

PREFACE

In the poverty-stricken backlands of northeastern Brazil, since the late 1970s, groups of peasants have been recognized by the government as either indigenous tribes or descendants of fugitive slave communities. In this book, I explain how two such groups, who are neighbors and kin, came to self-identify as ethnoracially separate, calling upon different federal laws for recognition and land. I was introduced to the area that would become my field site through the Centro Dom José Brandão de Castro, a nongovernmental organization, which only a few years earlier had been linked to the Catholic Church. Knowing of my interest in Native Americans with African ancestry in the United States, a Brazilian friend had mentioned to me that he knew of a group of “black people” in the northeastern state of Sergipe who had been issued cards by FUNAI, the national indigenous protection agency, identifying them as members of the Xocó Indian tribe.¹ When he put me in touch with the Centro staff and I expressed interest in learning more about the Xocó, they explained that the crux of their work at that time was with the neighboring village of Mocambo. The majority of Mocambo residents, most of whom had kin among the Xocó, were rural workers who, the year before, in 1997, had been recognized by the Brazilian government as a community of descendants of fugitive slaves (*quilombo*) under a one-sentence provision (the “quilombo clause”) of the 1988 Constitution, the first democratic constitution since the military regime took power in 1964. This set the stage for an unimaginable situation, by U.S. standards: two neighboring, related communities whose fates had, for generations, been completely intertwined, were now separated by ethnicity, race, politics, and land. Each community was recognized by a different federal government agency. One is considered Indian and the other black, although all are descended from Africans, Indians, and Europeans.

Intrigued by such an ethnoracial and demographic configuration, I traveled to Sergipe in May 1998 for the first time.² When I arrived at the single-runway airport in Sergipe’s capital, Aracaju, the first thing I noticed was a mural on yellow tiles in the baggage claim area. It portrayed a group of dancing Indians with shafts, feather skirts, long hair, and geometrical designs on



Sergipe and Alagoas with the São Francisco River. Adapted from Clarice Novaes da Mota, *Jurema's Children in the Forest of Spirits: Healing and Ritual among Two Brazilian Indigenous Groups* (London: Intermediate Technology Publications, 1997).

their skin.³ I already knew from preliminary research that the mural was not representative of the inhabitants of the area. It was, however, a powerful part of the discourse about Sergipe's heritage and history. I was whisked away by the Centro staff to a meeting of Mocambo residents, members of other rural black communities, a Brazilian anthropologist, and staff members of a local black consciousness organization. My introduction to the first recognized quilombo in Sergipe occurred as I sat on the floor with leaders of the community, young and old, women and men. I watched them draw pictures of the spatial arrangement of their village and learned about the jobs, land, and services they lacked. A few days later I boarded a bus and traveled over rutted roads into the interior of the state where I would begin my acquaintance with the two villages located on the banks of the São Francisco River: Mocambo, the recognized quilombo, and São Pedro Island, where the Xocó live. During that first four-hour bus ride, all the images I had seen, music I had heard, and stories I had read about the Northeast and its rustic, semiarid

backland known as the *sertão* crowded my mind. I watched the landscape change from green fields to dusty expanses dotted with cows, from palm trees to cactus.

Over the years since my first visit, I have conducted extensive ethnographic, historical, and legal research focusing on these two communities. I learned about law, race, ethnicity, politics, and socioeconomic relations in Brazil. In addition to participant observation, I conducted more than a hundred interviews (fifty of them recorded and transcribed) with residents, former landowners, lawyers, anthropologists, activists, politicians, and government officials; analyzed historical and current legal cases; and carried out documentary research in court, government, Catholic Church, newspaper, and personal archives. Methodology, however, is more than just how data is collected. It involves constant analysis and revision of understanding about the people and places experienced. In this case, my analytical approach allowed me to build on each interaction and bit of knowledge obtained to develop a theoretical model, which I call “legalizing identity,” that explains how cultural practices, legal provisions, and identity formation are interrelated.

As I researched, I learned that in the early 1970s a group of rural workers of mixed African, Native, Portuguese, and Dutch descent living along the São Francisco River had sought to obtain rights to land and protection from local landowners whose violence was legendary. This claim for rights was facilitated by the arrival of a Franciscan priest, who, with the encouragement of his bishop, spoke to the people about the potential significance of the indigenous strand of their ancestry. Their newly articulated claim of indigenous identity was facilitated in 1973 by the enactment of a new national law governing indigenous peoples and their rights. In this book, I explain how that law inadvertently opened the door to government recognition for many groups in the Northeast previously considered to be fully assimilated into the dominant society. Despite local skepticism in the early years of their struggle, these people, who had come to be called the Xocó, achieved official tribal recognition in 1979 and won full land rights in 1991. The Xocó is the only recognized indigenous group in Sergipe and the only community to claim Indian identity. Recognition was the culmination of encounters with landowners, police, judges, and lawyers, including the illegal occupation of São Pedro Island. Their story is told in this book.

More than two decades after the Xocó struggle for recognition began, people in the neighboring, riverside village of Mocambo, sometimes referred to as the “blacks (*negros*) of Mocambo,” won government recognition as a community descended from a quilombo. With recognition came a change

in attitude about their identity as a black community, as well as title to the land on which they had labored for generations. This was accomplished through the quilombo clause, adopted in the 1988 Constitution in response to pressure from black movement representatives and as a desire to address the issue of pluralism in Brazilian society at a moment when the national ideology of racial democracy was increasingly being challenged. This book explains and analyzes the twisting path the Mocambo residents traversed to their revised identity.

Before the advent of the first of the struggles, the individuals in the area identified themselves as sharecroppers of the landowners for whom they worked and whose interests they served under a traditional patronage system. The two struggles, assisted by successive generations of Catholic liberation theologians (priests, bishops, nuns, and lay clergy), resulted in a drastic revision in each community's collective ethnoracial and political identification and in the political power dynamics in the region. The parallels between the two generations of pastoral agents inspired by liberation theology will become apparent as the histories of the Xocó and Mocambo struggles are told. The stories are different, in part because the Xocó struggle took place under a military dictatorship with a strong liberationist Church, while the Mocambo community waged its struggle in a democratic environment with a Church hierarchy that was attempting to move away from its progressive legacy. As the country was democratizing, people of color around the world were reshaping and asserting their respective identities to gain land, resources, and power. In Brazil itself, a national conversation about race and color had begun in earnest. Those changes are reflected in the lives of these people who chose a mode of struggle and survival that has changed their ethnoracial identities and led to reconfigurations of their cultural practices.

Members of the Xocó and Mocambo communities share kin relations and a common history as *sertanejos* (backlanders) and *vaqueiros* (cowboys). They have always been deeply involved in each others' lives, and this connection has continued despite their new distinct, legally defined ethnoracial identities. However, since the 1970s, they have also come to distinguish themselves from each other through the revising and retelling of old and new histories of struggle. In other words, people who were no different from other sertanejo peasants were successful at claiming an Indian or quilombo identity, winning government recognition and land rights, and displacing elite landowners. This was accomplished even though the anthropologists called upon to assess the validity of their claims recognized that their asserted ethnoracial identities were "constructed," thus demonstrating that "authenticity" is not

a definitional requisite of identity. In an unusual turning of the tables, the notion that race and ethnicity are social constructions *enhanced* rather than *undermined* Xocó and Mocambo claims of difference (see Clifford 1988).

Through governmental efforts on behalf of indigenous and rural black communities, the state's role has inadvertently become one of instigator, if not creator, of new indigenous and quilombo identities. Acknowledgment of this has not stopped the forward motion of recognitions and redistribution of land. Self-identification as an Indian or *quilombola* (member of a quilombo community) draws upon historical narratives intertwined with social solidarity forged in recent recognition and land struggles. However, the success of these struggles is contingent upon laws that were enacted to recognize, but have succeeded in creating, ethnoracial minorities with rights. The boundaries of this process were shaped by growing political divisions and cultural differences between the Xocó Indians and Mocambo quilombolas as each group sought to affirm internal unity. Although family relations and a common history link the two communities, the specificities of each group's struggle for land and the expectations associated with being Indian or black led them to distinguish themselves from each other. The people in these two communities now see each other as different yet related. The differentiation is maintained primarily through different bodies of law, different government institutions, political differences, competition for resources, and the shifting side taking in family disagreements.

The successive struggles of the Xocó and Mocambo communities are ideal for considering how such differentiation operates, both on the ground and in the discursive and cultural practices of the people assuming and living these new identities—in other words, how the legalization of identities works to alter their lived experience. In Brazil, where slavery was not abolished until 1888, peasants of African and indigenous descent have related closely to each other for centuries. Only with the enactment and enforcement of legal provisions have these strands begun to be disentangled, with sometimes tangled consequences. As I demonstrate in this book, seeking social justice involves interpersonal conflict, shifting enmities and alliances, inventions and re-interpretations, and historical contingencies.

The stories told and analyzed here bring to light how the people living in a relatively isolated place have been actors in, and creators of, these stories. However, this book is not only about stories that reveal the logic of identity transformation in a local setting. More important, this book examines a series of phenomena that are transforming Brazil and the hemisphere. Movements for ethnoracial recognition and redistributive justice, many of which

were initiated in the early 1970s, have swept the Americas. The examples and explanations presented in this book elucidate the processes under way in many parts of the world in terms of relationships among law, race/ethnicity, economic inequality, and cultural practices. This book, therefore, is not only about law, identity, land rights, and social movements but is also about the transformation of peoples' lives and the effects, over the course of generations, of changes in ideological perspectives and engagement with new laws. As recognition of asserted cultural difference and redistribution of land and resources move up on the agenda of many nations in the Western Hemisphere as the result of pressure from below and above, the logic of property rights is also being transformed. Through a new conceptualization of "legalizing identity," we can begin to understand the processes set into motion as part of the worldwide reaction to the Vietnam War, the defeat of the United States in that war, assertion of civil rights in the First World, military regimes in Latin America and subsequent redemocratization, the successful anticolonial struggles in the Third World, and the globalization of rights. As demands for equitable distribution of land and resources gained strength, they began to be refracted through the prism of Indian and black identity recognition, providing a new way to be and become people empowered to have a say in their lives. Understanding the sources and effects of those struggles, their successes and failures, is the aim of this book.