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Law and Disorder
The Brazilian Landless Farmworkers' Movement

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Abstract

The Brazilian Landless Farmworkers' Movement (MST) occupies idle farmland and demands that it be expropriated under the terms of Brazil's agrarian reform law. The MST uses illegal tactics in the field to force the government's hand and at the same time asserts its legitimacy with legalism and invocation of public sentiment in favor of land reform. It confronts repression promoted by the landowning class and increasingly from the state itself. Through the combination of militant and legal tactics it has won expropriation of many farms and turned them into successful agricultural enterprises.

Law and Disorder

The Brazilian Landless Farmworkers' Movement

John L. Hammond

The Movement of Landless Farmworkers (Movimento dos Trabalhadores Rurais Sem Terra, MST) is unquestionably the most dynamic and influential political movement in Brazil today, occupying and farming idle farmland to maintain steady pressure for agrarian reform and winning ample support among the Brazilian public and internationally. This raises two questions. First, why is the land question still a major political issue in Brazil, despite rapid industrialization and urbanization in the last three decades? (I use the term "land question" as it is used in Brazil, shorthand for the complex of issues regarding concentration of land ownership, agricultural productivity, and rural poverty and unemployment.) Second, how has the MST maintained its momentum when other movements appear becalmed.

The land question persists because agriculture and rural social relations are still of fundamental economic, social, and political importance. Agriculture still accounts for a large share of exports and its distortion by export production leaves a significant food deficit. Rural poverty is extreme and due to the maldistribution of landownership. Landowners exercise a political weight disproportionate to their numbers, and disproportionate to their economic power, even among the capitalist class--and they do not hesitate to back it up with paramilitary force. For all these reasons agrarian reform remains a target of agitation.

The MST is strong because it has a strategy which manages to combine a moderate and legalistic image with militant mobilization of its base. The former gives it credibility in public opinion and some claim to legitimacy while the latter gives it enforcement power. Its slogan boldly declares, "*Reforma agrária/Na lei ou na marra*" ("Agrarian Reform, by law or by disorder¹"), but the movement manages to have both. This strategy is partly dictated by the structural situation it confronts, partly a matter of deliberate choice.

The land question will not go away: while much of Brazilian agriculture has modernized technologically, it remains socially backward, dominated by archaic property relations and supporting a

¹*Na marra* might best be rendered "by any means necessary;" it suggests but does not necessarily imply violence. I translate the slogan "By law or by disorder" because "By law or by any means necessary" lacks the rhythm and euphony of the original.

political system which exacerbates their effects. Land concentration has risen steadily since 1940; in 1985 the 2% of farms greater than 1,000 hectares in size occupied 57% of farmland (Hall, 1990: 206; Thiesenhusen and Melmed-Sanjak, 1990: 396). The political power of landed interests and the stark conditions of rural poverty stand in the way of an inclusive democracy and a modern political system.

The Enduring Agrarian Question

There are reasons why the land question might be expected to become irrelevant in most of Latin America as the region becomes predominantly industrial and urban and the agricultural sector, too, modernizes. When agrarian reform was first seriously proposed in several countries in the 1960s, it was intended to serve three goals: efficiency in agricultural production, (some measure of) equity through a redistribution of income and wealth, and economic growth by broadening the domestic market.

The effect of agrarian reform was paradoxical: agriculture has been modernized and rationalized, and productivity has increased significantly, in many countries. But the effect has mainly been felt in the nonreformed sector, where landowners increased productivity to preempt expropriation. Real agrarian reform generally proved politically unfeasible; governments which attempted it were threatened with withdrawal of support by landowning interests, so they undermined their own programs, "[taking] away by stealth what they had given with a flourish" (Thiesenhusen, 1995: xi; cf. de Janvry, 1981). Agrarian reform policies themselves were halfhearted, limited to land distribution and not supported by necessary credit, infrastructure, or technical assistance. They seem to have been designed to fail. Meanwhile, the policies actually pursued benefited the wealthy and accelerated the concentration of landholding and the use of labor-saving inputs, thus exacerbating rural poverty.

In the 1970s an alternative set of policies was pursued under the rubric of "integrated rural development." These policies presumed that the problems of peasants were sufficiently distinct from those of capitalist agriculture that the former could be addressed without any redistribution of large properties. These programs too had little impact (Grindle, 1986: 160-75).

Some of the rural poor have taken advantage of government policies and shifting international markets to improve their condition either as stable wageworkers or medium-scale farmers, but equity for the masses of the population dependent on agriculture has ceased to be a major policy goal, in part precisely because productivity has improved, in part because the restructuring of agriculture and urban growth have left the rural poor with even less of a political claim than before. With neoliberalism, in any case, redistribution and equity are clearly no longer important objectives. The goal of expanding the internal market has been replaced in the neoliberal Washington consensus by the lowering of costs to promote exports.

In most of Latin America, then, the wave of reform has served part of its purpose and is past; the political economy dominant in the region seeks to promote agricultural efficiency by other means than redistribution. Thus agrarian reform should become superfluous as societies modernize, depend less on agriculture, and achieve sufficient agricultural productivity to feed the population.

Brazil never had an agrarian reform of any consequence. Throughout the period of military rule (1964-1985) the most important initiative was colonization of the country's vast virgin territories, mostly in the jungle. But colonization, which was originally conceived as a safety valve for unemployed peasants, became a land grab and a source of further enrichment for those with investment capital (Grindle, 1986: 76-77; Hall, 1987: 527-30). Brazilian agriculture has modernized significantly since the 1964 coup without any attempt to redistribute land, however. Productivity has improved in some areas and vast new areas have been opened to cultivation, or at least to property claims. The prevailing economic model is not particularly concerned with equity, while the current regime, despite a declared intention to redistribute land, is tied to agrarian interests that see land reform as a revolutionary threat.

Land nevertheless remains a major issue, economically, socially, and politically. Though agriculture's economic significance has declined considerably in the last 30 years, it remains substantial: the sector accounts for 40% of Brazil's exports and 25% of employment. Living conditions are far worse in rural than in urban areas: 56% of the rural population, but 39% of the urban population, was below the poverty level in 1990, while the level of schooling averaged 2.6 and 5.9 years, respectively (Valdés and Wiens, 1996: 7, 9, 25). Poverty impels migration to already overcrowded cities.

Less noted but equally important is the political power landowners still exercise. Concentrated landholding and repressive labor relations in agriculture have weighed heavily on Latin American political structure since independence, impeding the consolidation of democracies well into the twentieth century (Moore, 1966; Rueschemeyer et al., 1992). In Brazil, rural unrest and a proposed agrarian reform were among the immediate causes of the 1964 coup.

Landowners still exercise enormous political power. The legendary "colonels" control local political machines and deploy goon squads to intimidate those who challenge their control. With the inauguration of the New Republic in 1985, President José Sarney presented an ambitious agrarian reform bill. In response, landowners organized. They lobbied to get the bill watered down; they founded an organization, the Ruralist Democratic Union (UDR), which organized small farmers openly to support it and paramilitary squads covertly to intimidate farmworkers and peasants. They prevented any provisions in the constitution of 1988 that would have imposed serious agrarian reform. The UDR's independent presidential campaign in 1989 was a failure, and the organization formally disbanded in 1994 (to be reconstituted locally in 1996), but the 175-member

"ruralist bloc" (*bancada ruralista*) remains the most cohesive group in the congress, and President Fernando Henrique Cardoso's ambitious project to reform government institutions depends on its support (Gros, 1992: 60-63; Grzybowski, 1987: 15; Hall, 1990: 218-22; Tavares, 1995: 23-26).

Why the MST?

There are reasons why a leftist popular movement calling for land redistribution might be expected to be moribund in today's Brazil. Most of the political movements that flourished at the end of the dictatorship and in the first years of the New Republic are more or less demobilized. They contributed importantly to the events which led to the end of the dictatorship, and mobilized dramatically to influence the Constituent Assembly; but in the years since then they have lost strength. They converged to form the most surprising political party on the Brazilian scene, the Workers' Party (PT); but after two presidential defeats and a mediocre showing in the 1996 elections, the PT too shows little direction.

The MST, on the other hand, is active and feisty. In 1996 it organized 167 occupations, more than in any previous year (FSP via BOL, 16/12/96). It was honored by the King Baudouin Foundation of Belgium in March, 1997, "for its essential role in putting into practice agrarian reform in Brazil" (Sejup 267), and it has reached the pinnacle of recognition by Brazilian popular culture, the *telenovela*: in the (southern hemisphere) summer of 1997 the eight o'clock *telenovela* was the story of a land occupation, with a hero who resembled MST leader José Rainha and Senator Benedita da Silva appearing as herself in a cameo role (Bucci, 1997: 16). MST militants completed a two-month, thousand-kilometer march from three points around the country to Brasília, the capital, on April 17, 1997, commemorating the massacre a year before of 19 farmworkers by Military Police in a demonstration in Eldorado do Carajás. At least 30,000 demonstrators (according to police estimates) rallied in opposition to the government; Cardoso and his cabinet, having originally dismissed the march, had to backtrack and meet with its leaders the following day (FSP via BOL, 4/18/97 and 4/19/97; Sejup, 270, 4/24/97).

The MST has maintained a high level of organization in rural areas throughout most of the country (it is active in 22 of Brazil's 27 states) and captured the attention of city dwellers. Despite the country's vast size and extreme variety of rural conditions--relations of production, land tenure patterns, and ideological tendencies--which might produce a heterogeneous set of rural movements, and against the demobilization of progressive movements in the post-cold-war, neoliberal era, this one movement stands out. I will argue that its successes are due to a strategy well-suited to the situation it faces in the countryside and in the country as a whole. It presents a public and a private face, the public face emphasizing legality and victimization, the private face emphasizing

tight organization and solidarity. The combination maximizes public acceptance and mobilization of militants at the same time.

The public face has three main elements: first, effective use of the existing legal system to gain advantages that that legal system, unprompted, would not provide. Land occupations are based on the 1985 agrarian reform law which provides for the expropriation and redistribution of unproductive farmland, but the law is not enforced in the absence of direct action. Second, an appeal to common-sense economic goals: the MST can claim that by farming idle rural properties it provides work for large numbers of idle rural workers, increases food production, and stems the flow of urban migrants. (Many in the urban middle class blame the high crime rate on migrants, and the prospect of keeping them out of the cities appears to give agrarian reform an appeal as a form of social cleansing.) Finally, violent and continuous repression wins land occupiers sympathy in public opinion, making the land they occupy double as high moral ground.

Internally, the MST benefits from the tight organization which land occupations require and which also responds to the ideological conviction of the leadership. Occupations are an ideological hothouse which cultivates members' commitment. As occupiers take over a property to farm, and even more, as they camp out before an occupation is legalized, isolation forces them to create community and organization among themselves; their engagement in securing a livelihood, political self-defense, and education cultivates a sense of community (Gaiger, 1987; Scherer-Warren, 1988: 251-52; Torrens, 1994; Zimmerman, 1994).

The combination of the public and internal faces has achieved real victories. The MST's slogan, "Agrarian reform/By law or by disorder," poses the two as alternatives, but objective conditions and its own strategic choices have made it possible to have both and get the most out of each of them.

The first land occupations in the movement which later became the MST occurred in Rio Grande do Sul in 1979. With the support of the Pastoral Land Commission (CPT), which the National Council of Catholic Bishops had established in 1975, occupations multiplied in the southern states in the next few years. The historical conjuncture was favorable: under pressure from popular movements, the military dictatorship had begun the process of *abertura* (opening up). Church support was a major factor in the spread of rural movements, as it was for urban movements and the new labor movement. Predominant among the early land occupiers were descendants of German and Italian immigrants who had settled the southern part of the country; occupations were supported by the Lutheran Church as well as the CPT (Brumer, 1990; Gaiger, 1987; Scherer-Warren, 1988).

The first occupations occurred independently in several regions. Leaders came together from around the country to found the MST in 1984. It held its first national congress in 1985. It endorses three goals: land for landless rural workers, agrarian reform "in a

broad sense, to change the landowning structure of the country and guarantee land and complementary measures to all who want to work," and a more just society (Sérgio and Stédile, 1993: 35-37). The MST does not hesitate to keep the word socialism prominent in its vocabulary. The immediate objective of land for a specific group of workers is thus closely linked to long-term goals.

The MST occupies rural properties and then seeks legal title under the cover of various state and federal laws. The 1985 agrarian reform law provides that farmland which is not being farmed productively can be declared "of social interest" and expropriated. Other laws allow for takeover of properties without proper title², and sometimes the movement occupies publicly-owned (state or federal) potential farmland from which it calculates that it is unlikely to be evicted.

A *Marra*. Expropriation, though provided for by law, generally occurs only when direct action forces the hand of authorities. Even after an occupation, expropriation usually requires a long legal process.

The MST identifies sites which it believes are eligible for expropriation. At the same time, it recruits occupiers. An occupation can involve anywhere from 200 to 2,500 families. Some are recruited in the immediate vicinity and others in larger towns and cities. They meet regularly for a period of months, undergoing political education and preparation for the effort, in "origin groups" in their places of residence.

Occupiers come from a variety of social backgrounds. While there are no comprehensive data, impressionistic reports suggest variation by region of the country. In the south, most occupiers have been independent farmers--owners, sharecroppers, or renters--squeezed out by dam construction and by capitalist landowners who choose to farm land previously turned over to tenants. Many occupiers in São Paulo state have spent some time living and working in cities, though most are rural in origin. In one exceptional, but highly publicity-worthy, case several homeless people in São Paulo were recruited to join an occupation near Itapeva. In the northeast, most occupiers have apparently been farmworkers. On the northern frontier they are relatively recent migrants from the drought-ridden northeast (Gaiger, 1987: 68-73; Grzybowski, 1987: 23; Neto, 1997: 41;

²Ownership of rural property is often poorly defined. Holston argues that the land grab (*grilagem*) is not an exception but part of how Brazil's legal system regularly functions. The *grileiro* "pretends to have legitimate title to the land through a vast repertoire of deceptions" (Holston, 1991: 700). Land grabs occur not only or mainly on the recently urbanized peripheries of expanding cities of which Holston writes, but primarily in rural areas. New roads and the conversion of huge virgin territories to agriculture in the last generation have produced innumerable opportunities for fraudulent property claims (cf. Hall, 1990; Maybury-Lewis, 1994).

Paiero and Damatto, 1996; Scherer-Warren, 1988: 251-52; Zimmerman, 1994: 206; interviews with Itapeva settlers).

At any given time the MST has a large number of origin groups meeting regularly. Once an occupation is decided on, several groups from various localities will be called to join it. Each group normally develops cohesiveness while preparing itself and remains together as a subunit while camped out and when finally settled on an expropriated property.

Maintaining secrecy while planning requires considerable effort. The occupation itself is an even more impressive feat, mobilizing thousands of people overnight, some of them from substantial distances, with rented buses and trucks borrowed from sympathetic organizations ("Olhai . . ." 1994; Paiero and Damatto, 1996).

The landowner (or claimant) typically responds to an occupation by petitioning a local court for an order of restoration of possession (*reintegração de posse*). Local courts where the petition is heard in the first instance are part of the local governing structure, notoriously favorable to landowners. They usually respond with an order of eviction, which may be carried out with greater or lesser force depending on negotiations between the occupiers and the police. Evictions can become major political events in which not only the courts and police but landowners' organizations and politicians supporting each side become involved.

After eviction the occupiers are sometimes resettled on land other than that which they originally occupied--state-owned or already expropriated for agrarian reform. More often they erect an encampment of sheds or tents (*barracas*) somewhere in the vicinity, generally in the right of way of a public road, state-owned and therefore unlikely to provoke another eviction. Maintaining cohesion during the period of litigation is an essential task. Their occupying presence is crucial to maintaining the moral force of a demand to have a particular property expropriated. They do not always succeed. Some families leave during the occupation period; in the case of the occupation of two properties in Getulina, western São Paulo state, in October 1993, only 1,000 of an initial 2,500 families remained two years later (although some had moved to other existing settlements; Paiero and Damatto, 1996: 41, 119).

Joining a land occupation entails a high commitment, as occupiers leave their entire life behind and wait to find out whether their gamble will pay off. While camped out they live on subsidies from the movement, donations from solidarity committees formed in unions and among other progressive urban dwellers, and their own labor on rented farmland or for wages. They risk waiting for years and getting nothing in the end. A second risk, selective though apparently growing in the last two years, is of repression (to which I will return below). But if they win title to the land, the payoff is also high.

Living in rural isolation and resisting repression cultivate commitment and the willingness to take risks. They are reinforced by

a strong ideological discourse, transmitted in political education in the period of preparation and in the encampment. The oppression the landless face in the countryside generates exactly the cohesion and tactical militancy needed to give them the staying power to enforce their demands.

A *Lei*. An occupation provokes an investigation by the Institute of Colonization and Agrarian Reform (INCRA) to determine whether a property is expropriable. If it is, compensation (*indenização*) for the owner is set. The owner may then go to court to challenge the expropriation or, more commonly, the value of the compensation. Some owners are happy to be expropriated; they may be able to negotiate a payment greater than the market value of the land (Petry, 1997: 35).

The MST often wins--that is, occupations usually lead to expropriation, evidently because the MST is careful to occupy land which appears to be eligible under the law. The law establishes that once a property is expropriated, some group of people meeting certain criteria of need can petition for title and farm it. In those cases where an expropriation follows on an occupation, the property is normally turned over to the occupiers.

Occupiers have no formal standing in the process which will determine whether the property is expropriated; legally that is a matter between the owner and the INCRA. From a nearby encampment, however, they can exert a moral force. While they are camped out their presence is visible; they are living testimony both to their commitment and to their lack of alternatives. Though an occupation is a militant act requiring ideological commitment and willingness to undertake significant risks, the MST nevertheless assumes and benefits from a public posture embracing moderation and legality. Occupiers demonstrate their willingness to work. They actively mobilize both solidarity (through urban movements including trade unions) and public opinion, claiming that giving the land to those willing to work it could solve the problems of unemployment and food shortage. They also of course claim to be acting to enforce the law. The occupation per se is illegal, but they can accurately claim that their aim is to secure enforcement of the law which provides for expropriation of the property, and they often win validation by a court.

For external consumption, therefore, they claim legal sanction and social utility for their cause. Their leaders like to say that the battle for agrarian reform will be won in the cities, in the court of public opinion, and they can claim at least some success there. According to a poll taken by the Brazilian Institute of Public Opinion and Statistics (IBOPE) in March, 1997, 52% were generally favorable to the MST and 85% approved of land occupations as long as they were not violent (Sejup, 268).

Landowners target them for violence. Landowners contract paramilitary groups or individual hired guns (*jagunços* and *pistoleiros*) directly, or they enlist the official forces of order. Nearly one thousand people were killed in rural violence between 1985

and 1995, according to the CPT. The killings were at their peak around 1988, when supporters and opponents of agrarian reform mobilized to exert pressure on the Constituent Assembly. Thereafter, the number fell, but the 57 deaths registered in 1996 were the greatest total of the 1990s (Comité Rio Maria, 1996; FSP via BOL, 14/04/97).

The pattern of violence appears to have shifted during that period, in two ways. At first it was more common against squatters and rural trade union activists than land occupiers; national MST leader João Pedro Stédile claimed in 1994 that only five of the movement had been killed in the previous decade ("Olhai . . .", 1994: 72). But the most widely publicized incidents of rural violence in 1995 and 1996 were directed against land occupiers and left at least thirty dead. Second, in the past, paramilitary forces played the major role, but police forces have been more active in recent years.

I present a few examples of violence directed against land occupiers; first, major massacres in 1995 and 1996, which were widely reported in the national and international media, and then a more typical case, which involved fewer deaths and got less attention.

On August 9, 1995, police and armed civilians made a predawn raid on the Santa Elina estate in Corumbiara, in the jungle of the far western state of Rondônia, which had been occupied by landless workers a few weeks before. The official toll of the dead included nine occupiers, one of them a child, and two military policemen. Autopsies showed that four of the peasants were shot from behind at close range, *O Globo* newspaper reported. Occupiers said that many more than nine of their fellows were killed and that their bodies were burned when the invaders set fire to the estate. Between 50 and 75 people were reported missing afterward (Reuters, August 15, 1995 via Lexis/Nexis).

On April 17, 1996, 2,000 MST militants blocked a highway in Eldorado do Carajás, Pará. A year earlier, they had occupied the plantation of Maxaxeira, alleging that the person who claimed to own it did not have a valid title. They were demonstrating to demand that the government expropriate it. Military police fired on them, killing nineteen. A camera crew from a local television station, caught in the traffic jam, filmed the massacre. The videotape showed that the police had approached the demonstration firing machine guns into the air and then fired directly at the demonstrators. Doctors who examined the dead found signs that some had been shot execution-style, and MST leaders claimed that the police had killed them at point-blank range after capturing them (FSP via BOL, 4/18/96; AFP, April 20, 1996, via lexis/Nexis).

The existence of a videotape, broadcast nationwide, assured greater public attention for this event than for most attacks on the rural poor. President Cardoso promised an accounting and the 155 military police who had participated in the attack were all indicted. The indictment, however, appeared to be a symbolic gesture to avoid accusing any individual. The MST subsequently denounced the failure

to investigate the massacre adequately, claiming among other things that surviving victims were not asked to identify the responsible policemen, and that when the policemen returned their weapons, they were not checked in, nor were the policemen's hands inspected for gunpowder. Because some weapons had not been fired, any accused MP could claim that he had not fired (MST, 9/9/96).

A witness claimed that a landowner of the region had paid the Military Police attack on the demonstrators, soliciting funds from other landowners for the purpose (Nicaragua Solidary Network, 5/5/96; Reuters, May 3, 1996, via Lexis/Nexis).

Cardoso promised action, but his control over the votes of his conservative governing coalition is particularly limited on issues involving human rights and land. Crimes committed by military police are tried in military courts. The Chamber of Deputies had already passed a bill introduced by Deputy Hélio Bicudo (PT-SP) transferring jurisdiction to civilian courts, as the Brazilian human rights movement had long demanded. In the wake of the massacre, the Senate was forced to vote on the bill, but added amendments providing that only charges of intentional homicide would be transferred to civilian courts and leaving the determination of transfer to military courts (US Department of State, 1997). The shock and outrage which the massacre provoked undoubtedly reinforced favorable public opinion toward the MST, but there has been little official response.

Violence carried out by freelancers and paramilitary groups hired by landowners is smaller in scale, though more frequent, and gets little attention. In January, 1997, two occupiers were killed--in an ambush, the MST claimed--on the Pinhal Ralo ranch in Rio Bonito de Iguaçú (Paraná) which was scheduled for expropriation. Two employees of the company which owned the ranch were later arrested and accused of the murder (FSP via BOL, 23/01/1997, 05/03/97). The news value of such events rarely lasts longer than a day.

The MST has been the target of legal repression as well as violence. The treatment of MST leaders in the Pontal do Paranapanema is a case in point. The Pontal, a vast region of western São Paulo state, has seen intense occupation activity since 1995. It was state-owned and largely unoccupied until the 1950s; it filled up gradually during the ensuing decades as ranchers cleared land without purchasing it. Rural unemployment is high: the construction of several large dams displaced many small farmers and farmworkers, and then many men who had found work building them were thrown into joblessness when construction was completed (Grosso, 1996). Land occupiers are drawn from these groups and, increasingly, from the unemployed of the towns and cities. In 1995 there were 59 occupations of ranches, involving 22,000 families (Los Angeles Times, December 3, 1995, via Lexis/Nexis). Here a group of ranchers announced in September, 1996, that they had reconstituted the UDR (FSP via BOL, 15/9/96).

In October, 1995, six leaders of the MST were charged with "forming a criminal band." Four were arrested and warrants were

issued for two who remained at large, including national MST leader José Rainha. Among the arrested was Rainha's 25-year-old wife, Diolinda Alves de Souza. Released after two weeks and then rearrested, she became an instant national celebrity when local authorities made clear that they were holding her and the other three detainees as hostages, offering to release them if the two fugitives turned themselves in. State governor Mário Covas complained that the judge's action hindered negotiations in progress with the MST to resolve the occupation crisis. A federal court ordered the detainees released on bail on March 12, 1996 (IPS 2/1/96; Latin American Newsletters, 1996; 3/28/96; MST, n.d. [b]).

The story replayed itself a year later when warrants were issued for five MST leaders including Rainha. Only one was apprehended. This followed a violent confrontation at the plantation of São Domingos in Sandovalina. Three months earlier, a group of occupiers entered the plantation and planted corn; they remained camped out nearby, and on February 23, 2,500 occupiers entered the plantation to harvest it. They were shot at from within the plantation and eight were wounded; five men, including the plantation owner's son and four hired gunmen, were arrested. A week later a judge released the five accused of the shooting on bail (FSP via BOL, 26/02/97, 05/03/97). On February 24 the same judge had signed a warrant for the five MST leaders, claiming that they had led the occupiers into the ranch.

Many would consider the decision of the judge as being strange. When arrest warrants were signed for this same group by another judge in the Pontal region in early 1996 and for the same motive, the warrant was canceled by the Superior Justice Tribunal. (Sejup 264, 2/27/97)

In 1997 too the warrant was canceled by the superior court on April 8 (FSP via BOL, 13/4/97).

Repression can serve positive functions for movements by allowing them to claim public sympathy as victims. Refugees and political prisoners during the war in El Salvador cultivated a public image of victimhood and claimed legitimacy on the basis that their mistreatment violated international law and human decency, but they also promoted tight internal organization and political action to struggle against their victimization (Hammond, 1996 and 1998). The MST appears not to frame itself deliberately in terms of victimization; but repression against it has increased as its activity has increased.

Organizing Communities to Produce

The MST's ability to combine internal discipline and external legality appears to be among the factors that have enabled it to win battles for many expropriations. In 1996 there were 1,123 agrarian reform settlements (*assentamentos*) with a total of 7,253,594 hectares and 139,223 families (CPT 1996). It is impossible to know how many of these can be directly attributed to the MST; some are organized by

competing organizations, some are independent, and some are due to government resettlement programs.

Occupiers who win title establish themselves as farmers, either dividing the land into individual parcels or farming it as a cooperative. The MST claims that the settlements are highly productive, but because agricultural and marketing conditions vary widely across Brazil, it is impossible to generalize about their profitability. Some settlements offer conditions highly favorable to production and profitability, but others have poor soil, insufficient rainfall, and no access to markets (Neto, 1997). Hall cites a study by the National Development Bank (BNDES) and other research which offer a mixed assessment, but more recent research by the FAO shows that MST settlements are at least as productive as farms in the same regions worked by day laborers. Settlers' monthly earnings are 3.7 times the minimum wage on the average, close to the national average of 3.82 times the minimum wage, and significantly above the rural average (Hall, 1990: 226; FAO cited in CPT, 1996). During their struggle, therefore, the members can apparently look forward with some confidence to a satisfactory outcome which provides them an income much better than they are likely to be able to count on either as farm laborers or urban workers.

Assentamentos are eligible for credit to finance planting and investments under PROCERA (Special Credit Program for Agrarian Reform) which provides an average of R\$8,500 per family (CONCRAB, 1996: 25). A separate program provides credit for housing. Their ability to repay the loans has not been tested in many cases because the loans are for a ten-year interest-free period.

They must create not only a farm enterprise but a community. This process begins in origin groups and continues in the camps and then in the legalized settlements. Among the major communal commitments of the MST has been education: Children in encampments are educated, sometimes in schools created in the encampments themselves--they have 850 schools with 1500 teachers and 35,000 children, according to the MST--sometimes in nearby public schools. The MST's elementary education programs were recognized by UNICEF in 1993.

Children who have grown up in the older settlements are encouraged to pursue education to high school and beyond, especially for training as teachers and technicians in agronomy. The MST has created schools of its own for technical and political education of its leaders.

They provide literacy training for adults. According to a 1996 *Folha de São Paulo* survey, 22% of occupiers had no education and 68% more had not completed primary school, rates higher than those in the rural population as a whole (FSP via BOL, 30/6/96). The movement encourages literacy and political education and adopts the model of popular education widespread in church-inspired popular movements in Brazil. Its national office produces pamphlets written in simple language covering political goals, cooperative organization, the history of peasant struggles in Brazil, and the exploitative nature

of agrarian capitalism. Political education, accompanied by the singing of anthems and the chanting of slogans, is part and parcel of literacy training. My interviews in two settlements suggested that members do indeed adopt the political discourse.

According to an MST document, the movement has four educational priorities: universal literacy for adults, expanded primary and secondary education for children, technical and professional training, and "developing a new pedagogical proposal for rural schools . . . to prepare social subjects in a new development model," directed at agricultural competence, citizenship and dignity--contrary to the practice in rural public schools, which the document claims train people only for migration to the city (MST, n.d. [a]).

While the imperative to promote production and stable community structures entails routinization and a potential abandonment of collective mobilization, the latter is encouraged by the settlements' isolation and their origin in high-commitment activity. The experience of occupation and the ideological conviction gestated through the process of occupation, eviction, encampment, and finally settlement, and later the identification with other occupations which suffer repression, contribute to the maintenance of commitment.

But operating a farm successfully is different from organizing a land occupation, and the MST retains a responsibility and close connection to the settlements established under its leadership. At its national meeting in 1989, the movement adopted the slogan, "*Ocupar, resistir, produzir*," explicitly recognizing its obligation to help settlements achieve a high level of production. In 1992 it spun off a subordinate organization, CONCRAB (Confederation of Agrarian Reform Cooperatives of Brazil) which coordinates technical assistance (CONCRAB, 1996). So far there has been no sign that the obligation to maintain existing settlements has impeded the organization of new occupations.

Organizing to produce does not always run smoothly. Internal disputes arise in similar form on many *assentamentos*. The division of land is usually a contentious issue, with the MST leadership arguing for cooperation and the INCRA technicians often promoting individual plots. Settlements have adopted a variety of alternative arrangements including full-scale cooperatives, division into individual plots, and mixed forms involving some individual land for each family with some collective production and/or shared purchase of equipment and livestock and development of infrastructure (cf. Bergamasco et al., 1997; Zimmerman, 1994).

There have been political divisions within the national leadership as well. Relations with the base have also been controversial. Leadership is highly centralized (Gohn, 1997; Torrens, 1994). The movement funds ongoing occupations by a tax (described as voluntary) on all settlement members of 1% of income. Recently it acknowledged--amid brewing scandal--that it creams off part of the agricultural credit they receive to support the organization (Santos, 1997; Stédile, 1997).

The MST acts in an organizational field which, while not exactly crowded, is nevertheless shared with other organizations; but the MST alone manages to combine the legalistic and the militant face. The two other most important organizations working on behalf of the rural poor--the CPT and the National Confederation of Agricultural Workers (CONTAG)--have ceded leadership of occupations to it. The MST grew out of the CPT, whose influence is still strong, but the two reached a deliberate, amicable separation to allow the movement tactical independence from the church. The rural trade unions affiliated with CONTAG have played a major role in land struggles in some localities. But the federation has historically endorsed a pragmatic, bread-and-butter orientation. It has mainly organized salaried farmworkers, working to secure benefits for them within the existing system. Its welfare functions tie it closely to the state, and it has not shown much concern with agrarian reform (Gros, 1992; Maybury-Lewis, 1994; Pereira, 1992; Torrens, 1994). (Leftwing union leaders have recently won elections in several state federations and CONTAG has affiliated with the CUT, the PT's union federation, but the effects of these changes have not yet been tested.)

Some small splinter groups promote land occupations. Some of them espouse one or another Marxist political line and others identify with the dominant tendency of the Workers' Party, unlike the MST leadership which is closer to the left wing of the party. Their overall influence is slight, however (FSP via BOL, 16/12/96, 28/02/97, 15/03/97; interviews).

We can also compare the success of the MST to the relative stagnation of other popular movement organizations occupying more or less the same ideological space. Urban movements which were very active in the 1970s and early 1980s seem to be at a dead end. For example, the housing movement and the women's movement--with its various branches including the women's health movement and the day-care movement--show little visible activity. Their focus was diffused by participation in a succession of nationwide campaigns (for direct elections, popular amendments to the constitution, and the impeachment of President Collor) and many of them have been virtually coopted by the PT. Even those that remain independent lack a clear strategic direction.

The MST deliberately avoids close alliances with other movements and the PT (though it does not deny its sympathies). Other movements jumped on the bandwagon of the Brasília demonstration which culminated the 1997 march, but the MST took pains to assert its independence. Geographical isolation helps the MST to resist pressures to merge into a general popular movement.

Some have argued that agrarian reform requires the opposite political orientation: because it is a political as much as an economic problem, advocates must persuade officeholders and the public that land reform is a necessary step in the modernization of the economy and the consolidation of democracy. Only thus, in this view, will they win enlightened capitalists away from their alliances

with reactionary landowners. This view therefore suggests the abandonment of militant tactics (Gros, 1992; Tavares, 1995).

While the MST's rhetoric is in no way inconsistent with support for economic modernization, democratic consolidation, and alliance with enlightened capitalists, its strategy clearly privileges direct action and emphasizes the immediate objective of land takeovers over broader political alliances. That strategy has been at least reasonably successful.

The recent demonstration in Brasília and the media stardom of some leaders may represent a movement away from direct action, but if so, it offers uncertain prospects. Favorable opinion polls do not necessarily represent deep conviction on the part of the public. Media strategies produce outcomes which movements cannot control. Public opinion and media attention are notoriously fickle, and even when they remain favorable they do not assure any particular policy response from authorities (cf. Gitlin, 1980).

On the other hand, there are several potential limits to continued success under the present strategy. The possible conflict with the need to maintain production has already been noted. The upsurge of activity in the last two years must be attributed in part to short-term factors: the Cardoso government is publicly committed to land reform as its predecessors were not; however much the MST may disparage the government's practice, it knows how to take advantage of the public commitment. Finally, it would be foolhardy to predict that the MST can continue to occupy land piece by piece without arousing more fundamental and decisive political opposition than it has met so far. Neither the history of landowners' resistance nor the present regime's macroeconomic policy augurs auspiciously for agrarian reform.

Conclusion

I will conclude with two theoretical implications, one about social movement strategies and one about human rights. First, the issue of law and disorder, the combination of legal and coercive means in the MST's strategy: as I have argued, this combination accounts for the degree of success that the MST has enjoyed. The combination is dictated in large part by the unevenness of Brazil's economic and political development, so that the same movement has to act differently in different arenas. On the one hand, landowner opposition is fierce in degree and methods, and the MST must act forcefully to have any effect. Agrarian reform, moreover, is by definition a rural issue, so that when the movement acts, it does so in relative isolation. The need for forceful action, together with isolation and repression, imposes militancy, tight organization, and a committed membership. At the same time, however, Brazil has a superstructure of democratic governance through its legislative and judicial systems and an agrarian reform law of which the movement can take advantage provided that it can claim to be a legitimate actor.

This is not to imply that the combined strategy is purely dictated by structural conditions; it is also a matter of choice and

grows out of the particular ideological formation--radical Christian and Marxist in an uncertain and varying combination--which underlies most progressive movements in Brazil.

It has often been observed that social movements face contradictory pressures from inside and outside. The greatest internal problem is to mobilize and maintain member commitment, which is often served by isolation and radicalization. Seeking concessions from authorities, on the other hand, requires movements to establish a show of respectability and legitimacy; to do so, they must contain their struggle and routinize their behavior, often at the cost of frustration and demobilization of activists (cf. Freeman, 1975; Tilly, 1997: 8).

This duality of strategic and tactical orientation is often resolved by a division of labor between organizations, some to disrupt and others to negotiate; some concentrating on member commitment and others on legalism and lobbying (cf. Haines, 1984; Staggenborg, 1988; Turner, 1970: 154-55; Walker, 1963). The MST is unusual in that it has managed, for the present at least, to resolve this dilemma differently and use both tactics within the same organization.

The second issue is the relation of land tenure to human rights. Much of the literature on human rights addresses the relation between civil and political rights, on the one hand, and social and economic rights, on the other. Some argue that liberty conflicts with equality, and that the two cannot be pursued simultaneously. Others argue that they are inseparable; those who endorse the latter view place different priorities on either category of rights, some arguing that civil and political rights are a necessary condition without which it is impossible to enjoy economic and social rights, and some the reverse. (For a sampling of this vast literature, see Berlin, 1969; Correa and Petchesky, 1994; Cranston, 1983; Farer, 1983; Human Rights Watch, 1992; Nickel, 1987.)

In rural Brazil today, security of person--the basic civil right--and democratic self-government--the basic political right--are closely tied to the ability to secure a livelihood, the basic economic right; those who wish to deprive others of the right to economic security in order to defend their own economic interests use means which threaten their physical security and corrupt the democratic process. No one of these deprivations of rights will be resolved without addressing the others. Rural violence has been one of the main topics of attention of the Brazilian and international human rights movement, along with police brutality, especially against prisoners and homeless children.

Political reality makes a resolution of the land question difficult but also keeps the issue alive. The present distribution of landownership and the inequality of power based on it are an impediment to democracy--first, because people living on the edge of survival cannot meaningfully participate in their governance; second, because the means used by the wealthy and powerful to preserve their wealth and power become an absolute barrier to the rule of law.

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