon the federal government's Committee of Public Ethics to clarify the rights of employees to participate and give their opinion in public debates.

Finally, in the last recorded episode, the top administration (*superintendência*) of INCRA contacted the Federal Police, Federal Audit Office, Federal Prosecution Office, and Comptroller General of the Union, to investigate three employees, a former administrator, and a technician, for releasing or agreeing to the release of credits for quilombola territories in the state of Sergipe. The monies were distributed among two thousand families living in a state of vulnerability and food insecurity, for them to purchase essential goods, such as food, clothing, and home appliances, such as stoves and refrigerators. This case is particularly meaningful because, in response to the public denunciation of harassment, the INCRA top administration in turn extended the harassment to the complainants, that is, the quilombola leaders. Thus, aggravating the precariousness of their conditions, five leaders were summoned by the Federal Police to the capital city, Aracaju, for interrogation, forcing them to travel up to 1200 km. Conaq published an article denouncing the manifest "institutional racism" of this case.

These are only a few of the concerns that cut across the situation of indigenous peoples, quilombolas, and other traditional populations, despite their differences and their multiple and creative forms of resistance. They are subject to necropolitics as well as new enclosures, worsened since the de-democratization process affecting the country since 2016 and, in particular, since the 2018 elections.

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