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Participatory democracy by default: land reform, social movements and the state in Brazil

Wendy Wolford

There is a growing literature on the experiences of participatory democracy in Latin America. Largely focused on urban areas and municipal service provision, the literature provides important lessons as to whether, how, and why participation works to improve the quality of democracy. In this paper, I examine an unlikely case of participatory democracy: the struggle for land reform in the Brazilian countryside. Analysing the relationships between the federal agency in charge of land reform in Brazil (the National Institute of Colonization and Agrarian Reform) and the largest grassroots social movement organised to fight for the distribution of land (the Landless Movement) provides evidence of participatory democracy by default rather than by design: government officials who lack the resources and technical capacity to carry out reform are forced to rely on social movement actors who demand attention by routinely transgressing at the margins of acceptable (and legal) behaviour. At the same time, the features of political life in Brazil that allow or force the Landless Movement to collaborate with the state make it difficult for individual settlers to do so. For those individuals who do not feel adequately represented by the movement and attempt to be included on their own, the political system and culture continue to privilege the most powerful, thereby reinforcing prior settlement inequalities.

Keywords: participatory democracy; state-society; social movements; land reform; Brazil

Introduction

Over the last ten years, interest in new forms of democratic inclusion and participation has spread across Latin America. As countries throughout the region have successfully sustained electoral procedures through multiple administrations, the focus on democracy has moved from quantitative concerns (how many democracies are there and how safe are they from authoritarian control) to qualitative ones (how good are these democracies at providing for the welfare of their citizenry). As Leonardo Avritzer (2008, 283), a well-known political scientist from Brazil, argues in a recent review, new literature on political life in Latin America 'acknowledge[s] that transitions to democracy are over, that elections take place regularly and that democratic consolidation does not adequately express the problems of constructing democracy in the region'. Recent research on the quality of

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democracy focuses less on whether people are formally included in the electoral system, which often turns on a discussion of rights, and more on the substantive nature of their inclusion. There is growing consensus that increased political participation is the key to generating a responsive democracy. The interest in participation is traced by many observers to what Evelina Dagnino (2003, 15) calls the 'perverse confluence' of neo-liberalism and social mobilisation. Neo-liberal economic governance 'since the fall of the Berlin Wall' (Rosenberg 2007, 1) dictated a 'global wave of decentralization' (Baiocchi and Checa 2009, 131) that pared down state activities to make room for civil society actors who would make choices about how best to access and provide goods and services in a market-mediated environment (for example, see Houtzager and Moore 2003). Today, even researchers with the World Bank recognise that 'marketization is not the only way to tap into the energy of society for the improvement of governance. Instead of sending sections of the state off to society, it is often even more fruitful to invite society into the inner chambers of the state' (World Bank 2004, 2). At the same time, the rise of new social movements from neighborhood associations in Chile to piqueteros in Argentina heralded the transformation of the 'old left' of communist parties and guerilla organisations to a pluralistic 'new left' of cosmopolitan activists who have provided the language and space for expanded political discussion (Barrett et al. 2008, 1–17).

This articulation of neo-liberal economic policy and progressive social mobilisation was forged in Latin America during the 1980s when countries throughout the region returned to democracy after decades of authoritarian rule. Civil society earned a seat at the political table due to the importance of oppositional movements in overturning dictatorship. Social movements against those who were 'disappeared' by the regime in Argentina (Navarro 1989), neighbourhood associations in Chile (Garreton 1989, Oxhorn 1991), anti-military and anti-inflation demonstrations in Bolivia and Uruguay, and organising by industrial trade union activists, students, Catholic and Lutheran clergy members, and newly-formed autonomous social movements in Brazil provided the context for military withdrawal (Alves 1989, Mainwaring 1986, Stepan 1989). The visibility of these movements hinted at major transformations in the relationships between state and civil society in Latin America. A region historically ruled by elite groups with strong authoritarian tendencies was confronted with massive street protests and a coming-out of ordinary citizens everywhere (Scherer-Warren and Krischke 1987).

Over the course of the next two decades, the culture of mobilisation remained intact though observers bemoaned the tendency for mobilisation and protest to be increasingly channelled through a network of grassroots or non-governmental associations that worked with the government instead of against it (Alvarez 1997, Keck and Abers 2006, Lavalle *et al.* 2005). What some have called the 'NGO-isation' (Alvarez 1998, but see Alvarez 2009) of civil society was both cause and effect of new state-social movement relations: some of the most exciting initiatives in the region, such as the 'recovered factories' in Argentina and participatory budgeting in Brazil, took place well within the traditional purview of state and market.

One important manifestation of the progressive reformism in the region is growing interest in the experiences and implications of 'participatory democracy' (Avritzer 2002, 2009, Dagnino *et al.* 2006). Participatory Democracy is defined by political scientists Archon Fung and Erik Olin Wright (2003, 1) as entailing, at a minimum, the 'active political involvement of the citizenry'. More ambitious versions of participatory democracy involve forging political consensus through dialogue

resulting in public policies that promote a productive economy and healthy society (Fung and Wright 2003). The literature on participatory democracy examines innovations in institutional design and practice that bring state and civil society actors together to craft more inclusive policies and distribute goods and services. Perhaps the most well-recognised innovation (the charismatic mega-fauna of participatory democracy) is the *Orçamento Participativo* (Participatory Budget, or OP) developed by the Brazilian Workers' Party (the PT) and first implemented in the city of Porto Alegre in 1989 (Abers 2000, Avritzer 2002, Baiocchi 2005, Nylen 2003, Wampler 2007). The OP brings together high levels of both decentralisation and citizen participation: municipal councils are convened on a regular basis throughout the fiscal year to establish priorities for spending a pre-determined percentage of the local budget. The councils have been so successful that 'by the mid-1990s, participatory programs had become standard in PT municipalities and [participatory budget] reforms were adopted in practically every PT local government from that time onward, not to mention the large number of municipalities not under PT control that have "copied" the [participatory budget] (Baiocchi 2005, 12–3).

The literature on participatory democracy, exemplified by the *organito* participativo, is exciting for a number of reasons. It is focused on concrete examples of progressive political change – what Archon Fung and Erik Olin Wright (2003) call 'real utopias'. As Leonardo Avritzer (2008) notes, long-term relationships that structure democratic practice may be transformed by the creation of a more horizontal, participatory political culture. The literature on PD also breaks down long-held dualisms of state and civil society (see Mitchell 1990, Sharma and Gupta 2006), resisting the urge to see the state as the defender of the status quo and civil society as an autonomous domain of resistance (Avritzer 2008). Key contributions within the literature, such as the work of Gianpaolo Baiocchi (2005), stress the ambiguity of the division between state and society, arguing that people see themselves as both militant political activists and as ordinary citizens when they participate in the budgeting process in Porto Alegre (hence the title of his book, 'militants and citizens', but see Rubin and Sokoloff-Rubin 2009 for a discussion with members of the Women's Rural Labor Movement in southern Brazil who felt compelled to choose between fighting for change 'in the streets' or 'in the institutions'). This focus on the relationships across state and civil society echoes Peter Evans' work on state-society synergy of over a decade ago (Evans 1996).

Through comparative analysis of experiences with participatory democracy we are beginning to learn more about when and how these institutional innovations improve or 'deepen' democracy across the region. The lessons that Archon Fung and Erik Olin Wright expound in their edited volume *Deepening Democracy* (2003) build on Judith Tendler's insights on 'good government' from the mid-1990s (1998) and seem to resonate across the field. Participatory innovations do best when they are focused on specific problems with tangible solutions developed through collaborative deliberation that begins at the base in local level political units and connect to larger state structures through formal or institutionalised linkages (1998, 15–16). Brian Wampler (2007) adds that participatory experiments seem to work best when supported (for various reasons) by local politicians and when relevant social organisations are able to combine contentious mobilisation with cooperation. In an extensive study of experiences across Latin America, Evelina Dagnino (2002) argues that collaboration between state and society contributes to democracy when institutional and popular actors demonstrate technical competence, when the two

groups share at least instrumental complementarity (similar objectives) if not a larger political project, and when relevant social movement actors are able to combine combative mobilisation with cooperative institutional action. As Keck and Abers (2006, and Abers and Keck 2009) argue, governments may seek input on the allocation of services and then promise to deliver even when they lack the capacity to do so. In the event of non-compliance, civil society actors must be able to mobilise and hold governments accountable otherwise participation ends up being just 'on the books'.

There remain, however, arenas of participation that need to be incorporated into the analysis for a fuller picture of the political landscape and the potential contributions of state-civil society cooperation. As Brian Wampler (2007) has argued, the literature is currently focused almost entirely on a handful of successful cases of institutional innovations deliberately designed to incorporate popular participation. In addition, institutional innovations featured in the participatory democracy literature are largely located in urban areas and new forms of citizenship are seen as being produced by the structures of urban life, much as cities have always been considered the locus of first civilisation and, subsequently, citizenship (see Baiocchi and Checa 2009, Holston 2008).¹

In this paper, I contribute to the literature and thinking on participatory democracy with an unlikely case that addresses some of these concerns. I argue that land reform in rural Brazil – both as a political issue and as a territorial practice that results in the distribution of land to formerly landless beneficiaries - can be productively understood as a site of participatory democracy. In this sense, the term 'site' implies a physical area, a temporal moment (an instance), a cultural field, and an institutional space of 'encounter' (Dagnino 2002), where the lines between state and civil society are blurred. Calling land reform efforts a site of participatory democracy runs counter to much of the literature on the subject, with its focus on deliberate institutional innovations through which strong states provide both the incentives and the means for participation (Evans 1996). In the case of the Movimento dos Trabalhadores Rurais Sem Terra (the Rural Landless Peoples' Movement, known as the MST), I argue that it is precisely the weakness and variability of the federal government's commitment to agrarian reform that has provided space for civil society actors to participate in the selection of properties for distribution and beneficiaries as well as in the day-to-day running of life on the settlements.2 In other words, land reform in Brazil is not participatory in theory or in policy but it has become so in practice because claims to land and public services on the settlements tend to be mediated by social movements.

The focus of this paper is land reform in the northeastern state of Paraiba, Brazil. I analyse relations between three groups of actors: land reform beneficiaries (called 'settlers' because they live on land reform settlements); grassroots movement leaders with the MST who organise landless workers to pressure the government and then mediate the allocation of land; and employees with the federal agency responsible for executing agrarian reform in Brazil, the *Instituto Nacional de Colonização e Reforma*

¹Lavalle *et al.* (2005) argue that the state also tends to appear in these analyses as an institutional space while citizens participate as individuals, but see Evelina Dagnino's work (2002) for an excellent analysis of organisations.

⁽²⁰⁰²⁾ for an excellent analysis of organisations. ²Jonathon Fox (1996) provides a similar case with his research on building social capital in the context of a weak state in rural Mexico.

Agrária (the National Institute for Colonization and Agrarian Reform, or INCRA). Research for this paper was gathered between 2006 and 2008. During the summer of 2006, I conducted 30 interviews with key INCRA personnel at the headquarter offices in the federal district of Brasília. I attended agency meetings and received approval for a web survey which I applied to upper-level employees (50 of whom answered the questions out of a total universe of 200). During the summer of 2007, I conducted research with a team of assistants, including Brenda Baletti, a PhD student at UNC Chapel Hill, and Paulo Candido, Valério Verissimo de Souza Bastos, and Sandra Roberto Alves, all graduate students at the Federal University of Campina Grande. In the coastal region of Paraiba, we interviewed approximately 35 employees at the state office, as well as 75 settlers who had received land on INCRA settlements. We also interviewed civil society leaders (of the MST and the Catholic Land Pastoral, the CPT) and attended meetings. All of the quotes in the paper come from the transcriptions of these interviews. Real names have been excluded to protect the identity of the people with whom I spoke.³

Based on this research, I make several points. First, as mentioned previously, I show how land reform in Brazil came to be participatory – not by design but by default. On paper, government officials are vested with the authority to determine which rural properties are eligible for expropriation – either because the area violates the productivity clause of the federal constitution or because it is found to have been acquired through illegal means. INCRA employees are expected to conduct the process of expropriation (evaluating the cost of the property and notifying then indemnifying the property holder) as well as the process of settlement, including identifying the appropriate prospective settlers and providing them with access to land, basic infrastructure and services, and production or investment credit. In practice, however, these activities now routinely take place only with regular pressure and participation by civil society actors, particularly MST members and activists. Agrarian reform literally cannot afford to be rolled out from above, rather, the very 'weakness' of agrarian reform means that implementation is enacted through everyday practices of resistance, negotiation and management – or, participation. MST activists identify properties that are eligible for expropriation per the Federal Constitution and attractive for distribution (i.e. in a good location relative to a potential market and manifesting adequate agricultural production conditions), and they organise late-night occupations that force the government to assess the merit of the squatters' claims. Government officials incorporate local actor input because they lack the resources and technical or logistical competence to carry out the work themselves. The inclusion of civil society actors is done grudgingly by some state actors and willingly by others but regardless of the compatibility of 'political projects' (Dagnino 2002) or ideology, necessity pushes the two groups together. Secondly, I argue that this default participation begins not with deliberate innovation but with transgression: civil society actors transgress the boundaries of legal, accepted behaviour and state employees spend most of their time responding to these transgressions because their bureaucratic capacity is only sufficient to 'put

³This research project is still in its preliminary stages. Field research was conducted during the summers of 2006 and 2007 when INCRA employees were on strike and little formal work on the settlements was being done. As a result, research findings here are from interviews rather than from participant observation; they convey the viewpoints of different actors but do not capture the richness of observed relationships between them.

out fires' rather than to address structural deficiencies over the long term. As transgressions become more widespread, responding becomes more 'banal' or common until it is so common-place that it earns a place in political culture and institutional process.

In this sense, participation is not just something that grassroots actors do - it is a *relationship*; in this case, a relationship between INCRA bureaucrats who work in the name of the state and social movement activists who represent the rural poor. Collaboration between the two has allowed civil society a voice in their own governance and improved the distribution of services to some of the poorest citizens of the country. This participation by default demonstrates the importance of the MST in expanding the subjects and content of democracy in rural Brazil. My third argument, however, is that the features of political life in Brazil that allow or force the MST to participate make it difficult for individual settlers to do so. State—society relations are participatory for social movements who are then expected to represent the people on the settlements. For those individuals who do not feel adequately represented by the movement and attempt to be included on their own, however, the political system and culture continue to privilege the most powerful, thereby reinforcing prior settlement inequalities.

First the casa, then the causa

Agrarian reform has a long, though sporadic and often violent, history in Brazil. Events over the past ten years have generated widespread agreement that the concentration of land ownership in to the hands of a privileged minority is incompatible with equitable economic and social growth but there is little agreement as to how, or where, to implement a project of distribution (IBOPE 1998, Ondetti 2008, Wolford 2007). Agrarian reform is what Alston *et al.* (2006, 5) call an ideological or 'soft' issue in Brazilian politics, one that receives funding only when government officials are pushed by extreme external factors (such as the widely publicised massacres of 1995 and 1996; see Ondetti 2006) or when 'harder' priorities such as inflation, health and education have been satisfactorily addressed.

The fickleness – and weakness – of political interest in land distribution is evident in the organisation and funding of INCRA, or the construction of what agency employees call the *casa* (house) of agrarian reform. INCRA oversees all of the juridical, technical, and administrative aspects of agrarian reform, and its employees are the state's conduit to the landless rural poor, the most impoverished, most marginalised population in Brazil. As such, INCRA employees occupy an unusual position, working with both the dictates of the state and the needs of social movements to re-distribute land and foster sustainable development on the new land reform settlements.

In sobering parallel to the people it serves, INCRA is arguably the least well-funded and most under-staffed agency in the Brazilian government (CNASI 2006). INCRA was originally established in 1970 to oversee the military's programme of resettlement and colonisation in the Amazon region. At that time, it was a strong institution, vested with military powers in the newly-settled regions. As one INCRA employee who began with the agency in the frontier state of Pará said,

In the Amazon, INCRA had military powers. Why did it have this power? Because it was a strong institution. It had a lot of infrastructure and the support of the army – the strong support of the army – and this was a time of intervention. INCRA came,

measured the land, and that was it. INCRA said, 'we're going to put together a project here', and that was it. It was a tough time (duro). There was no reaction – civil society wasn't organized, that's for sure. Local authority practically didn't exist. INCRA was very strong, and the projects they created were strong too.

With the transition to democracy, however, INCRA's position was undermined. The agency foundered as its mandate changed from the colonisation of empty land to the expropriation of large properties and settlement. Social movement activists bemoaned INCRA's weakness and regularly denounced the agency's inability to work in the Jornal Sem Terra (the MST's monthly newspaper). And yet, renewed attempts to extinguish the agency (such as happened in 1987) met with strong resistance: social movement actors argued that although the casa was weak, without it there would be no cause. Over the course of the 1990s, INCRA went through significant transformations: as an agronomist in the Paraiba Planning Department said, 'INCRA is always a good coabia, a laboratory rat. [The government says] "we are going to apply this bitter medicine, so we are going to try it out on INCRA". As a result of political games and general neglect, INCRA's resources and personnel were significantly reduced by the middle of this decade: from a high of 8,989 active employees in 1990, INCRA had 5,602 in 2006. And yet INCRA's work expanded significantly: the number of settlements to oversee nearly tripled and the number of protests related to land expropriation as well as the distribution of credit and other services increased dramatically (see Ondetti 2008).

When Lula took office, he complained that INCRA was in a state of collapse, unable to perform its duties. INCRA employees agree: every year since 2004, INCRA offices nation-wide have gone on strike for several months, usually between May and August. The strikes have been extraordinarily well-supported by INCRA employees, with near-total work-stoppages in the headquarters office of Brasília and the state offices. The official complaints, summarised in a union statement (2006), centre around low pay rates and insufficient personnel: 'The growth in demand [for land and post-settlement development] has not been accompanied by a growth in available material resources, budgets and finances..., and this has consequences beyond putting INCRA in a precarious state. It means that INCRA can only attend insufficiently to its beneficiaries.' Perhaps the most significant manifestation of neglect is the average age of INCRA's workforce: almost 70 percent are over the legal retirement age (see Table 1).

Many of these older employees were contracted during the military regime to work in the Amazon. They were technically qualified for their positions in the 1970s but many of those interviewed argued that they had had little or no training since the 1970s and felt threatened by recent technological advances. This tension was

Table 1. Age distribution of INCRA employees, 2006.

Sex	F < 50; M < 55	% Total general	F>50; M>55	% Total general	Total	%
Female	775	13.83	1,123	20.05	1,898	33.88
Male	921	16.44	2,783	49.68	3,704	66.12
Total	1,696	29.27	3,906	69.73	5,602	100

Source: CNASI 2006.

illustrated during a meeting of state superintendents in July 2006 at the headquarters offices in Brasília when all assembled bemoaned the agency's difficulties incorporating, operating, and maintaining new Geographical Information Systems technology. These workers will not retire, however, until they negotiate new wage conditions. As it is, roughly 80 percent of the salary of regular INCRA employees (meaning those contracted to work at INCRA through a federal competition rather than through political appointment) consists of a bonus (gratificação) that is based on merit and varies depending on performance. In interviews with INCRA managers, I was assured that yearly bonuses were essentially guaranteed at a certain level and varied so little that they could be considered a fixed salary. INCRA employees disagreed: their pensions suffer because they are calculated according to the base salary (excluding the bonus) rather than total annual remuneration.

Sanctioning transgressions: participation by default

INCRA's institutional weakness has shaped the daily conduct of agrarian reform on the ground. The social movements are extremely well-organised and INCRA is always one step behind. Employees in the headquarter offices of Brasília and the state office of Paraiba complained that agrarian reform should be run according to the law and agency principles but in practice they are tightly constrained, forced to spend their time responding to social movement demands and 'putting out fires' in the words of one. Much of the current context and institutional organisation, therefore, has to be understood as the fruit of constant negotiation between competing interests that are grounded in normative understandings of right(s) and wrongs on the one hand and structural (legal and political) dictates on the other. Much as E.P. Thompson (1993) argued in relation to the development of property rights in England, the trajectory of agrarian reform has been defined by the struggle between law and custom. The current period of reform began as legal colonisation mandates in the Amazon region but was adapted through customary practice as people in the colonisation projects responded to their new situations by drawing on their traditional moral economies. Colonisation was then re-shaped by resistance as people left the frontier region and new social movements forged a struggle for land in direct opposition to the former colonial project of territorial fortification. These oppositional projects were embedded in customary notions of production and social reproduction which have become progressively (and selectively) 'hardened' into legal or institutional practice: actions once considered transgressions were first condemned and treated as criminal acts but have now become accepted features of the struggle for agrarian reform in Brazil (Sigaud 2005). This path from transgression to institutionalisation is perhaps nowhere more dramatic than in the case of the social movements' most potent oppositional weapon: the land occupations.

Land occupations are technically illegal, but in practice they are supported by state officials who have come to see the occupations as either a 'necessary evil' or a normal part of the process, replete with forms to be filled out and people designated to negotiate with the offenders. In the northeastern state of Paraiba, when civil society actors carry out an occupation, their first order of business is to inform the media and INCRA through specific routes of communication. As one MST leader said,

First, we occupy [the property], then we negotiate with INCRA. We send some sort of communication – the movement has a state-wide system, and so we let our state office

know, and they prepare a bulletin for the press. They send this to INCRA, send it to the authorities, and they let people know about the occupation.

When INCRA learns of an occupation or a public protest, they initiate what has become an increasingly formal process of mediation. The Paraiba office has a person designated as the social liaison, though more often referred to simply as 'the negotiator'. In an interview, a former negotiator described his job,

In this area of conflict you have to attend precisely to these invasions. For example: there is an invasion of a highway, and so the negotiator of the conflict goes there to negotiate.... [The negotiator] communicates with the Federal police: 'the highway is blocked by the Sem Terra'... and so they [the landless] ask for INCRA's presence to negotiate with the movement to try to attend to the demands, in case they ask for food baskets, or for a technical evaluation of a property. Sometimes the property has a juridical problem and they ask for it to be speeded along.... When they close down a highway they have a list in hand, and so we go to hear [what they have to say]. We talk with [our people in] Brasília and often they [the landless] demand to see the president of INCRA, and there is all that politics too. Ninety percent of the cases we resolve in peace.

While squatting, social movement leaders demand resources from the government. Food is usually requested and supplied in the form of *cestas basicas*, or monthly food baskets. This demand is not a new one but it is now so routine that at least in Paraiba it has become institutionalised. This institutionalisation is not mandated by the federal government, rather it has been worked out in practice at the local level to save time and better manage the process: when an occupation camp is created in Paraiba, the leaders of the encampment contact INCRA personnel and request a form. The leaders fill out the form, supplying information on the number of squatters and need for a given number of *cestas basicas*. INCRA personnel have the form 'validated' at the state office and then take it to the regional agricultural supply station to be filled. The system rarely works perfectly – in June 2007 deliveries of *cestas basicas* were two to three months behind – but delivering food baskets has become a regular function of INCRA offices conducted in conjunction with social movement leaders. As one of the two people responsible for this programme in Paraiba said,

We go there to deliver the baskets and we ask who the coordinator [of the encampment] is and we look around the area – more or less – at the black plastic tents, you know, to see if there really are 25 people there because if not we have to tell the superintendent. . . . We leave the delivery outside the area where they're camped out and then they take care of it. When they invade an area [where they are not supposed to be] we leave the food with the union. . . [Whoever receives the delivery] signs the accounting forms and they authorize the list of people present. In this way they fill out the form, give it to me, and when I get here [in the INCRA office] I go in the office and leave all the information there. It's a way of overseeing things, isn't it?'⁴

⁴The actual word this person used was *controlar* which, directly translated, means to control but in this usage is intended to convey more a sentiment of overseeing the process in a bureaucratic sense. The parallel with the English word control is, of course, interesting as the proliferation of forms may indeed be a way of controlling the social movements from the inside.

Even as the MST's transgressions become increasingly routine and managed by participatory mechanisms that include both negotiation and institutional innovation, MST activists maintain the formal autonomy of their organisations and sphere of influence. In doing so, they retain the ability to protest – something that Brian Wampler (2007) and Evelina Dagnino (2002) suggest is critical to deepening democracy through participation. MST activists argue that they are forced to intervene (or participate) in so many settlement–state activities because INCRA – as one MST state leader said – is 'totally useless'. A president of an MST settlement in Paraiba put it this way:

Look, INCRA is the agency that 'regularizes' things, but INCRA cannot make decisions for us — we are the ones who make the decisions.' I said — But doesn't INCRA come here... And he replied, 'INCRA could even come here, but we won't allow it. Look here, how could I allow an employee of INCRA to come here and say that this person who lives here, ought to be here... and it's some guy with a kid who smokes pot, who fights, who steals chickens from my backyard. And so INCRA comes and says 'No, but he has the right'...? They come here in their little car, they say he has the right, and then they get back in their little car again and go away. And then we are the ones who are stuck with the problem... And so the community has to have a certain autonomy. Now — some settlements, where the people don't have autonomy, INCRA goes there and does everything (pinta e borda mesmo). And [on those settlements] there is a lot of corruption.

The MST and INCRA work together in part because of institutional weakness but also because, as scholars within the literature have suggested, doing so allows them to mitigate the land distribution. Through their collaboration, transgressions have become part of accepted practice.

Everyday forms of participation

Participation between MST activists and INCRA employees now extends far beyond the occupation camps, influencing the entire process of agrarian reform from distribution to settlement. Every year, INCRA employees in Brasilia have to put together an annual operating plan (based roughly on the multi-annual plan, the National Plan for Agrarian Reform II). Social movements that can demonstrate a national following (such as the MST and the Catholic Pastoral Land Commission, though there are others) now play an important role in determining how INCRA will distribute its efforts and resources on an annual basis. These annual plans are first elaborated at the state level. INCRA employees in each state work with social movement activists to establish a ranked list of properties eligible for expropriation and people to be settled. This information generally correlates closely to the number and location of land occupations. As an agronomist from the Paraiba office said, 'We figure out our [annual] numbers based on the demands that come from the countryside, "the social movements demand the expropriation of 70 properties, etc." so [we figure that in and the plan] is related to the various movements'.

The state-level plans are then brought to the federal level and finalised in a three-day meeting with all of the superintendents from each state as well as the leaders of departments in Brasília. Each superintendent comes to this meeting with his or her list of supply and demand – how many properties are eligible for expropriation and how many people are demanding land at any given moment – and these are put together with a monetary figure: how much would it cost to match that demand with that supply.

Once the annual plan has been put together, social movements have another opportunity to express their opinion and potentially influence the plan. There is a regular period of mobilisation in April when social movements organise publicly to demonstrate their national reach and try to influence the annual plan. INCRA officials will meet with social movement leaders to discuss the plan, the only caveat being that the movements have to be able to demonstrate a national following (otherwise they are expected to negotiate at lower levels of government).

The annual plan is a spectacular instance – or site – of state-movement collaboration, but even in everyday practice, collaboration is routine. In the state INCRA office of Paraiba, social movement leaders also had regular monthly meetings with the superintendent. Movement leaders would first hold a meeting with their membership to determine what to ask INCRA officials for. Following that, the leaders met with the superintendent who characterised the process this way:

We have a very good relationship, between INCRA and the social movements.... We have a meeting here, every month, a meeting with each social movement about the demands that they brought and we respond to each demand. [We talk about] what we have done and what we haven't done.... When [we have] this meeting normally a representative comes from each one of the regions [in the state] and we meet also with the head of each of the divisions because normally the demands cover all [of INCRA's areas] and each of these divisions is responsible for one of these areas. When this meeting happens, the heads of the divisions come and each of them responds to the part that is relevant to their area. We have cases where you already have a response, and in the majority of cases where they make a demand there is precedence and we will verify what was done and what wasn't done until we can satisfy the demand.

Social movements also participate in the provision of key services such as education. The educational programme of the government is called PRONERA and it is the darling of the government because it is one of the few 'a-political' (unobjectionable) programmes on the settlements and it seems to be running very well. Movement leaders regularly select the teachers who will be running the school or school programmes in their settlements. As the head of the PRONERA programme in Paraiba said,

If it weren't for the partnerships with social movements, this program wouldn't exist... This program is a product of the demands that social movements made. Because of the real lack in the countryside, with many illiterate people in the agrarian reform areas, the social movements demanded that illiteracy be reduced – not just the adults but also the youth. The purpose of this program is precisely to bring education to the countryside. There are also people in the occupation camps who are students in PRONERA... in occupation camps that are recognized by INCRA.

I asked the person in charge of overseeing PRONERA in Paraiba how the teachers were chosen, and she said,

generally they are professors who are tied to the movements. And so the social movements contact them and in this way the seed emerges to elaborate a particular project. Generally the teachers are people affiliated with the movements who have already done some work in the settlement areas, who already did some research and have some tie to the communities.

Incorporating the social movements into the state increases the pressure on and accountability of the state even as it extends INCRA's influence and presence within

the social movements. Although incorporation of the social movements was evident during Cardoso's administration, it has expanded significantly under Lula. The nature of this incorporation echoes what Evelina Dagnino called the 'perverse confluence' of neoliberalism (Cardoso) and social mobilisation (Lula). Under Cardoso, civil society actors were incorporated because of increased decentralisation and the withdrawal of direct government service provision, what Cardoso referred to as 'the New Rural World'. This decentralisation created a 'new institutionalism' according to Leonilde Medeiros (in Deere and Medeiros 2007) that forced or allowed social movements to fill the gaps left by government employees. Under Lula, civil society actors have been incorporated because Lula appointed government officials sympathetic to the social movements. Lula has not significantly increased INCRA's budget (although it has increased) but he has extended a more open hand for dialogue and participatory discussion.

Incorporating individuals: participation through connections

Both in the occupation camps and on the settlements, INCRA employees privilege organisations such as the MST or the CPT over individuals. This has much to do with expediency but it has become a feature of institutional participation: without a movement to call upon, most settlers have difficulty accessing the staff or resources at INCRA. The need for movements as 'institutional hosts' (Houtzager and Kurtz 2000) is supported by the actions of both state and social movement actors. On the settlements, INCRA officials and MST leaders alike tell settlers to bring their problems to social movement leaders or to the settlement association. Settlers are urged to resolve their problems 'at home' rather than bring them to INCRA and for the most part they seem to follow along. As one settler said,

If I needed something.... And thank God up to now I have never needed anything, but if something happened, I would look for the people who are part of the leadership of the settlement association. I would tell them that if they didn't take care of it (se não tomasse as providencia), I would find some other solution. But first a person has to go right to them, at least that's what they say: 'look, things from here bring here, don't go talking in the streets, don't be saying this or that here and there, that the thing isn't resolved. Things that happen here the community will resolve itself in the assembly.'

By the time the settlement has been created, the settlers are used to relying on the MST for guidance: MST activists often play a significant role in determining who gets land on the settlement in the first place. As one MST leader said of the process,

We spent almost two years in the encampment ... and so the selection process happens during this period, right? You can already tell, you already know who wants what and so on and we organize here in groups of families. We made 10 groups of families, and so within the groups they all knew each other, they knew who had their children, who were there and such. And so it's a natural selection, you know? You begin to see who has the means to stay, who is an opportunist, which people fall out, and so on.

Once on the settlement, MST activists also supervise the settlers and help determine whether people will be able to remain on the settlement. In one case, a settler in Paraiba failed to plant appropriately with his credit from the bank, and the

rest of the settlers organised together with MST leaders to get him expelled from the settlement. One of the settlement leaders explained it this way:

[This guy] got his first piece of credit and he didn't plant anything... he bought a gun, a motorcycle, he was going to the bars and stuff, and he ended up demoralizing everyone because all of society knew about him. And they said, 'the Sem Terra get money and they're wasting it' and such.... And so we ended up having to take a different position. In addition to blocking his project, we communicated to the bank that it had been blocked, and we also thought it was better to take a position in relation to the settlement, and so we ended up kicking him out.... we did a survey of everything he had, and then we held an assembly and the assembly decided to kick him out.

Movement leaders also often determine where people will live on the actual settlement – although this is technically INCRA's job. As one settlement president said,

And so we had a lottery ... we did the agrovila (grouping of houses) first, we marked it out, and there was a whole discussion process about the agrovila, about individual plots and such, that we would live in the agrovila and not in the individual lots ... And there were two families who didn't want to live in the agrovila and we forced them to. Because we thought that if we let them choose, a lot of people would want to live on their lots and there wouldn't be any organizations, and we put our feet down and [told these two people they had to live in the agrovila].

INCRA employees have come to rely on social movement or settlement leaders as the conduits for their interaction with the settlement. As one settler who had been living on an MST settlement for five years said, INCRA employees rarely visit the settlement, and when they do, 'they stay up there at the front of the settlement. It was better when everything used to happen here below, but now they all meet up there with [the new settlement leader]'.

In INCRA's absence, the settlers develop their own code of conduct, or set of norms, by which they manage the settlement. INCRA officials have, in effect, ceded a high level of juridical authority to the settlers, partly because of institutional policies that promote the decentralisation of authority and partly because INCRA employees lack the bureaucratic means to police the settlements. When people violate the norms that the settlers have established, there is a forum for justice on the settlement that only nominally includes INCRA. As one settler said,

here we have norms that come from the law and from INCRA and then we have our own norms too.... We don't allow stealing, rape or murder. [If that happens] there is a committee that looks into it, and then we call a general assembly. We talk during the assembly and then there is a vote. The assembly has the most force on the settlement.... INCRA said that what we do in the assembly, and approve by a collective act, doesn't need to be discussed further.

The settlers are often allowed (or forced) to handle sensitive legal matters on their own. On one settlement there were settlers who decided to sell their land – a transaction that is illegal but not uncommon on settlements throughout the country. In this case, the leadership of the settlement was called in to adjudicate and the community oversaw the entire process from determining the tone of

the discussion to the rules of the final sale. As one MST leader on the settlement said.

And so when the settlement got organized, we had to kick [these two people who wanted to sell their land] out. We had to take steps, we had to have a discussion, have a meeting [of the leadership], call them to talk, hold a meeting [of the general assembly on the settlement] and say that if they wanted to go away, they could, but they couldn't sell their land because it's not theirs.... We called the leaders of the settlement, we had a discussion and we put down rules. Afterwards we called [these two people] and we presented the rules. No one is obligated to live here... If you don't want to be settled, fine, you can go away. You are going to do what you want with your life. Now, that person does have to have a responsibility to those who are going to stay – because, imagine, if I wanted to go away tomorrow and I sold my land to someone who didn't have any commitment [to the settlement] who was going to throw pesticides on the ground, who was going to bring three or four kids and nobody would know if they were worth anything, and they were going to be neighbors. My neighbors are my comrades, since we were all camped out [in land occupations] together.... And so we put all this in discussion. And if he wanted to go away he could. The extension agent of the settlement together with the leadership would do a survey of what he had on his land, and whatever he had he would be compensated for.

Once these sorts of decisions are made, settlement leaders will take their decisions to INCRA as the ultimate power to cede usufruct right lies with the state. In practice, however, it is the social movements who implement the terms of a policy negotiated in the settlements.

Without representation by the social movements, individual settlers find it difficult to navigate the institutional landscape. Only those settlers with influence and political connections are able to deal directly with INCRA employees to resolve their problems. The following two examples are indicative. In the first example, a man who lived near a recently-created settlement wanted access to a plot of land that had been vacated by the original settler. Without connections at INCRA or in the social movements, he was told that the government could not help him, he would have to go through the community. The settler described what happened this way:

I've been here for four, five years. This land has been expropriated for eleven years, you know, but in the beginning there was a lot of confusion (tumulto). And at that time, I was working in the mill, and so I didn't have time to stay here in the camp; I had to work, to give my family something to eat, you know? And so afterwards I started to come around here. That was the time when the mayor won the election and gave my wife a job and things got a little easier and I left the mill and said, 'now I am going to get into that [settlement], and I am going to get myself a little piece of land to work'. That was when this piece of land appeared, and I got myself in here. That was five years ago. There was a lot of bureaucracy for me to get my name registered. I would go to INCRA and INCRA would say that the community had to deal with it, and the community would say INCRA had to deal with it, and things went around like that [for a while]. And then the boys from the settlement said, 'look, make some sort of petition', ...the document is still around here, ... and go house to house and everyone who is against you [taking over this land] doesn't sign and everyone who is for you will sign'. And so by the end, I had seventy-three signatures of the 104 settlers...The rest of the settlers weren't against me but there wasn't enough time [to get all the signatures]...

In a second case, a former politician and trade union leader was able to use his influence within INCRA not only to secure his land against the rules and without

'bureaucracy' but also to help him purchase and rent the land of four other settlers. This man had been serving as a public official when the settlement was created and he was not legally eligible for land but he felt that he had been owed the favour because it was through his political support that the settlement was created. He had negotiated contracts with the four that included both sharecropping arrangements and monthly cash payments, all of which were violations of the contract that settlers sign when they are awarded land. When I interviewed him in June 2008, he was disgruntled because INCRA workers were taking a long time to resolve a recent problem:

I went to the INCRA office because I have a piece of land on the settlement that I rent. The woman's husband died and she was a widow and her children have jobs as [private security] guards. And so we had a meeting and everyone said that she was only using the land to keep her animals. And so I went and talked to her and I rented her land to plant sugarcane and grain crops. She agreed to rent to me for four years so I could plant and afterwards I would give it back to her. And then she went and sold the land to another person who came from outside with money. She sold the land and the time hadn't run out on our contract! And so I went to INCRA so that INCRA would support me because if she had sold it to me, it would already be mine. Instead of selling to a person from outside, she should sell to a settler so they could put a son there. And so there is this problem happening here.... INCRA is on strike now so I am waiting for this to be resolved.... [The people at INCRA] asked me for the rental contract and I made a copy of it and they said that after the strike they would regularize the situation.

Using his considerable political weight as both a politician and former trade union leader, this settler was in a good position to approach INCRA as an individual. He was well known among both the settlers and INCRA employees as someone who 'made things happen' in the area. He had no trouble securing his own land and renting other settlers' land because outside of the social movements, state—society relations are shaped by traditional practices of authority, hierarchy, and connection rather than by equal representation and participation.

Conclusion

As MST activists and INCRA employees negotiate with each other at the margins of state and society, both maintain that their work serves a greater good. Both sets of actors see themselves as accountable to 'the public' or the nation, rather than to each other or to the rules per se. Legal and institutional rules set the context for the way in which the various actors work, but their specific strategies are adapted to make the best of weak institutions, scarce resources, and hierarchical politics. Land reform settlers justify their frequent circumvention of INCRA by appealing to a higher authority, the public: they claim that they are on public land, land that is only being held in trust. The land itself is seen as belonging to the nation – as one settler said,

From my point of view, this land is mine. But I know that it is not legally mine, it's not mine because I don't have the title to this land, I don't have the documents, in truth what I have is the right to use the land. I can use it, I can plant, I can harvest, as long as I obey the rules, right, to not destroy the environment and such, which is the contract that we have. Because this land belongs to the nation (*união*). I cannot negotiate, I cannot sell it, I expect to spend the rest of my life here, you can even see that I have

improved my house, it's full of mango trees, there are jubuticaba [a cherry-like fruit] trees, because I like to eat them, me and my grandchildren. In other words, every one has a different relationship to their land, but it is the land of the nation.

When MST activists make decisions, they too make them in the name of 'the nation' or 'the public', even when they denounce the right or role of INCRA to make these decisions for them.

State officials with INCRA also employed a new language about democracy and the greater good: they saw the land and money being used in agrarian reform as 'public money'. As a lawyer in the Paraiba office said,

for some reason [the settlers] think that when they receive money that is public and not theirs, that that money becomes theirs and they can deal with it in the same way that they would with their own money, but that isn't the way it is.... The problem is that we bring them money that belongs to the whole of Brazilian society and so in truth our clients are not the sem terra, they are all of Brazil and Brazil is not just made up of sem terra, Brazil is everyone who pays their taxes.

The relationships between government employees, land reform settlers, and social movement leaders described in this paper underscore important changes in state-society relations in Brazil. Just as social movements have changed their approach to the state over the past thirty years of democratic governance in Latin America, the state has also been transformed. Traditional boundaries between state and society have been blurred as representatives of the latter are brought into the business of policy implementation on the ground. In the context of 'weak states', as Keck and Abers (2006) argue, social movements like the MST pressure the government for policy changes or political services and have become necessary to actively bridge the gap between political intention and reality. In the case of land reform in Brazil, this incorporation has lead to an unlikely case of participation. Unable to properly conduct reform on their own, state agents negotiate a patchwork of responses to what were first seen as transgressive acts, such as land occupations. These occupations – and the state's response to them – have become so commonplace that they now constitute part of the institutional framework for land reform.

These new relationships between MST activists and INCRA employees do not necessarily provide a blueprint for participation more broadly. Much of the literature on participatory democracy is geared towards gleaning common elements that help make participation work but, in this case, the unwillingness of the state to fund agrarian reform and the need for social mobilisation are hardly laudable goals. There are lessons to be learned, however. By participating in the execution of land distribution and settlement, the MST has forced the Brazilian government to 'do its job', ensuring that services promised (such as investment credit or funding for infrastructure) are delivered and that there is greater transparency in how decisions get made within the state. Regular meetings between movement activists and INCRA employees also help to target scarce federal resources to the neediest areas and people, and agency priorities are better informed by the perspectives and demands of its client population. In areas where the Brazilian state and social movements have come together to conduct the process of agrarian reform, the actions and accountability of the state are improved. A new language of civic responsibility has also developed in which MST members and INCRA employees profess allegiance to a notion of the Brazilian public that arguably represents a civic and political ideal of democracy. Outside of these relations, however, the people who are not represented by the movements are forced to work within the formal system of representative democracy, and this continues to be a system embedded in the traditional politics of personal connection and position. It remains to be seen whether the changes wrought by participation – changes that include, as Leonardo Avritzer suggests, a change in political culture and a change in the definition of 'the public' – will extend into those domains currently excluded.

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