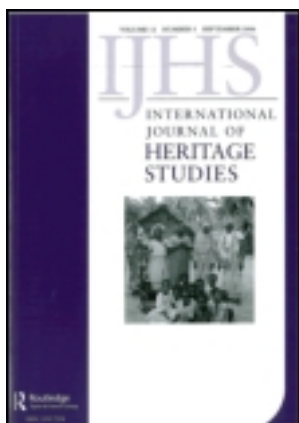


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Publisher: Routledge

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International Journal of Heritage Studies

Publication details, including instructions for authors and subscription information:

<http://www.tandfonline.com/loi/rjhs20>

Land and power: an ethnography of Maroon heritage policies in the Brazilian Northeast

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Published online: 29 Feb 2012.

To cite this article: Tristan Loloum & Cyro Lins (2012) Land and power: an ethnography of Maroon heritage policies in the Brazilian Northeast, International Journal of Heritage Studies, 18:5, 495-512, DOI: [10.1080/13527258.2011.632024](https://doi.org/10.1080/13527258.2011.632024)

To link to this article: <http://dx.doi.org/10.1080/13527258.2011.632024>

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Land and power: an ethnography of Maroon heritage policies in the Brazilian Northeast

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(Received 23 February 2011; final version received 11 October 2011)

The present article explores Brazilian ethnic heritage policies in the light of land ownership. While focusing on former Maroon communities – known as the ‘remnants of the Quilombos’ – we analyse how and why the general consensus regarding cultural heritage can fall apart in the course of implementing these policies, especially when they appear to interfere with land tenure. In Brazil, most ethnic policies are accompanied by land restitution procedures. Cultural heritage is no longer just a question of identity and memory: it affects the very sensitive question of land reform. By superimposing ethnic claims and land ownership in a country where land distribution remains dramatically unequal, legislators have opened up a Pandora’s Box full of promises, frustrations and conflicts.

Keywords: ethnic heritage; land restitution; Maroon; Quilombo; Brazil

Introduction

Sibaúma is a small coastal village of approximately 800 inhabitants, the majority of which are fisherpeople of African descent. It is on the north-eastern littoral of Brazil, in the state of Rio Grande do Norte, a former gateway to European colonisation, the slavery and sugar cane industry, and now a tourist’s *El Dorado*. In 2005, Sibaúma was recognised by the Fundação Cultural Palmares (FCP)¹ as a ‘remnant of the Quilombos’,² a community of black Maroon descendants present in the region since the colonial period (Cavignac 2006). Nowadays, the term refers to their descendants and the territories they live in. It has also become a political term, as we will see, used by black activists as a metaphor for Afro-Brazilian struggles (Almeida 2002, Leite 2000). As descendants of escaped slaves, the Quilombos represent, in the collective Brazilian imaginary, a memory of resistance to the colonial order. They also carry a set of cultural practices inherited from their African ancestors considered today as a national patrimony. The ethnic-orientated heritage policies, implemented after the 1988 Federal Constitution, attributed new social and cultural rights to ethnic minorities (welfare and cultural development projects), as well as the restitution of ‘ancestral lands’, now known as the Quilombola lands. In Brazil, the Quilombola heritage process consists essentially of awarding territorial ownership to Quilombola communities, giving assistance to the most vulnerable

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families and enhancing cultural knowhow. Since 1993, the Pro-Indigenous Commission has registered no less than 225 juridical litigations involving Quilombola territories.³ The Northeast is the most significant region in terms of Quilombola descendants (see Figure 1).

In Sibaúma, land restitution efforts have given birth to fierce conflicts between established landholders and the Quilombola claimants. Land tenure and land distribution are indeed very sensitive issues in Brazil (Alston *et al.* 1999). With their combination of ethnic and territory ownership claims, Quilombola policies are throwing more ‘fuel’ to the ‘fire’ of land reform. In this village, the procedure of territorial identification, the first step to restitution, is instigating strife not only between the local community and the dominant landowners but also among the community members themselves. This is not surprising; since Quilombola status only gives the right to a collective and inalienable type of ownership, it is in direct contradiction with private interests involved in land sales. To put it bluntly, in a context of high touristic and real-estate pressure, the land market offers significant



Figure 1. Land restitution processes involving Quilombola communities in the Northeast region of Brazil. The number of restitution processes within each state is presented. Source: MDA/INCRA, 2011.

opportunities for individual enrichment. A few months after the land claim was formulated, local figures, who happened to be landowners (or associates), suddenly withdrew from the local claimant association⁴ and took position against the heritage process. For many, this retraction seemed incomprehensible. How could fervent supporters of the local Quilombola movement since its early beginnings suddenly turn against their own ancestral heritage and join the ranks of their secular enemy, the landholders? Among pro-Quilombola activists, the reversal was evidence of corruption of local leaders by real-estate and agro-industrial lobbies. The area was indeed the target of a major real-estate project, the Nova Pipa Resort (see Figure 2).

In the last 15 years, the Northeast coastline has been exposed to intense touristic and residential growth supported by powerful interest groups and is characterised by luxurious resorts and gated communities. However, this elitist tourism has also stirred up strong anti-colonialist reactions likely to produce clear cut lines of conflict: on the one hand, the great transnational capitalist lobbies supported by corrupt local cronies on the other, a 'traditional community' struggling for its identity, autonomy and ancestral land.

However, power and heritage seem to move in more complex ways, especially where land conflicts are involved. In the present article, we will discuss the real-estate logics of heritage conflicts by focusing on and analysing the several 'fields of power' (Wolf 1999) which interfere with land restitution projects at the heart of Quilombola heritage. Eric Wolf's analysis of power is useful for two main reasons: firstly for its ability to combine scales of analysis, from structural analysis to institutional and strategic analysis; secondly for its effort to understand power as a continuum of imaginary constructions and political practices. Here we do not intend to convey only a disillusioned-materialistic interpretation of ethnic heritage 'praxis'



Figure 2. Sibaúma and the 'Nova Pipa Resort' building area (outlined). Source: Programa Estadual de Monitoramento e Fiscalização Ambiental Aéreos – IDEMA/RN (credit: Ronaldo Diniz, October 2005, reproduced with permission).

(Dombrowski 2002, Comaroff and Comaroff 2009); we aim instead to look at land conflicts as significant revealers of the historic, economic, institutional and ideological forces at work in heritage definition. We argue that the opposition of forces involved in the territorial conflict is not as binary as it seems (landless Maroon descendents versus big landowners). The intertwining of factions is rather the result of the interiorisation of a long-lasting domination and a shared distrust towards the Quilombola legislation and public authorities.

Land and power, a conceptual framework

Land is a key issue to understanding the socio-territorial conflicts in the Brazilian Northeast. Regarding the question of land reform, one usually thinks of land distribution, in a quantitative and geographical way. However, in the present article we will be looking at land distribution from a qualitative and anthropological angle, specifically concerning the power struggles involved in ethnic-based land reform.

An anthropology of land restitution

Land tenure is a founding element of human societies; it bridges the material and the symbolical, territory and society, culture and nature, law and economy, the past and the present, heirs and ancestors (Fay and James 2008). Malinowski was one of the first ethnographers to approach land tenure beyond the mere legal standpoint. He defined it as 'a relation of human beings, individuals and groups, to the soil they cultivate and use'; a relation 'in which all "invisible facts" of society's structure are revealed' (Malinowski 1936, p. 376). In a more political stance, Gluckman (1965) analysed the social 'hierarchies of estates' and the structures of domination manifested through land rights in an African Society (the Lozi). Goody (1980) also studied land conflicts in Ghana, where society members took up a position against the conversion of their collectively held land into a form of individual private ownership. Collective ownership did not only mean communal use, and his description shows the limits of an ideological Western-centred view of 'African socialism' (Hann 2002, p. 486). Looking specifically at Quilombola policies, one can see that these have also been built on ideologies that justify the establishment of a neo-traditional land tenure system based on a communal use, which seems more imaginary than truly representative of current communities. Several authors have pointed out the inherent contradictions of such a system, which compelled Quilombola individuals to opt for collective farming programmes (Viveiros de Castro 1999, Vêran 2003, Lins 2006, Cavignac 2006, Canto and Bernardes 2008). On the other hand, mass tourism is perceived by Quilombola activists to be destructive, in terms of both social organisation and the environment. Trapped between the exclusive effects of a capitalist tourist market and a collectivist, bureaucratic and somehow paternalistic programme, local residents end up choosing, individually, the one they consider to be the lesser evil.

In a ground-breaking study of land restitution, Fay and James (2008) showed how the restitution of territory:

...at once promises freedom of autonomy and self-governance, but may accompany this with the disadvantages of paternalism and even a second-class status in society. ... [Land restitution] is thus both a poignant possibility and a frustratingly unachievable dream. (p. 4)

The many names of power

The complex social and ideological factors involved in land restitution requires special attention to the difficult and shifting concept of power. This is because land conflicts in the Northeast involve a subtle opposition of political forces involving material interests (landownership, job opportunities, economic development) and ideological struggles (identity, memory).

With the progressive dismantling of 'culture' as a founding concept of anthropological discipline, it has become quite fashionable to talk of power in the 'Foucauldian sense' without troubling to give a proper definition of this approach (Barrett *et al.* 2001, p. 468). Foucault's insight remains a fertile conceptual framework that re-examines the mechanical and somewhat superficial interpretations of domination and conflict:

By power, I do not mean 'Power' as a group of institutions and mechanisms that ensure the subservience of the citizens of a given State... I do not mean, either, a mode of subjugation, which, in contrast to violence, has the form of the rule... I do not have in mind a general system of domination exerted by one group over another... power is not an institution, and not a structure; neither is it a certain strength we are endowed with; it is the name that one attributes to a complex strategic situation in a particular society. (Foucault 1978, pp. 92–93).

For Foucault, power is always ambivalent and relational, multidirectional and dynamic, ideological and discursive, repressive and productive. Rather than a substance or a structural attribute, power is a subjective and relational phenomenon that manifests itself within interactions. Therefore, one has to consider heritage conflicts 'after the facts' (Dahl 1986, p. 40) instead of relying on preconceived dichotomical representations of power (dominant/dominated, centre/periphery, legal/illegal). In Sibaúma, when looking at the ground level, the configuration of interests, strategies and identity-related representations appear more ambiguous than one would have thought *a priori*. Far from the 'urban conceptions' of 'rural communities' (considered as homogenous social entities), Sibaúma community appears divided. Solidarities are not immutable; they are rather situated and changing. In the same way, struggles and alliances with the real-estate lobby are complex. The 'Foucauldian view' prompts us to look further than just the bare monolithic criticism and common sense consensus over heritage and makes us analyse the 'pragmatics' of power (Abélès 2008, p. 119) and the 'factionalisms' (Oliveira Filho 1988) within any given heritage process.

Still, Foucault's (2003, pp. 34–35) meticulous – 'archaeological' – stance regarding the 'microphysics of power' should not discourage a macro-analysis of the historical and economic factors that have conditioned contemporary Quilombos. The difficult legibility of the social logics involved in heritage conflicts prompts us to vary the scales and temporalities of analysis. The value of Eric Wolf's analysis in *People without History* (Wolf 1982) and *Envisioning Power* (Wolf 1999) lays precisely in his ability to alternate structural, organisational and individual views on power, between long-term historical analysis and ethnographic description. Similarly, we can analyse the 'fields of power' of land-related heritage policies in three complementary perspectives:

- (1) Historical – emphasising long-term development dynamics in the Northeast, so as to understand the social structure of land and the position of black communities in rural society.

- (2) Sociological and institutional – studying the ideological conditions that led to land restitution policies being placed at the front of ethnic heritage policies in Brazil.
- (3) Ethnographic and micro-social – aimed at understanding the local settings of power in land restitution policies and heritage conflicts.

The present study is the result of two convergent fieldworks: a participative observation made throughout the heritage process between 2006 and 2010,⁵ and an anthropological research on land alienation and real-estate speculation in the north-eastern coast.⁶ In these fieldworks, the authors have been able to accompany the heritage process since its beginnings. While gathering testimonies from all stakeholders, they have been able to observe the progressive dismantling of the consent over ‘Quilombola heritage’ as a consequence of land conflicts.

A history of land tenure in the Northeast

The colonial past has left behind a problematic land ownership system that mixes customary and formal law together with a socio-political background marked by violence and clientelism. The history of land distribution and the recent tourism/real-estate pressures explain some of the forces at stake behind Quilombola heritage processes.

Land fragmentation and political violence since the colonial era

When the Portuguese arrived in the Northeast, lands were divided into enormous plots, called *sesmarias*, conceded by the Crown to a small number of colonial settlers (Porto 1980). The only condition was the obligation to occupy and cultivate all exploitable land. The objective for the Crown was to ‘fill in’ the territory to protect the country from foreign invasion. The main criterion for land attribution was, therefore, conquest and capacity for control (Véran 2003, p. 141).

At that time, the Northeast was a driving region in Brazil thanks to its sugar cane industry and slavery. Salvador de Bahia was the administrative capital until 1763.⁷ In 1872, the Northeast represented 47% of the population, as opposed to 9% today, and concentrated 65% of the national revenue (Santos 1984, p. 128). The colonial economy was prospering at the expense of forests, soils and people – the Atlantic Forest was being cut down, the soil was being eroded (Galeano 1981, pp. 87–91) and workers were starving (Castro 1984). Some workers managed to escape from colonial violence and hunger to find refuge in remote areas. Plantations masters (*senhores de engenhos*) were imposing drastic discipline on their properties and hired ‘captains of the forest’ (*capitão do mato*) to capture and punish any fugitives.

Quilombos and other fringe elements were violently expelled from the places on which they had settled. However, the abundance of space and the great extension of land plots prevented landholders from controlling the totality of their farmlands, so that occupation not only became a possibility for outsiders, it was legitimised by a colonial state interested in filling in the territory. Moreover, as property limits were never clearly established, ownership was always equivocal. The frequent invasions as well as the vagueness of private property titles gave rise to a very ‘fluid notion of land ownership’ (Véran 2003, pp. 148–152). In the face of the incapacity by the *sesmaria* regime to fully and efficiently occupy the territory, it was progressively revised to facilitate productive occupations by small producers. Finally, it was

abolished in 1822 (Porto 1980). All inactive lands were returned to the State (*terras devolutas*) and all occupied lands were attributed to their effective occupants. In the nineteenth century, the sugar cane economy started to decline and the State deserted the region. The agrarian structure fragmented as the Northeast declined legally (end of the *sesmarias*), economically (sugar cane crisis) and politically (removal of the administrative capital). In order to preserve their properties, and eventually extend them over smallholdings, large landowners and economic elites, known as ‘colonels’ compensated for the State’s disengagement by imposing a complex political order – the *colonelism* (Carvalho 1997) – based on clientelism, corruption and a physical coercion exercised by armed cronies.

This political system, co-substantive with landed interests in the Northeast, has insidiously survived to this day. In a context of poverty and the violent influence of private oligarchies over agrarian space, relationships to land remained very conflicted. Communities of Maroons, Indians or peasants were systematically expelled and forced to move to the outlying pockets of a porous territorial matrix. The equivocal land property regime gave place to a large number of juridical litigations. When summoned to court, without a proper lawyer, Quilombolas had little likelihood of convincing judges who, because of the absence of a legal definition of land ownership, ended up ruling on an extra-legal basis, usually in favour of landowners. The historical configuration explains the opacity of the current Maroons’ landownership status, whose legal traces were usually erased by force or by ignorance. It also explains their feeling of persecution, for they lived under the constant threat of the landowners’ cronies.

Sibaúma, owing to its coastal position, appears to be an exception on the general map of Maroon communities in Brazil. The coast has always been a coveted – and thus dominated – area from which persecuted groups tended to escape. Nevertheless, in the case of Sibaúma, a few black families settled on the shore, close to the estuary of the Catu River, probably in a period during which local sugar cane mills were inactive. The incipient productive activity may explain why they were not immediately dislodged. Still, their presence was problematic and their history is punctuated by violent conflicts with local landholders.

The tourist boom and the real-estate pressure on the seafront

The coastal line is the driving force of the Northeast with the first colonial productive activities concentrated on the fertile lands of the Atlantic Forest. When the sugar cane cycle collapsed in the late nineteenth century after seriously damaging the substrata conditions, the livestock and the crop industries (cotton, tobacco, and cacao) took over the productive engine, until most of the soil was destroyed. In terms of land tenure, this intense agro-industrial activity helped to formalise land ownership in the sense of capitalist concentration. On the contrary, lands close to the seafront maintained an informal structure based on ‘possession’ rather than formal ‘ownership’. Since they were composed of sandy soil extensions and dunes,⁸ they had little agricultural value except for smallholding and shifting cultivation. In the shoreline lands, economic activity was not productive enough to impose a sustainable ‘footprint’ on the land matrix. The first strip of the littoral was, until the mid-twentieth century and the urban boom, a pocket of administrative chaos. This lack of legal definition of close-coastal lands became problematic when the shoreline gained urban and touristic value.

Tourism on north-eastern beaches started in the 1970s with the arrival of young surfers in search of waves and alternative lifestyles. In the 1990s, public authorities started investing in the growth of tourism. Tourism was presented as a solution to structural poverty in the Northeast. Tourism, infrastructure and marketing policies were implemented in the direction of the littoral (Cruz 2000) and tourists flew in from all over the world, favoured by advantageous exchange rates, competitive tour operators and cheap charter flights. The Brazilian 'tourism boom' quickly gave place, after 2000, to an intense real-estate activity fuelled by international finance. The exceptional macroeconomic conjuncture, added to the efforts of local entrepreneurs and politicians to attract foreigners, facilitated a touristic-driven real-estate bubble (Loloum 2010). Hotels, residential condos and resorts sprouted all along the coastline, causing intense land and real-estate speculation. As investors rushed in, the land market experienced great turmoil. In addition, as we have seen, most of these newly born destinations only had an informal agricultural structure; land ownership was still insecure and left the door open to all kinds of frauds and inextricable litigations (Holston 1991). In parallel, environmental legislation multiplied and the Atlantic littoral became one of the most environmentally protected areas of the country, combining several institutional levels and protection figures over a chaotic environmental management. Public authorities were trying to compensate for the ineffectiveness of the existing laws by creating new ones. And by doing so, they rendered land use restrictions more opaque.

In this context of legal confusion, some ill-thought individuals developed a specific knowhow, consisting in falsifying property titles, taking over territories and taking advantage of naive buyers. Also known as *grileiros*,⁹ their fraudulent techniques usually consisted in 'fooling by complicating' – mixing in legal documents with falsified ones. As Holston (1991, p. 23) wrote: 'in this type of complications, the fraud found in the law its accomplice'. It is precisely this legal vacuum, inviting in illegality and 'negotiability' in the land ownership system that promoted the rise of local clientelism (*colonelism*). Besides, local knowledge gave local residents strategic access to the land market. Indeed, a locally established intermediary is a necessity for any investor interested in buying land. This detail is significant in order to understand some of the individual interests in Sibaúma. Earnings from land sales, as insignificant as they may be compared to developers' profits, are always seen as more lucrative than becoming a Quilombola.

From identity to land: the straining rise of Quilombola policies

Along with this conflictive historical context, ethnic land restitution conflicts also find an explanation in the proper design of Quilombola policies themselves. The ambiguity of the chosen categories, the ideological division, the contradiction between the subjectivity of 'ethnic boundaries' and the objectivity of land reform explain why the Quilombola heritage policies keep on 'muddling through' (Lindblom 1979) territorial conflicts. The following explores the emergence of Quilombola legislation and its arduous implementation.

The birth of Quilombola policies

Quilombola policies started in 1988 when Article 68 was added to the newly adopted Federal Constitution: 'To the remnant of Quilombo communities who

would be occupying their land is recognised definitive property rights, it being the responsibility of the State to deliver them the entitlement' (Article 68, Transitory Arrangements Act, 1988 Federal Constitution). This constitutional disposition emerged in the aftermath of military dictatorship (1964–1985) in a conjuncture of political re-opening, propitious to social movements – in this case the 'Black movement'. At the same time, the centenary of the Abolition of Slavery was being celebrated and this rekindled anti-establishment speeches. A hundred years after the Abolition, the record of the failure of racial democracy was unequivocal (DaMatta 1981). The famous Maroon community *Quilombo dos Palmares*¹⁰ was resurrected as an idealised symbol of black resistance. Quilombos quickly became a referent for a renewed conception of Brazilian citizenship.

Article 68 was added to the Transitory Arrangements Act – 'at the eleventh hour' – in order to please an empowered black activism (Arruti 2006). The consequences of such a statement were not carefully envisioned. At the time, people did not acknowledge the real number and situation of Maroon-descendant groups. Neither was the definition of 'Quilombo' established. Until then, it referred more to a historical reminiscence than to a contemporary reality. The Quilombo was symbolically re-defined based on two concepts: a historical one with the Quilombo as the cradle of Afro-Brazilian folklore; and a political one with the Quilombo as a symbol of resistance. The unresolved definition between, on the one hand, a 'frigorifical' vision (Almeida 2002) waged by activists linked with heritage protection institutions, and on the other, a political one based on landed claims, laid the ground for future controversies.

Taking Article 68 out of the paper

The rise of Quilombola policies faced many political problems. At first, the legal disposition remained silent. It was only in the 1990s, under the pressure of social movements, that the effectiveness of Article 68 was publicly debated. Legislators linked to the agro-industrial world reacted by trying to de-legitimise it. In November 1995, the celebration of the 300 years of the death of *Zumbi dos Palmares* (the iconic leader of the *Quilombo dos Palmares*) and the first National Meeting of Black Quilombola Rural Communities propitiated an adequate climate to think about the 'new Quilombos'. Officials, non-government organisations (NGOs), anthropologists and community leaders were summoned to find an agreement on the concrete definition of Quilombolas. The question of 'who is Quilombola' and 'who isn't', as a pre-condition to any application of the law, was eminently complex and contentious. Black activists defended an objectivist, culturalist, and in some way racist definition of Quilombolas, understanding them as strictly genealogical Maroon-descendants. Others, close to anthropologists, advocated for a wider subjectivist definition of Quilombola identity, compatible with contemporary hybrid forms of Afro-descendant communities. This vision was inspired by notions of 'self-attribution' (in reference to the International Labour Organisation's 'Convention 169') and 'ethnic group' (Barth 1969).¹¹ Following the concept 'Lands of Negro' (Almeida 1989),¹² which allowed an ulterior association between the notions of Quilombo and black peasantry, some anthropologists and activists also considered traditional land use a structuring (and thus defining) element of the Quilombo. This ethnic-agrarian definition was the harbinger for the landslide from a racial-cultural conception to an ethnic-agrarian one:

The notions of ethnic group and ethnicity played an extremely pragmatic role in allowing the mediation between the historical notion of Quilombo and the sociological concept of common use of land, justified primarily by one of its variations, the *Land of Negro*. (Arruti 2006, p. 103)

Other 'operational' questions were raised, such as the dispute over which institutions should be in charge of the execution of the policy: the FCP, attached to the Ministry of Culture; or the Instituto Nacional de Colonização e Reforma Agrária (INCRA), linked with the Ministry of Agrarian Development. The choice between both entities illustrates the antagonism between a folklorist and a pragmatic social perspective on Quilombola heritage. As Arruti (2006, p. 83) explains, the 'historicizing, archaeological notion, oriented to the concept of historic heritage was frankly predominant' within official agencies like the FCP.

The question also permeated the academic field. The Associação Brasileira de Antropologia (ABA) was invited to participate in the identification procedures through the elaboration of anthropological 'expert reports'. Their role was to assess, based on 'objective criteria', whether the claims were admissible or not. However, the function assigned to the ABA was contradictory with anthropologists' ideas of 'self-attribution'. In their view, being Quilombola was not a mere question of genealogy or race but rather a question of social identity. The document published by the ABA's working group denotes their subjectivist (Barthian) stance: 'ethnic groups conceptually defined by anthropology are an organisational type which confers membership through standards and means employed to denote affiliation or exclusion' (ABA 1996). Without a clear attribution of prerogatives between these institutions, the first heritage procedures started in a generalised cacophony.

Lula and the Quilombola heritage: 'still muddling (not yet) through'

Lula Da Silva's accession to the Brazilian Presidency in 2003 gave a new impetus to social and ethnic movements.¹³ The creation of the Secretaria de Políticas de Promoção da Igualdade Racial (Secretary for Racial Equality Policies [SEPPIR]) is a clear indication of the new Administration's intentions. Article 68 was amended the same year by Presidential Decree No. 488-7 (of 20 November 2003). The first step was to establish a definition of 'remnants of Quilombos'. The result maintains a certain liberty of interpretation by accumulating several criteria. Remnants of Quilombo communities are defined as 'ethnic-racial groups, according to criteria of self-attribution, with their own historical trajectory, with their specific territorial relations, and with the assumption of black ancestry linked with the resistance to an historical oppression'.

The decree also stipulated the functions of each institution. The FCP recognises Quilombola communities by delivering 'certificates of self-recognition'. The INCRA formalises land restitution under the monitoring of SEPPIR and FCP. The role of anthropologists is also clarified. Rather than sanctioning 'marooness' through an 'expert report', their role is to formalise Quilombolas' claims through an 'anthropological report of historical, economic and socio-cultural characterisation of communities'. Other advances were made in terms of 'affirmative action' such as the National Policy to Promote Racial Equality and the Programa Brasil Quilombola, a set of inter-ministerial actions for Quilombola's education, culture, health and citizenship.

However, the ‘incrementalism’ (Lindblom 1979) of Quilombola policies remains clearly conflictive: of all the communities officially recognised, only 5% managed to obtain a land title (see Table 1). The case of the Northeast is particularly striking: although the region hosts 61% of officially recognised communities, only 3% actually achieved land entitlement. This number highlights a real problem concerning land restitution in the area. Indeed, the colonial and post-colonial past has left a legacy not only of a large population of descendents of the enslaved (the Northeast is historically a cradle of slavery), but also a social system based on land control, violence and clientelism which encumbers any type of land reform.

The case of Sibaúma: the ‘microphysics’ of land, power and heritage

As we will see with the case of Sibaúma, the application of the decree failed to erase contradictions and objections. A close ethnographic observation of the heritage procedure in Sibaúma reveals the ambiguity of the policy. It allows us to understand the complexity of local social relationships forged through history. The violent antagonism between economic elites and local black population appears more nuanced than expected.

A long history of land conflicts

The current process in Sibaúma has to be understood as a continuation of former land conflicts with local landowners. Anthropologists believe that since the settlement of Quilombolas along the Catu River in the second half of the nineteenth century, their presence has always been threatened (Cavignac 2006). The history of land conflicts in Sibaúma is thus ancient. It can be divided into three periods. The first dates back to the nineteenth century and a dispute between Sibaúma’s first residents and a local leading figure who claimed ownership of the area. Several families were forcibly expelled. They resisted and recovered only part of the territory. Sibaúma was divided into two: ‘Upper Sibaúma’, taken by a powerful entrepreneur (a contemporary colonel); and ‘Lower Sibaúma’, also called ‘Sibaúma of the Negroes’, recovered by Afro-descendants.

Secondly, during the 1980s, ‘Upper Sibaúma’, a large plot of Atlantic Forest and mangrove, was sold to a regional agro-industrial and real-estate tycoon. Although they had already been dispossessed, Afro-descendants still had access to it for hunting and fruit picking. Therefore, they lost a significant source of subsistence when the new owner deforested the area to grow sugar cane and breed extensive livestock.

Table 1. Official data on Quilombola ethnic recognition and land regularisation, 2004–2010.

Administrative region	Communities officially recognised	Land processes initiated	Land titles issued
North	142	90 (63%)	33 (23%)
Northeast	938	461 (49%)	26 (3%)
South	126	120 (95%)	8 (6%)
Southeast	213	208 (99%)	4 (2%)
Midwest	109	108 (99%)	1 (1%)
Total:	1528	987 (65%)	72 (5%)

Source: MDA/INCRA/DFQ, January 2011.

Third, during the late 1990s, convinced by the recruitment commitments of a shrimp business owner, a few native landowners from Lower Sibaúma accepted to sell their family plots by the river. After setting up his shrimp farm, he not only ignored his commitment but also prohibited access to the river under the pretext of protecting the shrimp ponds. Sibaúma residents were determined to litigate but once again the law was not on their side.

Heritage as a legal tool for land justice

In the beginning of 2000, when all legal appeals against the landowner and shrimp breeder had been exhausted, some anthropologists and pro-black activists informed local inhabitants that, as descendants of the enslaved, they could claim public recognition and retrieve their land. The idea of Sibaúma being a former community of ‘captives’ (*cativos*) was not a novelty. Local figures had already been affirming their Maroon kinship for several decades. The famous regional writer Helio Galvão (1989), resident of the neighbouring village during the twentieth century, described Sibaúma as an ‘independent black republic’. With Article 68, the slave-descendant identity, once shouldered as a blurred heritage, suddenly appeared as a legal instrument for land restitution and development. An association was first formed in 2002 with the purpose of instigating the claim to land and recognition. Progressively, the category ‘Quilombo’ imposed itself as a political referent, although with some apprehension. The idea of referring positively to such a shameful and traumatic category was not easily accepted. Moreover, the position of local NGO leaders was looked at with suspicion. There was indeed no clear legibility of the process.

A team of expert anthropologists was sent to make a report of historical, economic and socio-cultural characterisation of the community, both through subjective and objective criteria: a sense of belonging and self-determination, historical archives and archaeological materials (Cavignac 2006). After the official recognition as remnant of Quilombo (2005), the next logical step was land restitution. The INCRA was commissioned alongside with the anthropological team to start the land identification. Their first visit to the community, in February 2006, was particularly striking, as there was an open conflict among the local residents. It appeared clearly that most of them did not fully agree with the process. Other people did not even understand what the process was about: some feared that the government would banish them from the territory; others thought that the land was to be redistributed by imposition of the INCRA. For these reasons, the team of anthropologists had great difficulties in establishing a peaceful dialogue with the community. In the same period, an estate magnate was initiating a new real-estate project, the Nova Pipa Resort, in partnership with foreign investors. With 360 seaside houses, a convention centre and leisure facilities, the 86-acre complex was threatening both Quilombola heritage and territory.

Denying the heritage?

The anthropological report was elaborated between January and August of 2006 (Cavignac 2006). The first step of the fieldwork consisted in retracing the historical process of land occupation and identifying criteria of self-attribution as Quilombola. The conflicts observed during the fieldwork were a strong obstacle as some people, fearing being instrumentalised by a faction or another, initially refused to provide

information. To avoid this censorship, the anthropological team started to elaborate a genealogy of the community – a rather consensual subject – to grasp indirectly the issues of territory occupation which appeared to be strongly related to family strategies. Several public consultations were organised in 2006 with officials (SEPPIR, FCP, INCRA), anthropologists, NGOs, local residents and investors to prepare the procedure (see Figure 3). There, as described by Lins (2006), the tension was palpable. Real-estate investors expressed their worries of ‘losing their investment’, while local residents expressed strong expectations about the heritage process. These public meetings were also the occasion to grasp the ‘native’ sense of being Quilombola.

Initially, the concept of ‘Quilombo’ as expressed by some persons of Sibaúma referred to a historical backdrop, that is, an isolated and precarious settlement of runaway slaves. However, the re-definition of the Quilombo advocated by anthropologists and black activists, as a contemporary political and institutional category, was clearly not shared by most Sibaúma people (Lins 2006, pp. 41–48). Talking about the Quilombo meant facing a past of suffering and violence, which the community has been trying to ‘erase’, as we have been able to testify during fieldwork: ‘Sibaúma was a very little village, there were just the blacks, but now we have grown, now we are opened and mingled, we cannot be a Quilombo again’ (E. Caetano, caretaker, 37).

To me, all of this [restitution process] is like a crab-walk. We are moving backward. We evolved so much. . . We are in the twenty-first century now. Becoming a Quilombo again, it's like sealing the community with things that we don't have any more. (J. Bonifácio, evangelical pastor, 54)



Figure 3. Public meeting in Sibaúma with officials and local residents. Man waving a notice saying: ‘We don’t want [land] demarcation. Yes to development in Sibaúma Tibau do Sul-RN’ (credit: author, February 2006).

Hence, what is denied is not the heritage itself but the political ‘heritagisation’ process as proposed by public authorities: ‘Yes, I’m descendent of a Quilombo, I don’t deny it, but we are no more a Quilombo, this is something of the past. I don’t want to be a Quilombo again!’ (F. Leandro, waitress, 28).

The debate also centred on the type of development desirable for the community. Pro-Quilombola agencies and activists were advocating a sustainable and cultural development. Some residents agreed with this vision but the majority were convinced that employment and ‘progress’ could only come from the outside, through foreign investments. As a local resident said to an official during a public hearing in 2006: ‘[the public authorities] talk of development, but without foreigners to bring in tourism and investments, we would never be able to grow!’. Additionally, becoming a Quilombo was synonymous with dependence on a public administration, which ‘had never shown any satisfactory position towards the group’ (Lins 2006, p. 44). The paradoxes of history were flaring up; people were trapped between a predatory tourism development and a state bureaucracy disguised behind cultural and environmentally friendly incantations.

Another element of the debate concerned the collectivist and communitarian inspirations of the Quilombola proposal. As we said previously, the model of communal land usage was not shared by all black communities. Through communitarian development projects, the State was in fact imposing a radical social transformation. Next, the collective entitlement of land was contradicting individual aspirations to benefit from land sale. In the same public hearing, another resident questioned the entitlement procedure: ‘they say that the land title is delivered to the Quilombolas but they do so as if it was still property of the Government, because we will not be permitted to sell our land if we wish to!’.

Effectively, all residents were not equally affected by former land conflicts. A few individuals, close to traditional leaders, had managed to gain private ownership; some of them even started to take part in the ‘booming’ real-estate market, as sellers or brokers. Hence, the group was not only divided between ‘pro-Quilombolas’ and ‘anti-Quilombolas’ but also between ‘haves’ and ‘have-nots’. A sub category, which culturalist and homogenising conceptions of ‘community’ had failed to foresee: the understanding of social divisions within the community helps to understand the conflicts with ‘external’ actors. This is evocative of Foucault’s (1978) definition of power as a multidirectional and ubiquitous phenomenon, a ‘complex strategic situation’, which permeates all social spheres. Far from the binary picture of conflicts opposing ethnic minorities and economic power, an historic and ethnographic approximation allows us to understand the ‘capillarity’ of the forces at work.

Conclusion

In the present study, grounded on a field research conducted in Brazil between 2006 and 2010 (while Sibaúma was going through important institutional and economic changes), we have identified three ‘fields of power’ (the historic, the institutional and the micro-social) in order to understand what was effectively at stake behind this specific heritage policy. The historical analysis reveals a very complex and conflictive land structure that finds root in the colonial period and later, in the progressive economic decline of the Northeast. The neglect of the region by the State left an empty space for powerful local oligarchies to impose their dominance through political manipulation and, eventually, physical coercion. In such a context,

landed relations remained burdened with social and inter-personal affects. It appears, therefore, that the question of land ownership cannot be solely analysed through a merely legal-institutional viewpoint; the micro-social aspects of land ownership are also fundamental clues to the understanding of the reality of power.

Quilombola policies are of great importance for the new Brazilian state. They accompany a process of re-democratisation and the accession to presidency of a socialist-inspired political party that has tried to restore citizenship to historically marginalised groups. The Constitution of 1988 reflected ethnic policies aimed at compensating a historical debt; it implied a wish to redistribute the territory in favour of these groups. However, restitution policies have had a hard time reconfiguring a historically violent and exclusatory land structure. While drifting from a cultural claim to a land claim, 'Quilombolism' confronted one of Brazil's major political obstacles, still unresolved by the Lula government: the question of land reform. Additionally, Quilombola policies face the same difficulties as many public policies in Brazil (particularly in the Northeast) – that is, bureaucratic inertia, clientelism, corruption and lack of human and technical resources.

In Sibaúma, these public procedures brought new conflicts and rekindled older ones. When looking at the ground level, one cannot ignore the gap between political theory and practice: its own heirs repress Maroon memory, communitarian territory is denied, State authority is disavowed, social and landed relations are inextricable, there is no such thing as common use of land and collective membership organisation is arduous. Quilombola policies not only face external barriers (political lobbies, bureaucracy), they are also contaminated internally by contradictions between a romantic vision of Afro-descendants and the ground reality of black communities. In Sibaúma for instance, the Quilombola heritage is only perceived as one strategy among others to improve living conditions – and probably not the easiest one.

Ultimately, one can wonder if combining land reform and ethnic claims is not too hazardous a task. Can such a pressing problem as land reform be activated by ethnic minorities? Can land restitution serve as a historic compensation to enslavement? Is ethnicity a reliable criterion to base land redistribution on? Brazilian ethnic policies have the merit of pointing out the centrality of land distribution within heritage concerns. They also remind us of the urgent need, independently of ethnic considerations, of land reforms to transform not only land structure but also a violent social background that can no longer be silenced. One cannot forget that land reform is a key condition for a 'second abolition' (Buarque 1999) in Brazil – the abolition of structural poverty in the richest and most unequal country in Latin America.

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Notes

1. The Palmares Cultural Foundation (FCP) is a public organisation aiming at empowering Afro-Brazilian population and culture. It is in charge of the 'certification' of remnants of Quilombos.
2. The term Quilombo has had several meanings in the course of history. It was first defined in 1740 by the Portuguese Ultramarine Council as 'every housing of more than five fugitive negroes, usually indigent, even without ranch nor pestle in it' (Leite 2000, p. 336).
3. Ações Judiciais e Terras Quilombolas (Comissão Pro-Índio de São Paulo). Available from: <http://www.cpisp.org.br/acoes/html/resultados.aspx> [Accessed 28 January 2011].
4. The Communal Association for the Quilombo of Sibaúma (ACOQUISIBA) was initially created to defend the community's interests against a shrimp farmer who had forbidden access to the Catu River, an essential natural resource for residents. They claimed recognition of their identity and their territory starting as from 2004.
5. Cyro de Almeida Lins has been working along with the inhabitants of Sibaúma since 2006. He took part in the anthropological fieldwork commissioned by the FCP and worked in several local development projects, acquiring a close insight into social and political dynamics in the community.
6. Tristan Loloum has been working since 2009 on the touristic and real-estate boom in Rio Grande do Norte. He studied the relationship between international investors and local elites, particularly concerning land ownership, urban planning and environmental law.
7. After that, the colonial administration moved to the south, to Rio de Janeiro, where a new economy was emerging.
8. Dunes did not have an environmental value officially recognised before the 1988 Constitution.
9. *Grileiro* come from the word *grilo*, 'locust' in Portuguese. It refers to a popular belief that affirms that when putting together a white paper and a locust in a box, the paper turns 'old' because of the insect's bites and dejections. In other words, a *grileiro* is a counterfeiter of property titles.
10. The Quilombo dos Palmares was founded in the early 1600s by runaway slaves. During almost 100 years, Palmares challenged the colonial power, resisting any attempt of invasion. It was finally abolished, eradicated in 1694.
11. 'First, we give primary emphasis to the fact that ethnic groups are categories of ascription and identification by the actors themselves, and thus have the characteristic of organizing interaction between people... Second, ...rather than working through a typology of forms of ethnic groups and relations, we attempt to explore the different processes that seem to be involved in generating and maintaining ethnic groups. Third, to observe these processes we shift the focus of investigation from internal constitution and history of separate groups to ethnic boundaries and boundary maintenance' (Barth 1969, p. 10).
12. The notion of 'Lands of Negro' (*Terras de Preto*) comes from a study carried out in the 1980s in the states of Pará and Maranhão (north and north-eastern Brazil) about lands of common use. They are lands donated to slave families as payment for military services or after the bankruptcy of sugar cane plantations by the time of the region's economic decline.
13. The affinity of the Lula's *Partido dos Trabalhadores* with popular social movements is well known. The election of Lula Da Silva has brought mixed feelings of encouragement and expectations within social movements.

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