



‘Traditional Peoples’ and the Struggle for Inclusive Land Governance in Brazil

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In recent decades, Brazil has attracted international interest both for the intensity of its land conflicts and for the extent of its land governance innovations. In this report we argue that these innovations have derived from a land governance model shaped by the country’s decentralised political structures and by the nature of the interactions taking place across the boundary between state and civil society actors, including rural social movements. In recent years, particularly under the Workers’ Party (PT) governments of Presidents Lula da Silva and Dilma Rousseff, this has led to significant gains in recognition of and redistribution to some of the most marginalised of Brazil’s rural communities. However, we conclude that the model’s potential to deliver genuinely inclusive land governance has run up against certain limits. These relate to the underlying conceptualisation of land rights embedded in the country’s legal framework, and to the political economy of law-making and policy implementation in Brazil.

In this study we examine these issues in relation to a particular subset of the rural population, known in Brazil as Povos e Comunidades Tradicionais (PCTs) or ‘Traditional Peoples and Communities’. This term covers a wide range of population groups who practise natural resource management strategies on a collective basis using ‘traditional’ territorial governance mechanisms. The study focuses on land governance in the Norte de Minas or North of Minas Gerais State, a region where SDC’s partner organisation HEKS (Swiss Church Aid) has supported a wide range of initiatives seeking to strengthen the livelihoods and territorial rights of PCTs. The North of Minas is a frontier region between the savannah zone of central Brazil (the *Cerrado*) and the country’s semi-arid interior that has been the focus of a number of large-scale investments by national and international mining, forestry and agribusiness interests, as well as government initiatives to create protected areas and resettle landless farmers. We examine the ways in which interactions between social movements, their civil society allies and state actors have led to policy and institutional changes that have made it possible to protect and support some communities’ territorial rights in the face of an intensifying process of encroachment by local elites and by national and international corporate interests.





We argue that political mobilisation was an extremely successful strategy for PCTs during the period in which the PT held power at the federal level. It helped to secure favourable government policies that have brought recognition for previously invisible communities, and redistributive measures that have reduced the poverty of the most marginalised. When their territories have been threatened with encroachment by local elites allied with national and transnational corporations, PCT movements have been able to resist by mobilising their own multi-level networks and invoking national and international rights frameworks. HEKS has helped to support these networks both by connecting them internationally and by encouraging links between social movement organisations, NGOs and academic institutions that can generate evidence to inform inclusive land governance policies. However, the gains of the last few years have not included any substantive change in the legal framework to support community ownership of land. As a result, PCTs are still forced to choose between accepting state control of their territories via the creation of protected areas or pursuing private land titling mechanisms that may lead to the fragmentation of communities. There has also been little change in the underlying political economy of law-making and policy implementation in Brazil, and the national Congress is increasingly dominated by forces hostile to PCT rights. In the current much less favourable political context, these factors mean that some of the gains achieved in recent years may be reversed.

We conclude with a preliminary assessment of the future viability of these strategies in the radically altered national political context that has emerged since the impeachment of President Dilma Rousseff in May 2016. We posit that making inclusive land governance a reality for all PCTs in Brazil in the longer term will require stronger alignment between the legal, institutional and policy frameworks. Despite several setbacks, and the growing strength of the political and economic interests opposed to any expansion of PCT territorial rights, some of the factors that enabled Brazil's recent progress towards inclusive land governance do remain in place. Overall, it is likely that in future Brazil's environment for efforts to promote inclusive land governance will contain fewer elements that make it exceptional and more that are shared with other countries where PCTs and other groups of the rural poor are struggling to preserve their territories in the face of an encroaching commodity frontier that increasingly brings together local elites and international capital. The Norte de Minas shows what can be achieved by strategies such as those used by HEKS and its partners in helping isolated PCT groups to come together and form larger movements with national and international visibility, especially when these movements are linked up with academic networks that can help to produce an evidence base to support their demands for more inclusive land governance. Other regions of Brazil, and other countries around the world, can undoubtedly learn from this model, even where some of the enabling conditions are lacking.

