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2011

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States, Movements, and the New Politics of Blackness in Colombia and Brazil

by

Tianna Shonta Paschel

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

Sociology

in the

Graduate Division

of the

University of California

Committee in charge:

Professor Peter Evans, Chair

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Professor Raka Ray

Professor Sandra Smith

Professor Edward Telles

Fall 2011

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Abstract

States, Movements, and the New Politics of Blackness in Colombia and Brazil

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Tianna Shonta Paschel

Doctor of Philosophy in Sociology

University of California, Berkeley

Professor Peter B. Evans, Chair

The 1990s marked a dramatic shift throughout Latin America from constitutions and state policies that hinged on ideas of colorblindness and *mestizaje* to targeted policies for black and indigenous peoples. This study analyzes the role black social movements played in this shift in Colombia and Brazil, two countries where the state adopted the most comprehensive reforms for black populations in the region. It also analyzes the impact of achieving such reforms on black movements' trajectories in the two countries. In so doing, I not only examine how black movements are shaped by the political context in which they emerge, but how they are able to reconfigure that political context in ways that ultimately reshape black movements themselves. Drawing on 18 months of fieldwork including in-depth interviews, archival analysis, and ethnographic methods, this study reveals new ways of understanding ethno-racial politics in these countries and offers insights about the relationship between movements and the state, as well as contestation within movements. Further, in examining how black movements seize upon changes in the global political field, appropriate global discourses into local struggles, and build transnational alliances, this work also challenges us to integrate the constant interplay between global and local processes into our analyses, especially when our aim is to understand social movement dynamics in the Global South.

In the first part of the dissertation, I show how the rise of global policy norms around multiculturalism, and the Durban World Conference against Racism, provided political openings for black movements in Colombia and Brazil, respectively. However, I maintain that it was the interplay between such global factors and national political developments paired with strategic action by black movements that best explains states' adoption of these historic reforms. Even so, while both countries adopted policies for black populations beginning in the 1990s, the dominant discourse around black rights in Brazil centers on notions of "the right to equality" and inclusion, whereas black issues in Colombia are largely framed in terms of the "right to difference", culture, territory and autonomy. I suggest that these discursive differences have as much to do with how black populations were historically imagined by the state in the two cases, as they do with the different discursive tactics used by black movements when making demands on the state.

The second part examines the consequences of the shift to ethno-racial legislation on internal black movement dynamics in the two countries. More specifically, I analyze the nature of formal structures of political participation set up for black populations in response to movement pressure. I do this by examining how movement actors negotiate, inhabit and contest such spaces, revealing a reality of social movement institutionalization that is much more complex than the literature suggests. Whereas black movements in Brazil have been absorbed into mainstream politics within a relatively democratic state, black movements in Colombia have either been repressed violently or institutionalized into precarious alternative political structures leading to unique internal movement dynamics. In order to understand the relationship between structure and agency as well as national and international political processes in these two cases, I propose the conceptual framework of national and global political fields which I argue contributes both to the literature on race in Latin America and social movements.

Dedication

I dedicate this dissertation to the women and men in Brazil and Colombia who have taken an unpopular stance, and risked their lives, in the pursuit of justice and dignity for black people, and for all people.

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List of Acronyms

| Acronym | English | Portuguese/Spanish | Country |
|----------|--|--|----------|
| APN | Black Pastoral Agents | Agentes do Pastoral Negro | Brazil |
| CEAP | Center for the Articulation of Marginal Populations | Centro de Articulação de Populações Marginais | Brazil |
| CEERT | Center for the Study of Labor Relations and Inequality | Centro de Estudos de Relações de Trabalho e Desigualdades | Brazil |
| CEN | Collective of Black Entities | Coletivo de Entidades Negras | Brazil |
| CUT | Unified Workers Central | Central Única dos Trabalhadores | Brazil |
| GTI | Inter-Ministerial Working Group for the Valorization of the Black Population | Grupo de Trabalho Interministerial para a Valorização da População Negra | Brazil |
| IPCN | Instituto de Pesquisa de Cultura Negra | Instituto for the Research of Black Culture | Brazil |
| MNU | Unified Black Movement | Movimento Negro Unificado | Brazil |
| PCdoB | Communist Party of Brazil | Partido Comunista do Brasil | Brazil |
| PT | Workers' Party | Partido dos Trabalhadores | Brazil |
| SEPPIR | Secretary for the Promotion of Racial Equality | Secretaria da Promoção da Igualdade Racial | Brazil |
| UNEGRO | Union of Blacks for Equality | União de Negros pela Igualdade | Brazil |
| ACABA | Peasant Association of the Baudó River | Asociación Campesina del Baudó | Colombia |
| ACADESAN | Peasant Association of the Lower San Juan River | Asociación Campesina del Bajo San Juan | Colombia |
| AFRODES | Association of Displaced Afro-Colombians | Asociación de Afrodesplazados | Colombia |
| AMUNAFRO | National Association of Municipalities with Afro-Colombian Populations | Asociación Nacional de Alcaldes de Municipios con Población Afrodescendiente | Colombia |
| CIMARRON | Cimarron: National Movement for the Human Rights of Afro-Colombian Communities | Cimarrón: Movimiento Nacional de Derechos Humanos de Comunidades Afrocolombianas | Colombia |
| CNOA | National Conference of Afro-Colombian Organizations | Conferencia Nacional de Organizaciones Afrocolombianas | Colombia |

| | | | |
|-----------|--|--|----------|
| COCOMACIA | Rural Association of the Atrato River | Consejo Comunitario Mayor de la Asociación Campesina Integral del Atrato | Colombia |
| ENEUA | National Meeting of Afro-Colombian Youth and University Students | Encuentro Nacional de Jovenes y Estudiantes Afrocolombianos | Colombia |
| OBAPO | Organization of Popular Neighborhoods | Organizaciones de Barrios Populares | Colombia |
| PCN | Black Communities' Movement | Procesos de Comunidades Negras | Colombia |

Acknowledgements

Like any project of this magnitude, this dissertation reflects the support, work, contribution, and patience of many people. First and foremost, I would first like to thank the chair of my dissertation committee, Peter Evans. His constant encouragement and confidence in my work afforded me lots of autonomy to develop my own ideas and to take unexpected turns in my research journey. I am deeply grateful for Peter's intellectual eclecticism and unique ability to connect the analytical dots helped me tremendously at every stage in this project. I hope to have finally reached a point where I can describe my own research (at least) as clearly and enthusiastically as he can. I would also like to thank Peter for being extremely accessible, a quality that should never be taken for granted in this line of work. As I took planes, trains and automobiles to different cities and towns throughout Colombia and Brazil, and as Peter trotted across the globe, he always answered my emails within a day, and usually within minutes, of my writing him. It was incredible, really. I deeply appreciate his commitment to mentoring me, and the patience with which he deciphered my steam-of-consciousness writing style. He pushed me to pave my own way as a scholar and inspired me to make my work relevant beyond the academy.

Without the unwavering support, guidance and critical feedback of my other committee members – Raka Ray, Taeku Lee, Sandra Smith and Edward Telles – this dissertation would not exist. They each brought unique expertise of the different substantive areas to which this dissertation speaks. I am very grateful for Raka who believed in this project from the beginning and whose work on the women's movement in India was an inspiration for the present study. Raka's special ability to understand the analytical holes in my arguments, and her willingness to work with me through nascent ideas, really helped me move forward in interesting ways. Taeku Lee offered critical insights on both the conceptual framework and comparative design of my project. I would like to thank him for lending his razor-sharp ability to ask just the right question to this project. Edward Telles provided critical feedback on many drafts of this dissertation, and selflessly opened many doors for me among activists, academics and government officials in Brazil.

I was also privileged to have Sandra Smith as a dissertation committee member and mentor throughout my time at Berkeley. From my initial research proposal to the very last draft of this dissertation, Sandra pushed me to refine my sociological and analytical lens. I learned to appreciate and respect her no-nonsense approach to mentorship and critique. She challenged me to take the literature that I was engaging with more seriously, and taught me how to convince mainstream sociology that a research project on blacks in South America was an important one. By helping me to become a better writer and sociologist she has been crucial to my intellectual development thus far. I thank her deeply for her sincerity, for never requiring me to leave my personal life at the door, and most importantly for her friendship. Sandra exemplifies the kind of mentor I hope to become.

In addition to my committee, I was privileged to have a host of other mentors while at Berkeley who also contributed to this project and my intellectual development. In this regard, I would like to thank Laura Enríquez who was my personal advisor in the program. Much of the foundational work for this dissertation happened under her guidance. Laura offered key insights on the

research design and even today continues to send me substantive articles related to my research. I would also like to thank Percy Hintzen, Irene Bloemraad, Cybelle Fox, Nelson Maldonado-Torres, Steven Small and Michael Burawoy who all, in their own way, shaped the direction this research took.

While having the support of a dream team of scholars was critical, this project would not have come to fruition without the financial support of various institutions. I would like to thank the Ford Foundation, the Andrew W. Mellon Foundation, and the Fulbright Commission for affording me the opportunity to focus on my research and for providing me with generous resources to travel to Colombia and Brazil on numerous occasions. I would also like to thank UC Diversity Initiative for Graduate Study in the Social Sciences (UCDIGSSS) program whose support allowed me to develop specialized research skills, work with faculty in new ways and present my work at a number of conferences. In this, I am infinitely grateful to Gloria Chun in particular from her support and interest in my success starting Diversity Day of 2006, and to Carla Trujillo for her advice over the years. I am also thankful for the financial support I received from the Chancellor's Office, the Sociology Department, the Institute for Global Conflict and Cooperation and the Center for Latin American Studies, which also provided me with an intellectual home through their support of the Afro-Latino Working Group.

More than the fruit of my individual efforts, this dissertation was possible because a number of lent me their skills along the way. I would like to thank my transcriptionist Leydi Chivito in Colombia, and Luciana dos Santos Reis and Luciane Reis in Brazil, for transcribing my interviews and tolerating my sometimes grammatically incorrect Spanish and Portuguese. The staff of the Sociology Department was also immensely helpful in my progress throughout the program and in the dissertation writing process. Elsa Tranter was extremely knowledgeable and cared deeply about my progress through the program. I will never forget the amazing impromptu conversations we would have, her constant encouragement, or the celebratory scotch we had after I finished my qualifying exams. I am so happy I was able to get to know you before you moved on to better things. Carolyn Clark also provided me with moral support, helped me navigate the bureaucracy of Berkeley, and allowed me to linger around in her office to talk about life and laugh a lot whenever I needed to. Finally, I would like to express my gratitude to Belinda Kuo White for making sure all of my financial transactions went smoothly throughout my time at Berkeley and while I was in South America. Belinda was patient and nice as I tried to pay transcriptionists in other countries, access research funds, and as I attempted to spend every penny of my research funds even though I rarely remembered what I had already spent.

Yet, while this dissertation is very much the product of my education and the critical perspective of Berkeley Sociology, many others outside of Berkeley were also important in my intellectual trajectory. Most especially, I would like to recognize Mark Sawyer and Edward Telles who were both convinced that I was capable of this many years before I myself was. I am forever indebted to Mark for being the first person to believe that I could become a professor and researcher, and for pushing me to do better at every step along the way. While Mark was not an official member of my dissertation committee, he deserves an honorary placement. He was a mentor, friend, and colleague throughout the process, and I am extremely grateful for his support and encouragement over the last decade. From hiring me to work as his research assistant on his book project (despite my lack of experience), to his inviting me to co-author with him, to answering my

anxiety-filled phone calls at any hour, he was always in my corner. Mark encouraged me to to early on in my academic career to present the research that would culminate in this dissertation for which I am eternally grateful. All the while, he never held back his critique. I appreciate his ability to identify the fatal flaw of my arguments, and for always pushing me to sharpen my analysis.

Edward Telles has also been central to my intellectual trajectory, and worked closely with me throughout this dissertation project. But even more importantly, Eddie is the reason I became a sociologist. Acting as my intellectual *padrino* of sorts, Eddie made me realize that the many things that intrigued me in my travels to Latin America could actually be my research and the basis for a career. It took me quite a bit of time to believe it. I want like to thank him for his patience and unwavering commitment to mentoring me, and his optimism about my intellectual contributions. I also owe much to him for his substantive contributions to this dissertation and my research more generally.

In the end this dissertation would not have been possible without the generosity and contributions of the many black activists, government officials and academics in Colombia and Brazil that took out time to allow me to interview them, and who provided me with information and invited me to events. They greatly contributed to both the descriptive and conceptual aspects of this dissertation, for which I am deeply grateful and humbled. While these individuals are too numerous to name, a few people who were especially important during my time in the field deserve special mention.

While in Colombia, I would not have survived without the academic and personal support of Claudia Mosquera whom I consider my mentor and sister. Much of my understanding of politics and multiculturalism in Colombia is the product of our many complex discussions over coffee. She was patient as I figured things out and encouraged me to assert my voice as a scholar. Further, her commitment to being an *activista-intelectual* convinced me that such a thing was actually possible. I hope to strike that balance as I move forward.

Daniel Garcés Carabalí, Konty Bikila Cifuentes, Mario Angulo, Hamington Valencia, Francia Marquéz, and others at Proceso de Comunidades (PCN) were extremely generous with their time and support. They opened up their homes and archives to me, and I would like to express my gratitude. Carlos Alfonso Rosero, in particular, took me under his wing and was patient with me throughout this process. His courage and humility also served as a reminder of what this was all about to begin with. Much of my analysis of ethno-racial politics in Colombia, and the relationship between the state and black movements, developed in informal discussions with Rossih Amira Martínez and Aiden Salgado Cassiani. Both of them are not only deeply committed leaders, but also they always had a sharp political analysis of the complex events underway. They, along with many of the Afro-Colombian youth leaders associated with ENEUA welcomed me into their organization as their sister. I am profoundly grateful to them for being my social and political community during my time in Colombia. Juan de Dios Mosquera and Iván Alberto Vergara Sinisterra of Cimarrón, as well as Zulia Mena, Sergio Mosquera, and Rudecindo Castro all helped me contact many others in their networks to interview. I would like to thank them for their help. Finally, Cesar Rodríguez provided me with a beautiful work space

and intellectual home at the Observatorio de Discriminación Racial, while Cleo and Tambores de Elegua Dance Company were my social and cultural home in Bogotá.

In Brazil, I also was privileged to interview dozens of people involved in the black movement, as well as academics and state officials involved in the promotion of racial equality. I am grateful to all of them for their time and for being forthcoming in their interviews. Samoury Mugabe was infinitely helpful in introducing me to important people in the black movement in Sao Paulo and elsewhere. My analysis is also very much informed by my discussions with Ailton Pinheiro who would stay up with me for hours discussing questions of political autonomy, reparations and justice. Adriana Batista introduced me to activists Abdias do Nascimento, Elisa Larkin, Sandra de Sá, and Dagama of Cidade Negra all in the same night. Jurema Werneck and Lucení Dos Santos Ferreira of Criola helped me tremendously by giving me access to their institutional archives, while Reginaldo Bispo of the MNU arranged for interviews with MNU leaders throughout the country. I would like to thank him especially for this. I would also like to thank Hingles Elizabete Custodio da Silva and Marta Almeida for being amazing hosts during my brief time in Recife. They showed me around the city and facilitated many interviews with black leaders and government officials there. I would like to express my gratitude to Angela Paiva for providing me with an intellectual home at PUC, and Marcio André for the deep *bate papos* about black politics and cooptation in Brazil and the larger African Diaspora. Finally, Flávio Jorge and Carlos Medeiros were both important sources of information during and after my stay in Brazil. Both of them sent me information about events, political statements and debates as they developed, which helped tremendously in my analysis of the constantly changing field of black politics in that country.

My friends and colleagues at Berkeley were also important in developing the analysis contained in this work, and for providing much-needed balance in my life. Shannon Gleeson and Ruha Benjamin were my intellectual big sisters. They helped me make difficult decisions, and encouraging me to be true to myself in the process. I also value the friendship and insights of Jennifer Jones, Petra Rivera, Juan Herrera, Ryan Rideau, Vielka Cecilia Hoy, Kara Young, Marcel Paret, Margo Mahan, Trevor Gardner, Dawn Dow, Ryan Centner, and Hana Brown who all gave me critical feedback on my work, but also greatly improved my quality of life in the Bay Area. Abigail Andrews, Simon Morfit, Dan Buch, and Eli Friedman all participated in Peter Evans' dissertation writing group and gave me critical feedback just as I was developing the analytical framework for this dissertation.

Beyond Berkeley, Judith Morrison, Hector Perla, Juan Flores, Tanya Golash-Boza, Michael Hanchard, Ollie Johnson, and Agustín Lao Montes made up my broader intellectual community and support network. I would like to express my gratitude for their guidance, encouragement and mentorship at different stages of my intellectual trajectory.

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I was also privileged to have many friends outside of academia. My dance community at the Malonga Arts Center in Oakland including Taji Hill, Akua Jackson, and all of the beautiful dancers, drummers, and singers in Emesé always kept me grounded throughout the emotional rollercoaster of graduate school. I would like to thank them for reminding me to maintain balance and purpose in everything I do. Also, as odd as it may sound, I want to thank Jamie at Cafe 504 for providing me with amazing coffee, food made with love, and just the right kind of place for my ideas to flow as I wrote my dissertation chapters.

I would like to end by thanking the most important people in my life, my family. In this, I would first like to thank my mom, Pamela Paschel, for her love, support and patience over the years. She always made sure that education was a top priority, even amidst all the challenges we faced. I have finally come to understand and respect the difficult choices she made along the way. None of this would be possible without her.

I am infinitely indebted to my sister Crystal who always found a way to encourage and help me even as she juggled a million things, among them her career as a high-school teacher, motherhood, and many adversities. I would like to thank her for reading final drafts of my personal statements that likely contributed to my getting into graduate school in the first place, for watching all seasons of *The Wire* and *Mad Men* with me, for listening to way too many practice job talks, and for saving me countless times when I left my business matters in shambles after running off to South America. Your help saved me from going hungry, from missing flights, and from going to jail as a result of unpaid parking tickets. I love you!

Finally, I would like to thank my niece Nakaiyah who is the main reason I maintained my sanity in the last year of my program, and in writing this dissertation. I would like to thank her for her silliness, her clever sense of humor, our impromptu dance parties, and for the many songs she composed on the fly and allowed me to accompany with background vocals and beats. She also reminded me that being a professor is also being a teacher, a simple, but often forgotten, fact. I hope that I can meet her expectations for being a great teacher. My hunch is that she, like her mom and I, will also become one.

Thank you all for making this possible.

Chapter 1 Introduction

In 1991, black farmers and miners left the rural areas of the Pacific Coast of Colombia, making their way to the capital city of Bogotá. They took with them xylophones, drums and songs about rural life and cultural heritage to Colombia's National Constituent Assembly with the intention of serenading the 70 delegates there. These *serenatas* served one purpose: to prove to those elected to draft Colombia's new constitution that they, as black communities, should be granted specific rights by the Colombian state. Ultimately they succeeded and were recognized in Colombia's 1991 Constitution as a distinct ethnic group whose rights to territory were legally protected. The new constitution also mandated the adoption of Law 70 (1993), which in addition to recognizing collective territories of black communities granted them the right to political autonomy and participation, alternative development and two special seats in the House of Representatives. And while the prospect of black political participation seemed promising, it would mean that black activists would become incorporated into a clientelist Colombian state. This would prompt a sector within the black movement to use international strategies as a way of providing needed leverage against the Colombian state to make their newly granted rights effective. This legislation and formal incorporation into national politics very much defied the way the Colombian state had imagined the nation up until that point.

Similarly, in August of 2001 more than 200 Afro-Brazilian activists flew to Durban, South Africa for the United Nation's Third World Conference against Racism. In contrast to Afro-Colombians who carried with them symbols of their culture, Afro-Brazilian activists travelled equipped with official statistics on racial inequality and discrimination in the country. In South Africa, activists had one main objective: to pressure the Brazilian state to give reparations to the Afro-Brazilian population in the form of affirmative action policies. In December of that same year then President Fernando Henrique Cardoso gave an historic speech where he stated: "The Brazilian state recognizes the painful consequences that slavery caused in Brazil and it will continue with the task of repairing such damage through policies that promote equal opportunity." He added that the best way to address racial discrimination was through both "universal and affirmative action policies for Afro-descendants"¹¹.

Subsequently, a number of unparalleled policies were implemented throughout the country with the goal of proactively addressing the problem of racial inequality and discrimination against Afro-Brazilians. This included the adoption of race-based affirmative action policies at a number of public universities and government agencies, the creation of the Ministry for the Promotion of Racial Equality (SEPPIR) and the adoption of Law 10.639 that mandates the teaching of Afro-Brazilian and African history throughout the school system. Yet similar to Colombia, in addition to the institutionalization of their demands, Afro-Brazilian organizations and activists themselves would also become institutionalized into the Brazilian state. Also like Colombia, this shift toward the racialization of state policy very much shook the foundation upon which Brazilian nationalism had been built.

Nationalist narratives in both Colombia and Brazil were predicated on *mestizaje*, or the idea that biological mixture and cultural hybridity between European, indigenous and African peoples had

¹¹ Speech by Fernando Henrique Cardoso, December 19, 2001.

given way to a racially egalitarian and homogenous society. While the extent to which such ethno-racial egalitarianism actually held true is at the center of many scholarly and popular debates in these countries, ethno-racial exclusion was never consecrated in law in Colombia and Brazil.¹² Instead, upon independence, elites in both countries wrote constitutions and imagined the nation in ways that did not explicitly exclude or marginalize groups based on race or ethnicity. Some scholars have noted that this contrasts substantially from the way that the state dealt with the issue of race in the United States or South Africa (Marx 1998).

In this context of *mestizaje*, the social and political spheres were formally color-blind and nationalism was supposed to, and often did, supersede ethnic/racial identity. While de-facto ethno-racial inequality and racial hierarchy did persist in both Colombia and Brazil, the discussion of such inequality was not seen as legitimate, and even sanctioned, in the political arena (Hanchard 1994). However, this changed dramatically as governments in both countries began to recognize the multicultural nature of their societies and admit that ethno-racial inequality persisted in these countries. Perhaps more importantly, they also recognized the rights of, and designed specific policies for, black and indigenous populations for the first time in their histories. How do we explain this drastic shift?

Using ethnographic methods, this study set out to answer the following two questions: 1) Why did the Colombian and Brazilian states break a long tradition of colorblindness to adopt explicit ethno-racial policies for black populations starting in the 1990s? 2) How has this shift impacted black movements' trajectories including their ability to make further demands on the state? It draws on 18 months of fieldwork in Colombia and Brazil where I conducted one hundred and nine (109) in-depth interviews with black activists, academics and government officials, participated in a wide range of events organized by black activists as well as local and national governments, and analyzed a variety of historical documents.¹³

The Making and Remaking of Race and Nation in Latin America

Beginning in the 1990s, formally colorblind states throughout Latin America began to rewrite their constitutions to recognize the multicultural nature of their societies, often times passing legislation designed to recognize the collective land rights of indigenous and sometimes black populations, and other redistributive policies. Even so, much of the literature on race and ethnicity in Latin America either assumed that ethnic cleavages were not salient, or focused on explaining why ethno-racial groups did *not* mobilize given a reality of deep-seated racial inequalities. Thus, according to the two predominant narratives of Latin America either as a region of race mixture and homogenous national identity, or of mystified racial inequalities, people were not expected to organize as ethnic or racial groups. As Yashar (2005) notes, the dominant thinking about Latin America up until the 1980s held that as a region where “Ethnic cleavages are comparatively weak; violent ethnic conflicts are rare, isolated, and small; and assimilation and miscegenation have been described as giving way to a new cosmic race, a racial democracy, or at the very least a melting pot” (33). In this way, ethno-racial relations in Latin American were seen as an anomaly in a world of apartheid, ethnic cleansing, and conflict.

¹² The one exception to this is legislation at the turn of the twentieth century that gave incentives for and subsidized European immigrants and restricted immigration from black immigrants (Skidmore 1999; Andrews 2004).

¹³ For a more detailed account of my fieldwork, please see the Methodological Appendix.

Yet, some scholars challenged the notion that ethnic and racial identities were not salient in these countries, and instead argued that it was the pervasiveness of colorblindness and racial hegemony that best explained the relatively low level of political mobilization by the region's black populations (Hanchard, 1994; Marx, 1998; Winant 2002). According to these accounts, the ideological context of many Latin American countries was one in which discussions of racism and racial inequality were socially sanctioned, and sometimes even legally censured, making ethno-racial mobilization difficult (Hanchard 1994; Marx 1998; Sawyer 2006; Winant 2001; Nobles 2000). Marx (1998) notes, for example, "racial democracy encouraged submissiveness to a social order in which there is no legal racial domination against which identity formation and mobilization can be targeted" (1998, 260)¹⁴.

Similarly Hanchard (1994), in one of the few major works on black mobilization in Brazil, poses one main question: Why has there been "no sustained Afro-Brazilian social movement in Brazil comparable to the civil rights movement in the United States or nationalist insurgencies in sub-Saharan Africa and parts of the new world during the post-World War II" (5). He argues that racial hegemony had effectively neutralized the racial identity of non-whites, making mass mobilization close to impossible. Accordingly, even scholars who challenged the presumptions behind Latin American colorblindness argued that effective race-based movements would be difficult under this system. While these accounts certainly explain the lack of sustained black mobilization for most of the period following independence in Latin American countries, they are less helpful in understanding the intensification of ethno-racial mobilization, and the recent rupture in colorblind state discourses and policies throughout Latin America.

The widespread rewriting of constitutions and adoption of affirmative action and multicultural policies throughout Latin America has caused scholars on both sides of the debate to rethink previous approaches. In light of these developments, some have tried to make sense of the political and ideological context in which states have adopted such policies and what this means for ethnic and race relations and national identity in this region. Still, while there is a growing literature on this politicization of ethno-racial identities and the resulting policy reforms, most of it has focused almost exclusively on the role of indigenous mobilization. In these accounts, very little attention has been paid to the fact that black populations have also been the subjects of these recently adopted policies (Van Cott 2000, Van Cott 2006; Yashar 2005). As Van Cott (2006) asserts, constitutional provisions for black populations "often mimic in weaker form rights granted to indigenous populations" (291). In so doing, this work also often ignores the role black mobilization played in this important shift in state discourse and policies in Latin American countries.

While there are some important similarities between rights granted to indigenous and black populations in Latin America, some evidence suggests that the nature of black populations' demands, and the processes through which they became the subjects of such rights and policies, may have been distinct (Hooker 2005; Paschel 2010). Further, the heterogeneity of the black population in many of these countries – which typically spans from urban to rural areas – further

¹⁴ Racial democracy is the Brazilian variant of colorblindness. Popularized by social-historian Gilberto Freyre, it is the idea that Brazil was a truly egalitarian society where African, European and indigenous heritage had produced a Brazilian race and a society rid of racial hierarchy and racism. Proponents of racial democracy typically argued that slavery in Brazil was cordial, race mixture was widespread, racial identity was not salient and that the country was not stratified along racial lines.

complicates the nature of black movement demands, and the kinds of policies adopted by Latin American states. In her work on indigenous movements and multicultural reforms, Yashar (1999), for instance, holds that the politicization of black identities in Latin America has largely been limited to urban movements, making their demands different from those of rural indigenous movements. However, a closer analysis of black movements across the region complicates this assertion, showing that rural black actors have been at the center of black mobilization in Colombia and elsewhere (Grueso, Escobar, and Rosero 1998; Castillo 2007; Paschel and Sawyer 2007; Asher 2009; Paschel 2010). This all calls for more systematic analyses of the place of black populations in the shift to multiculturalism and new models of citizenship in Latin America.

Moreover, while black and indigenous movements throughout Latin America have made successful demands on their respective states, the legislation, policies and programs that governments have subsequently implemented rarely represent the range of demands initially lodged at the state (Hale 2002). Further, in many Latin American countries there is also a substantial gap between laws on the books, and actual state policies and practices, making it difficult to assess what achieving legislative reforms and state commitments actually means.¹⁵ Thus, in addition to examining the role of black movements in the shift to multiculturalism and anti-racism policies, this dissertation also analyzes the extent to which black movements are able to hold the state accountable once it has made some concessions.

Why Colombia and Brazil?

While the shift away from nationalist narratives and policies rooted in colorblindness to ethno-racial legislation has happened throughout Latin America, Colombia and Brazil stand out for several reasons. First, outside of the United States, Brazil and Colombia have the first and second largest black populations in the Western Hemisphere, respectively. Indeed, according to Brazil's 2000 census, 54% of Brazil's some 190 million people identify as "black" or "brown". While only 10.6% of Colombia's population of 40 million people identified as "black", "mulatto", "raizal"¹⁶ or "Afro-Colombian" in the 2005 census, previous government figures estimated the black population to be as high as 26%.¹⁷ Moreover, these countries also stand out as the countries that have passed the most comprehensive legislation for black/brown populations, making them both regional models of sorts. But perhaps more importantly, the nature and trajectories of black movements in each country, as well as state responses, have taken different paths in the two countries.

¹⁵ There is a growing literature on the implementation of affirmative action policies in Brazil, however, little work has been done on black movement-state dynamics after 2001.

¹⁶ Refers to the population living on the islands of San Andres, Providencia and Santa Catalina who are the descendants of West Indian migrants.

¹⁷ The 10.6% figure is in dispute both by the government and social movement actors. Starting with the 1993 National Census, official government estimates of the Afro-Colombian population have ranged from 1.5% to 26%. The 10.6% figure is based on the 2005 census which used a broad definition of Afro-Colombian (including those who self-classified as "negro", "mulato", "raizal", or "Afrocolombiano"); however, there were many methodological issues related to self vs. interviewer classification and the sampling method used considering that only a sample of the Colombian population were asked about their ethno-racial identity. Afro-Colombian organizations tend to defend the 26% figure that comes from an official government planning document CONPES 3169 of 2002 which estimates the Afro-Colombian population at 10.5 million people.

I show that whereas the dominant discourse codified in Brazil's newly adopted policies for black populations centers on notions of "the right to equality" and the need for racial integration and equal opportunity, in Colombia, black issues are largely framed in terms of "the right to difference" emphasizing culture, identity and the need for collective ethnic territory and local political autonomy. While this study seeks to explain why the Brazilian and Colombian state both adopted ethno-racial policies for black populations, embedded in this approach is an analysis of why black movements emerging from similar ideological contexts have made different kinds of claims on their respective states.

Further, black movement actors in both countries demanded more substantive political participation, which resulted in the institutionalization of certain sectors of the black movement into the state in each case. However, whereas rural black organizations in Colombia called for political autonomy and self-governance, more urban-focused black movements in Brazil demanded equal representation and access to every level of the Brazilian state. So while the Brazilian and Colombian states responded to these demands by creating structures within the state to address black issue and also to formalize the political participation of black populations, the nature of these structures were distinct. So while similar histories of colorblindness and the magnitude of the policies adopted for black populations make Colombia and Brazil important cases to study, it is also these differences in the state discourses and the trajectories of black movements that make these two countries particularly interesting sites for understanding the broader shift to multiculturalism in Latin America.

The New Politics of Blackness in Colombia and Brazil

In order to explain both this dramatic shift from colorblind state policies to the adoption of ethno-racial policies for black populations starting in the 1990s in Colombia and Brazil, and to understand how this shift impacted black movements' trajectories, I put forth an integrated analytic framework of national and global political fields. This framework draws heavily on the social movement literature as well as the broader political sociology literature. Also central to both of these cases, and integral to this framework, is an attempt to take seriously the complex ways that global factors intervene in local and national political struggles. I advance three substantive arguments about what I call the new politics of blackness in Colombia and Brazil.

First, I argue that the Colombian and Brazilian states both adopted specific policies for black populations in response to pressure from activists who seized upon a convergence of a national and international political opening. More specifically, I contend that in Colombia, the rise of global policy norms around multiculturalism (global field) converged with a constitutional reform process and crisis of legitimacy of the state (national field), providing an important political opening for black movement actors in that country. In Brazil, stalled reforms and a President sympathetic to anti-racism struggles (national field) converged with Brazil's desire to project itself as a leader in the fight against racism during the Third World Conference against Racism (global field), providing key political openings for Afro-Brazilian activists to ultimately gain affirmative action and racial equality policies in the early 2000s.

Second, that the different discourses of blackness embedded in these recently adopted policies reflect the different variants of colorblind nationalist discourse in the two countries as well as the strategies black movements used. Colorblind state discourse in Colombia was largely based on a

regionalized nationalism that amounted to the discursive erasure of blackness provided the fertile ground upon which Afro-Colombian activists' would make claims to ethnic difference. In contrast, the well developed centralized nationalism in Brazil, based on the symbolic inclusion of Afro-Brazilians, made successful claims to ethnic difference improbable, and claims to full racial integration and equality much more legitimate.

Finally, black movements in both Colombia and Brazil have become institutionalized into the state in unexpected ways that have led to a reconfiguration of black movements' organizational structures, discourses, strategies and level of effectiveness. However, whereas the black movement in Brazil has been gradually absorbed into mainstream political institutions, the black movement in Colombia has been rapidly institutionalized into precarious parallel political structures, which has facilitated state retrenchment and exacerbated fragmentation and conflicts over representation within the movement. In this context, the Afro-Colombian activists that use transnational advocacy networks have been the most successful in this post-reform period, while it is more institutionalized strategies that have proven most effective in Brazil. Rather than suggest that structure is the only determinant of the trajectories of black movements in each country, I argue that these divergent patterns of institutionalization reflect both the political fields in which black movements are embedded, as well as their agency in negotiating the new political contexts that they, in part, helped to create.

These substantive arguments about black movement trajectories in Colombia and Brazil rely heavily on a conceptual framework that draws on both the literature on social movements and political sociology more generally. In so doing, my aim is to shed light on the complex dynamics of the shift to multiculturalism and policies for black populations in these two countries. In taking this integrated approach, this dissertation is also a call to beyond the division of labor that normally characterizes the literature on social movements.

The Division of Labor in the Study of Social Movements

While dominant perspectives on the study of social movements do offer important conceptual tools for understanding black movements' success and trajectories in Colombia and Brazil, they do miss some key aspects of the story. This is, in part, because of the implicit division of labor in the study of social movements. Such compartmentalization has reproduced a number of false binaries in the study of state-social movement contestation including that between structure and culture, between disruptive and institutionalized strategies, and between national and international political processes. I contend that this has created a number of blind spots in the study of recent shifts in Colombia and Brazil, and the role black social movements have played in this process.

While dominant approaches to the study of social movements are useful when deployed together they are rarely used in this manner. On the one hand, more structurally oriented scholars tend to deploy political process theory without grappling with the way that the discursive shapes social movement dynamics. On the other, scholars deploying frame analysis focus almost entirely on the role of ideas and culture in social movement emergence, typically ignoring the important role that political structures play in shaping the frames that social movements use. This sharply drawn division in social movement literature between the power of political institutions and the agency of social movement actors is not particularly useful in understanding what is ultimately the

interplay between the two. So while political process theory would rightfully identify the political openings upon which black movements in Colombia and Brazil seized, it would miss key factors that shape black movements' success, such as the role of discursive factors in constraining and facilitating their emergence, and in shaping their effectiveness. Alternatively, a framing approach would likely miss the convergence of political factors at the national and global levels that allowed for black movements to frame their demands in particular ways in the first place.

Further there is a de-facto division of labor that separates the study of why and how social movements emerge, from what happens to movements after they make successful claims on states. This gap exists, in part, because there is an underlying assumption in much of the social movement literature that when movements stop using disruptive strategies, they cease to be social movements all together. Once movement actors begin to use institutional or bureaucratic strategies, these former social movements presumably cross over into the domain of those who study formal politics. The problem is, however, that this is not always the case. Instead, social movements are often institutionalized into the state through a complex and uneven process, sometimes never being fully incorporated into formal politics. Moreover, in the case of black movements in Colombia and Brazil, certain sectors of the black movement have come to use more formal or institutionalized strategies, yet they have not actually morphed into an interest group or political party. What is more, during this time, other sectors within the black movements in each country have become radicalized, refusing to engage in institutionalized politic all together.

So while this demarcation may have been a useful analytic one at some point, the emergence of NGOs, the incomplete transformation of social movements into political parties, and the simultaneous use of both disruptive and institutionalized tactics by movements around the world, all call for a more integrated analysis of social movement-state contestation over time. Indeed, Meyer and Tarrow (1998) recognized some time ago that movement actors were increasingly using disruptive strategies alongside institutionalized ones. These entanglements all suggest that the social movements literature cannot be divorced from the literature on political sociology which focuses on how civil society engages with the state to produce political outcomes. It is only recently that social movement scholars have begun to contest these binaries, offering more integrated approaches to understanding social movements, and state-civil society engagement/contestation more generally (Ray 1999, Alvarez, Dagnino and Escobar 1998; Koopmans and Statham 1999, Heller, Baiocchi and Silva 2008). These works provide a crucial point of departure for this study.

The Theoretical Framework: Global and National Political Fields

This study deploys the concept of national and global political fields as a way of taking a more integrated approach to theorizing social movement state contestation over time. This contrasts with more conventional approaches that look at social movement emergence, outcomes and institutionalization in isolation, or structure and culture separately. Bourdieu's notion of the political field offers a useful analytic for understanding the role of both structure and culture in shaping politics and contestation between different actors. He defines the political field as "a field of forces and as a field of struggles aimed at transforming the relation of forces, which confers on this field its structure at any given moment (Bourdieu 1991; 171).

However, in addition to the relation of forces and structural elements of a political field, Bourdieu also suggests that fields are governed by a specific logic or rules of engagements. He asserts, “the social conditions of possibility of this struggle may be found in the specific logic by which, in each social formation, the distinctively political game is organized” (181). In this, there are rules that govern what categories are legitimate within a field, and thus the struggle between different actors is not only over material resources and control of what he calls “public powers” or state administrations, but of the categories of representation themselves, and the legitimate use of symbolic power. (181). While this notion of the political field has been infinitely useful, Bourdieu’s emphasis on the specificity of the political field itself, and the need to analyze the parameters around the field in ways that are rooted in an understanding of that specific field, make it difficult to operationalize it.

Building on Bourdieu’s concept of the political field, Ray (1999) defines the political field as “structured, unequal, and socially constructed environment within which organizations are embedded and to which organizations and activists constantly respond” (6). Consequently, social movements, she argues, are embedded in political fields, which are defined both by the distribution of power or the “the pattern of concentration or dispersal of forces within the field” and the political culture or “the acceptable and legitimate ways of doing politics in a given field” (7). Thus, ideological factors can both constrain movements, but they can also catalyze them, sometimes resulting in a change in the political field. While this notion of political field, at first glance, seems similar to the long established concept “political opportunity structure”, embedded in it is notion that movements are constrained by, and respond to, a political culture that profoundly shapes the nature of their contestation, the strategies they use and the way they discuss their issues.¹⁸

While this conceptualization of the political field offers key insights into understanding the emergence and trajectories of black movements in Colombia and Brazil, I build on it in two ways. First, I contend that many social movements, including the ones under study here, are not only embedded in a national political field, but also a global political field. Second, I suggest that while movements are constrained by an objective political structure and a set of rules of engagement, they are also important actors who both determine, and reconfigure the field itself.

Defining and Situating the Global Political Field

While in Ray’s (1999) work, she examines confines her analysis of women’s movements in India to politics at the local and national levels, evidence suggests that international factors may also impact the nature of politics, especially in Latin American countries (Kay 2005, Perla 2008, Thayer 2001, Van Cott 2000, Yashar 2005). There has also been an explosion of research on the role of transnational strategies in shaping social movement politics (Keck and Sikkink 1998; Guidry, Kennedy, and Zald 2001; Tarrow 2005; Tsusui 2008). These accounts show how political factors outside of the boundaries of the nation state, including opportunities created at the international level, the diffusion and translation of global policy norms, transnational mobilization, and the influence of international actors, play an important role in the nature of

¹⁸ In this sense, political culture is much like Koopmans and Statham (1999) concept of “discursive opportunity structure”. In both approaches, more than a resource for mobilizing supporters, culture is treated as an integral part of the political opportunity structure that movements face.

contestation between movements and the state. This aspect of social movements was largely left under-theorized by earlier research that overwhelmingly focused on social movements in the U.S. and Western Europe.

Moreover, there are also a number of works that have suggested that international factors have been important for shaping the changing landscape of race and politics in Latin America. In this, some authors see international factors as the catalysts of local struggles by the regions' black and indigenous populations (Htun 2004; Telles 2004; Van Cott 2000; Yashar 2005). However, others have argued that imperialism by U.S. foundations, scholars, and multilateral institutions with their own understandings of race help explain this shift in Latin America (Bourdieu and Wacquant 1999; Restrepo and Castro-Gómez 2008). Given these competing perspectives, the question becomes: to what extent might international factors help explain the politicization of blackness in Colombia and Brazil? The distinct positions that Colombia and Brazil occupy in the global sphere – both in terms of the economy and politics – provide a fruitful comparison understanding how, and the extent to which, international influence might explain these changes in Latin America more generally.

In order to better define the concept of the “global political field” I draw on the existing literature on transnational social movements as well as the literature on global diffusion. Keck and Sikkink (1998) analyze the role of transnational advocacy networks in social movement success arguing that the pattern of transnational activism occurs much like a boomerang. This “boomerang effect” occurs when non-state domestic actors face blockages in would-be negotiations with the state, which forces them to rally the support of both state and non-state actors in the international arena. This strategy, they add, has the ultimate goal of bringing “pressure on their states from outside” (12). Taking a similar approach, Kay (2005) goes beyond an extension of the political process approach onto the international by mapping out the constitution and distribution of power of the international.

While the global dimensions of state-social movement contestation that both Keck and Sikkink (1998) and Kay (2005) uncover are very useful for understanding these cases, neither takes seriously the role of political culture in shaping politics at the national or international level.¹⁹ More than international and transnational actors influencing national politics, international norms themselves can also be important for shaping the political culture of national political fields. Kymlicka (2007), for instance, argues that the increasing adoption of multicultural policies in the last twenty years in Latin America is directly linked to the human rights revolution and the development of norms of racial equality in the postwar period. Similarly, examining constitutional reform in Latin America, Van Cott (2007) argues that the “the global diffusion of policy norms from the advanced industrialized countries brought with it international norms of cultural recognition and human rights upon which indigenous movements have based their rights claims” (17).²⁰

¹⁹ In this sense, the same critique of political process approaches at the national level are applicable to these accounts, namely that such an approach is overly structural.

²⁰ The relationship between neoliberalism and multiculturalism is the subject of much recent scholarship. Cautioning against what she calls the “commodification of ethnicity,” Comaroff similarly argues that citizenship in the neoliberal age is based on “circumstances that privilege difference” (2005, 129).

In order to conceptualize this permeability of the national political field, and interplay between national and international factors, I extend Ray's concept of the political field to the global. I argue that black movements in Colombia and Brazil are embedded in both a national and global political field, separated by a permeable boundary. I define the global political field as an array of discourses, state and non-state actors and influence. In this, elements of the global political field flow across national boundaries and interact with national politics in ways that are dialectic or relational. This lays the structural and discursive context for particular kinds of contestation with between black movements and the state in each case. Thus, rather than a nationally contained politics, this study assumes a constant interplay between global and national political processes that shaped each stage of contestation between black movements and the state. As such, rather than separate out these global processes from the more local and national ones, I try to interweave the global into my larger narrative throughout the dissertation.

Bourdieu's original concept of the political field, as well as Ray's use of it, both contend that within political fields there are smaller subfields and even oppositional fields. Ray (1999) argues that these subfields that "may or may not share the logic of politics in the larger political field, although they are constrained by it" (8). This notion that subfields are embedded in a larger field is a useful analytic for understanding the interplay between national and global political processes in the case of black movement politics in both Colombia and Brazil. The diffusion of global policy norms, the increasing use of transnational strategies among black movements and the salience of international institutions in national politics all shape the nature and outcome of black movements' contestation with the Colombian and Brazilian states. Yet changes in international norms around multiculturalism were not simply imported into Colombia and Brazil, but rather were subject to adaptation and translation resulting from the interplay between such norms and national political processes in both countries.

Even so, the extent to which this logic of the global political field shapes a national field corresponds to the position the country occupies in economic and political global distribution of economic and political power. So while national politics in Colombia and Brazil are both embedded in a global political field, the way that international factors shape social movement dynamics in each country depends heavily on the different place each country occupies on the international stage. Colombia as the third largest recipient to U.S. foreign aid and the subject of scrutiny over human rights issues by a host of different actors, occupies a different position from Brazil, which has been especially proactive in consolidating its role as an economic, political and cultural leader in the Global South. This analytic allows me to simultaneously move beyond accounts of social movements that either assume that politics are contained at the national level, and to also challenge accounts that assume that the relationships between actors in these countries and international actors are necessarily about simple flows of influence from North to South.

Reconfiguring the Political Field

While the state is a powerful and important actor in shaping the political field in which social movements are embedded, movements also shape the field in which they are embedded. As Ray (1999) suggests, while movement organizations are certainly shaped by the political field itself, any analysis of the relationship between movements and the political field in which they are embedded, must understand that the field itself is as a "configuration of forces" and "a site of

struggle to maintain or transform those forces” (7). Thus, rather than focus on how a single yet powerful actor - the state - may “open” political opportunities, we must examine the effect of a political field on movements themselves. Such a framework must also entail an analysis of how movements respond to, negotiate, and sometimes reconfigure the political field itself. Even so, most of Ray’s analysis focuses on how women’s movements are embedded in two distinct political fields in Calcutta and Bombay, rather than how these same movements have shaped or reconfigure the field itself. As I deploy the concept of political fields, I will also examine how black movements in Colombia and Brazil respond to the political field in which they are embedded in ways that actually reconfigures the political culture and distribution of power within the field to varying degrees.²¹

As the Colombian and Brazilian state began to create formal spaces for black participation, black activists themselves also found themselves having unprecedented access to the state. This has led to the institutionalization of some sectors within both movements. With the exception of some recent work, few systematic studies have analyzed how different movement actors negotiate institutionalization in different political contexts. This is in part because social movement institutionalization was long considered the death, or decline of the movement (Blumer, 1951; Piven and Cloward 1977). As movements become more formalized and enter into more orderly and procedural politics with the state, Piven and Cloward (1977) argue that they also become depoliticized, which they suggest compromises their political efficacy while at the same time silencing more disruptive actors. Thus, most social movement analysts, even while not explicitly making this claim, did so implicitly by confining their analyses to the emergence of social movements.

However, given that state concessions are always only partial, and that in many Latin American countries there continues to be a large gap between legislation and actual state practices and policies in these countries, understanding what happens after the state makes such commitments is arguably more important than the period leading up to them. We also know that social movements are typically a conglomerate of different kinds of groups and organizations that often use competing strategies, and also that one actor within a given movement may use both disruptive strategies and institutionalized ones (Gamson and Meyer 1996; Meyer and Tarrow 1998). Further, other work suggests that the line between institutionalized spaces and autonomous spaces is not always so clear (Tarrow 1989; Ferree and Martin 1995; Hipsher 1998; Katzenstein 1998; Alvarez, Dagnino and Escobar 1998). This lack of homogeneity within movements, and simultaneous use of strategies, and blurred lines between state institutions and autonomous movements organizations all make it difficult to delineate social movement politics from formal politics. Even so, there continues to be a privileging of disruptive strategies that often situates institutionalized strategies outside the purview of social movement scholars.

Baoicchi, Heller and Silva (2008) note that “while the literature has had much to say about the mobilizational capacity of civil society, it has had little to say about how civil society can effectively engage the state and influence public policy” (22). Similarly, Alvarez, Dagnino and Escobar (1998) suggest that much of the literature on social movements has had a “putative

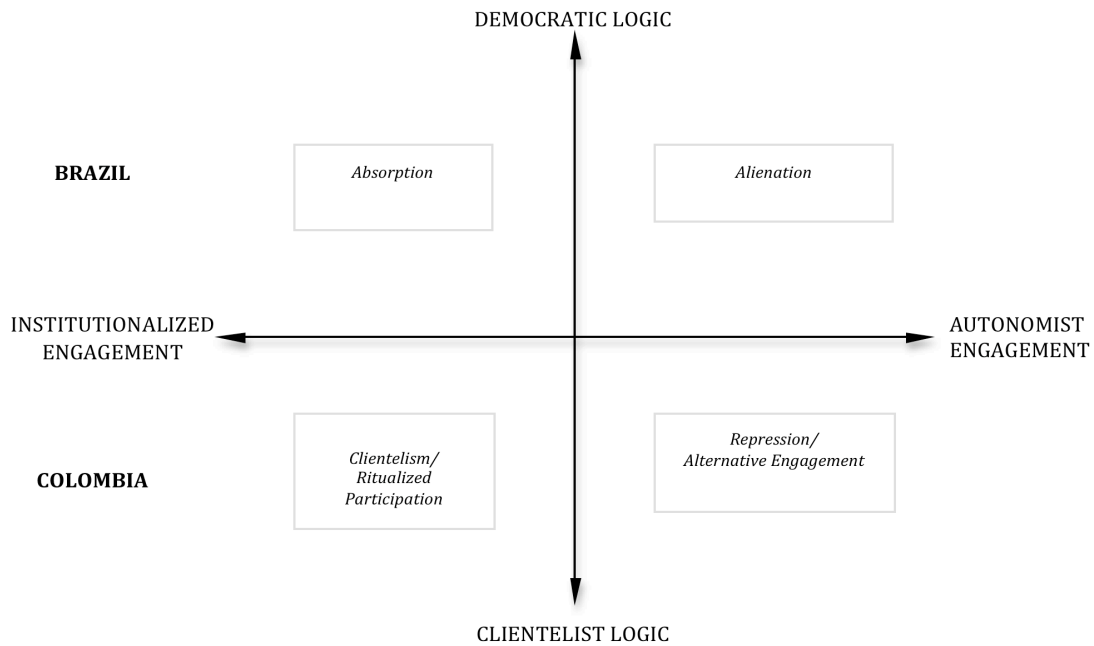
²¹ In making sense of the ways in which the political field becomes reconfigured as states respond to black movements in each case (Chapters 4-6), I also introduce a number of concepts to understand the interplay between structure and the agency of movement actors in the newly configured political field.

eschewal of institutional politics” in the “defense for absolute autonomy” (13). This volume, as well as many of those cited above, call for more critical and systematic analyses of the different strategies social movement actors use whether they are formal or contentious, bureaucratic or disruptive. Following Alvarez, Dagnino and Escobar (1998) suggestions, I analyze the extent to which contemporary black movement organizations in Colombia and Brazil have been successful in making demands on the state. This means at once analyzing how some movement actors’ pressure from outside of the state, and how some actors within the movement have pushed for the implementation of existing legislation and for further reforms from inside the state.

In order to do so, I draw both on the literature on social movement institutionalization (Hipsher 1998; Katzenstein 1998) as well as the broader political sociology literature (Fox 1996; Evans 2002; Keck 2002; Baiocchi, Heller and Silva 2008). Both provide some insights for our understanding of black movement politics in Colombia and Brazil. Focusing on how civil society actors engage with the state to change conditions on the ground and in the provision of public goods to local communities, this literature can also be useful for understanding how social movement actors might also navigate different state apparatuses at the local, regional and national level. Baiocchi, Heller and Silva (2008), in particular, provide a useful point of departure to understand the complexities of the changing relationships between black activists and their organizations, and the state in Colombia and Brazil.

Examining how civil society engages with the Brazilian state at the municipal level, they do not assume that such engagement requires groups to give up their civil society status, or that the state has all of the power in shaping the nature of these relationships. Instead, they look at a complex array of local state-civil society relationships which takes seriously both the political context into which social movement organizations (and civil society more generally) become institutionalized (mode of engagement with the state) and the nature and level of organization of civil society itself (self-organization). Baiocchi, Heller and Silva (2008) suggest that the state has two different modes of engagement with civil society: associationalism, which they define as “rule bound and transparent procedures of demand making” and clientelism, defined as “discretionary demand-making contingent on loyalty to a broker/patron” (918). Building on this conceptual framework, I develop a schema for understanding the changing relationship between different black movement actors and the Colombian and Brazilian state. I present this in Figure 1 where I identify two dimensions of black movements institutionalization, what I call *state logics of incorporation*, and the *degree of engagement* with the state.

Figure 1: Divergent Patterns of Institutionalization



State Logics of Incorporation

On the vertical axis I have state logics of incorporation. In this, I suggest that different states have systematically different logics of incorporating social movements, which profoundly shape the nature of state-movement negotiations and contestation. As movements come to develop more routinized contact with different parts of the state, the structures of the state, and how it incorporates movements, does profoundly shape the nature of social movement institutionalization. To be sure, as movements gain access to the state, they get access to particular parts of the state, which allow for different levels of political influence. As we will see later, becoming institutionalized into mainstream and more powerful arms of the state allows for a particular kind of influence that state-civil society commissions might not. I will argue that both of these spaces, and the logic of institutionalization behind them, sets the stage for social movement actors to negotiate institutionalization in different ways.

I identify two poles of state logics of incorporation of civil society, with Brazil on one end of the spectrum with a relatively democratic logic of incorporation, and Colombia on the opposite end, with a clientelist logic. I define *state logics* as the state’s orientation toward incorporating social movements that is a reflection of the kind of state, the openness of the political system, the discourse used to talk about civil society actors, and the nature of the formal structures of participation set up by states in response to social movement pressure²². This concept attempts to take into consideration the political context into which movements become institutionalized, and the political culture within a given political field. It is not synonymous with regime type, but

²² This draws, to some extent, on Hipsher (1998) in her comparative study on women’s movements in Chile and Brazil. She identifies a number of elements of the political opportunity structure of each to explain why the women’s movement in Brazil have made more substantive gains than in Chile.

rather attempts to capture the nature of politics as usual, and the relationships between the state and organized sectors of civil society.²³

Degree of Engagement

On the horizontal axis I have degree of engagement or autonomy from the state. However, in contrast to Baiocchi, Heller and Silva (2008), rather than understanding civil society as homogenous I argue that civil society, and social movements are always fragmented. Thus, while it may be the case that the political field of a given locale can be dominated by what Baiocchi, Heller and Silva (2008) call a “dependent-associationalist model” of civil society/state engagement, some civil society organizations embedded in such a context may still choose to assert and maintain their autonomy from the state. As such, different civil society actors can have entirely different relationships with the same state. Further, rather than identifying discrete types as Baiocchi, Heller and Silva (2008) do, I suggest that the nature of engagement between black movement actors and the state are more about degrees of engagement with the state.

Embedded in this framework is the notion that institutionalization is inevitably a partial or segmented process, rather than an aggregate one, whereby different movement actors make strategic decisions about if they “want in” or not, into the institutionalized spaces within the state, and formal political structures. In both cases, black movements have decided to engage with and inhabit the state, while others have not. Whereas black movement organizations that engage with the Brazilian state have been almost completely incorporated into formal politics through *absorption*, institutionalized sectors of the black movement in Colombia have become entangled in a game of *ritualized participation*. In contrast, the small group of black activists in Brazil that refuse to become institutionalized tend to experience *alienation* from a largely institutionalized black movement and from the Brazilian state, whereas similar autonomous actors in Colombia have either been victims of violent state *repression* or have used transnational ties with human rights advocates to develop an *alternative form of engagement* with the Colombian state.

So while the nature of the relationship between the state and black movement organizations does depend heavily on the political context in which movements become institutionalized, it is also important to analyze how movement actors either inhabit or contest institutionalized spaces. This means that rather than simply looking at how the state co-opts movements, we have to also examine how different movements navigate this new political context. Analyzing state structures that seek to incorporate dissent, alongside an examination of different organizations’ degree of engagement with, or autonomy from, the state, is key for understanding the impact of institutionalization on social movement trajectories. I argue that this interplay between social movement actors’ decisions and the different political contexts into which they are institutionalized, impacts social movements strategies, organizational forms, internal movement dynamics, and their effectiveness over time.

²³ Kitschelt’s (1986) work is important for how I think about state logics of institutionalization. Comparing the strategies used by nuclear freeze movements in four countries, he argued that the repertoires of protest that movements used depended heavily on the political opportunity structure of that country which he defined as consisting of the openness of political structures and the efficacy of the state in making and implementing policy. In the context of these cases, the second component of the opportunity structure is infinitely important considering the gap between commitments made by states and policy implementation.

The Dissertation Road Map

For the sake of analytical clarity, I divide black movement-state contestation in the two countries into two moments: the period directly leading up to reforms, and the period following. Using the theoretical framework outlined above, this study shows how in the first moment, black movements in Colombia and Brazil, who are embedded in both a domestic and global political field, seize political openings by deploying a combination of material and discursive strategies. States, responding to such pressure and making calculations that are heavily governed by their logic of institutionalization of movements, states shift their discourses, policies and their institutional structures around black issues offering (limited) access to the state. In the second moment, this reshapes the political fields in which movements are embedded leading movement actors to inhabit and contest institutionalized spaces in ways that alter the nature of their claims, their strategies, organizational structures, and of course, their relationship with the state. In this sense, my framework operates much like a classic feedback loop whereby the state shapes the political context in which movements are embedded, the movements, in turn, reshape the state around ethno-racial issues, and the new political field created by this contestation, in turn, reshapes the movements.²⁴ This dissertation is organized in two substantive parts representing the two moments of black movement-state contestation that I outline above.

Part I: How Black Movements Reconfigure the Political Field

In the first part of this dissertation I analyze the shift from colorblind state policies to the recognition of special rights, and the adoption of policies, for black populations in Colombia and Brazil. In Chapter 2, deploying Goldberg's notion of "the colorblind racial state", I examine the particularities of nationalist discourses rooted in racial democracy in Brazil and mestizaje in Colombia. In so doing, I argue that while black people were incorporated into the nation in Colombia and Brazil in distinct ways, both models of nationalism created a political culture of colorblindness. So while ethno-racial exclusion and inequality certainly prevailed, discussions and mobilization around these issues were not seen as legitimate in the political arena in these countries. I briefly examine earlier black movements in both countries to contest the colorblind state as a way of understanding the nature of the political field before recent reforms.

Chapter 3 examines the political context of Colombia and Brazil in the 1990s as well as the strategies used by black movements in both countries that lead to the states' adoption of policies for black populations. I argue that in both cases black activists seized upon multiple political openings at the national and global levels and were ultimately successful in pressuring the state to make these reforms. While activists and organization deployed a number of strategies including discursive tactics, mass mobilization and disruptive forms of protest were not central to the adoption of policies in either case. In Colombia, nascent black movements were successful in seizing upon changes in global policy norms around multiculturalism and constitutional reform process by deploying traditional social movement strategies, and perhaps more importantly, by avoiding framing their demands in terms of race. Instead, they opted for an ethno-territorial framing, emphasizing the "right to difference". In Brazil, black activists were successful in making successful demands on the state in the late 1990s because they also seized upon the

²⁴ It is usually post-facto or for strategic political purposes that we construct social movements as a singular "the civil rights movement" or "the women's movement".

ending of Fernando Henrique Cardoso's term in the presidency as well as the Third World Conference against Racism. In the context of political openings, national and global, rather than focusing on mass mobilization black activists deployed a number of other effective strategies including the building of transnational alliances, collaborating with and lobbying from within the state and political parties, and perhaps more importantly, they exposed the gap between the Brazilian government's discourse about being a racial democracy and leader in anti-racism and the reality of stalled reforms at home. I suggest that the different nature of policies for black populations in each country has as much to do with how black populations were historically imagined by the state, as it does with the strategies Afro-Colombian and Afro-Brazilian activists when making demands on the state.

Part II: Black Movement Dynamics in the New Political Field

The second part of this dissertation seeks to understand how this institutionalization of black movements has affected movement trajectories. More specifically, this process shapes their ability to hold the state accountable for present commitments, to pressure the state to take further demands on the state, but it also changes many internal movement dynamics. To be sure, once the Colombian and Brazilian state responded to black movements, the political field in which they were embedded fundamentally changed, even if their demands were only partially met. Indeed, while the Brazilian and Colombian state radically changed their discourses around ethno-racial issues and adopted substantial legislation and policies for black populations, these concessions did not reflect wide range of demands that black movement actors initially made. In addition to changes in state discourse and policies, the Colombian and Brazilian state also created an apparatus of black representation/participation within the state itself, giving black movement actors unprecedented access to the state and formal politics. This new apparatus for black participation, while different in each country, has taken the form of special state ministries, commissions and councils, at each level of government, as well as political quotas in the case of Colombia.

In Chapter 4, I analyze how the Colombian and Brazilian state institutionalizes black movements through these formal state structures including state agencies charged with the task of implementing policies for black populations in the two countries. I show how these new structures fit into a larger state logic of incorporation of civil society in these two cases. In Chapters 5 and 6, I examine how black movement actors negotiate, inhabit and contest these newly established institutionalized spaces, exposing a reality of social movement institutionalization that is much more complex than the literature suggests. In this, I show the often-ambiguous position they occupy, the permanence of their identities as activists despite much critique, complex struggles over representation, and the limits to their power within the state. These chapters also show that in both cases, some sectors of the black movement challenge institutionalized spaces by raising questions about political autonomy, representation and the effectiveness of these spaces. They also do this by delegitimizing them, often times launching effective boycotts of institutionalized processes, and sometimes by developing alternative strategies to pressure the state.

More specifically in the case of Colombia, the creation of institutionalized spaces of black representation has itself lead to the proliferation of black movement organizations. While some people do inhabit new state structures for self-promotion and personal benefit, others do so

because they are painfully optimistic about the possibilities for social change from within these newly conquered political spaces. Even so, the context of clientelistic politics and the institutionalization of black activists into spaces within the state that are void of power and susceptible to corruption, the black movement, though now consisting of more organizations than ever, is largely weakened. I call this ritualized participation.

In contrast, the road to institutionalization in Brazil has been paved for a number of decades with the incorporation of a number of black activists into the ranks of the Workers' Party (PT) and other emergent parties. Further, the context of associationalist politics and the absorption of many social movements including black social movements have produced an entirely distinct process of social movement institutionalization in that country. In this context, the increasing influence of black activists within political parties in the country, paired with the Brazilian state's associationalist mode of engagement with civil society has made it such that the dominant thrust in the black movement has been to institutionalize. Thus, unlike the Colombian case where many of the most recognized black activists and organizations have worked to maintain their autonomy from the state and contest such cooptation, in Brazil the most important black activists and organizations have subsequently taken up positions within the state, in consultative bodies, formed organizations that are hard to separate from political parties, and become financially dependent on the Brazilian state, something I call absorption. In this context, the small sector of the Afro-Brazilian movement that has chosen to maintain some level of autonomy: black NGOs, which have been able to have a participatory autonomy of sorts, and a radical sector within the movement that has largely remained alienated from mainstream politics. In the end, it is Afro-Brazilian activists that engage with institutionalized politics that have had some success in pressuring the state in the post-reform period, while in Colombia it is more autonomist sectors.

The final chapter addresses the broader implications of this study of black politics and the recent adoption of ethno-racial policies in Colombia and Brazil. In it, I argue that by analyzing these cases, this study reveals new ways of understanding race and politics in Latin America, and also sheds light on how we understand the relationship between social movements and the state, more generally. By deploying a comparative framework, this study reveals a more general pattern of social movement politics that not only demonstrates how the state and political context shape the emergence of movements, but how movements can gain political traction and reconfigure the state, creating a new political context that, in turn, reshapes the movements through a complex process of institutionalization. Further, in examining how black movements in Colombia and Brazil seize upon changes in the global political field, appropriate global discourses into local struggles, and build transnational alliances, the work also challenges us to recognize the constant interplay between global and national political processes. My aim is to contribute to the making of a more general approach to understanding how social movements today engage with the state over time, particularly in countries in the Global South where international factors are likely to be more central to this process.

Part I: How Black Movements Reconfigure the Political Field

Chapter 2

Blackness and the Hegemony of Colorblind Nationalism

In order to understand the magnitude of the adoption of redistributive race-based policies for black populations in Colombia and Brazil, we must first understand the hegemony of colorblindness in politics and society more generally in these countries. Embedded in nationalist discourses, and models of citizenship, was the idea of racial egalitarianism and cultural homogeneity in both countries, as well as Latin America more generally. More than elite imaginaries, these ideas of colorblindness profoundly shaped politics and identity formation such that discussions of racial hierarchies and cultural heterogeneity were often silenced and socially sanctioned. It is against this hegemonic ideology of colorblindness that organized sectors of the black movements in Colombia and Brazil would have to mobilize. These movements in both countries can be traced back to as early as the colonial period, and the early post-independence era (Butler 1998, Sanders 2004). Yet their efforts in challenging what they saw to be empty narratives of colorblindness, and exclusionary models of citizenship, would only be successful beginning in the 1990s.

Indeed, the project of building the modern nation-state carried with it the difficult task of imagining and constructing a homogenous nation. In Latin America, though, elites also had to grapple with the reality of ongoing slavery, colonization, and mass immigration from different regions of the world. Further, the solidification of the nation-building project in many Latin American countries overlapped with the height of scientific racism, which purported that some nations were naturally destined toward progress and others would be doomed to backwardness indefinitely. Thus, much was at stake for elites in Latin America who, upon winning their fight for independence from the Spanish and Portuguese empires, had to also fight for their legitimate entrance into modernity, fitness for development, and ultimately their sovereignty. To be sure, the sovereignty of nation-states in this early period relied on Eurocentric, and racial determinist notions of superiority and fitness (Stepan 1996).

In this context, newly independent states in Latin America were especially concerned about assuring that the political and economic structures that they created were exemplary of liberal ideals, a homogeneous national culture and identity, and specific visions of economic development (Stepan 1996, Skidmore 1990, Skidmore 1993, De la Fuente 2001). Yet, these same creole elites were also forced to grapple with a reality of an economic system based on extreme exploitation and entrenched ethno-racial hierarchies. They also had to confront the reality that despite their Spanish and Portuguese ancestry, their own households were indeed racially mixed, and that they were increasingly seen by European elites as substantively distinct and inferior. Thus, faced with the desire to emulate Europe in order to develop sovereign nation states, but also with the unique social contexts of these countries, elites throughout Latin America developed nationalist discourses and an ethno-racial order rooted in a variant of Eugenics that claimed that miscegenation and cultural hybridity was an asset to building superior races of people, and thus, stronger nations.

Stepan (1996) explores the convergence of scientific racism and gender in nation-building processes in Latin America looking specifically at the Eugenics Movement based in the “science of improvement through heredity”. She argues that science in early 20th century was a double-edged sword for elites in Latin American countries. Advancing in science allowed these

countries to show signs of modernity, yet that same science increasingly saw many parts of the world, including Latin America as degenerate nations. The costs of such degeneracy, while not always so explicit in her analysis, ranged from the region being perceived as backwards and impossible to modernize, and on the other extreme, a region that should and could be justifiably taken over.

Thus, domestic factors were not the only ones that determined the ways that Latin American political elites would approach the “race question”. At key moments, international threats from the U.S. shaped the way elites constructed and managed race relations. This is in part because neo-Colonial powers – namely the United States – used racialized and often racist discourse in order to justify imperialism in the Caribbean and annexation in Hawaii. Moreover, the political sovereignty and development potential of even larger countries in Latin America was constantly being called into question using a similar racist logic. This all amounted to increasing pressure on elites in these countries/territories to develop a logic of race and nation that would also be consistent with ideals of progress (Helg 1990, De la Fuente 2001, Loveman 2009). In the case of Cuba, where the U.S. did occupy the country, U.S. officials justified such imperialism by invoking racist notions of Cuba as a backwards, childlike, nation of mongrels needing protection. In response, Cuban elites, like many throughout this region, were conflicted, having to reconcile their nationalist discourse of racial equality with perceptions of their countries that threatened their sovereignty.

In order to assert their sovereignty vis-à-vis old and new imperial powers, and to move toward modernity, many Latin American countries would also seek out, and offer subsidies to European immigrants as a way of whitening the country (Andrews 2004).²⁵ Latin American elites would also appropriated particular discourses within science in order to make sense of their own identity and future. Stepan argues that Lamarckian Eugenics was a “softer” form of scientific racism that allowed for biological and cultural/environmental determinants – this allowed for a different interpretation among elites in Latin America. Perhaps as a way of justifying the reality of race mixture, elites used eugenics to argue that racial mixture was the only path toward national improvement. In this, cultural and biological assimilation was central in the creation of a new, and superior race such as Vasconcelos’ “la raza cosmica” in Mexico and what Gilberto Freyre described as the “Brazilian race”. The idea was that over time, the different racial components of the mixture in this country would be dissolved into one, and become indistinguishable, creating a nation that was first and foremost, culturally and biologically homogenous. In some ways, this focus on mixture was a pragmatic response to the impossibility of Latin America becoming a new Europe.

Like most nationalist projects, *mestizaje* discourse in Latin America was writ with many contradictions. Inherent and often explicit in ideas of *mestizaje* or *mestiçagem* was the notion that through race mixture, the country would improve, ultimately moving towards whiteness, a process called *blanqueamiento* (Stepan 1996). Thus while the future race of these countries was fundamentally a culturally and biologically mixed race, explicit in these discourses was the idea that it would be inevitably closer to whiteness than it was to its other two main roots: indigeneity

²⁵ Helg (1990) argues, whitening policies designed to attract white immigrants was actually a response to the real threat of annexation to the U.S. She also argues that racist ideology and logic was not always economically rational or consistent with elite visions of the nation.

and African-ness. Thus, post-independence ideas that privileged ethno-racial mixture did so while reproducing racial hierarchy. This is most evident in the adoption of whitening policies, which offered subsidies to European immigrants throughout the region following independence in an effort to both increase the number of whites, and to use racial mixing to the advantage of the nation, presuming this would soon result in the whitening out of its black and indigenous populations (Skidmore 1993, Stepan 1996, Helg 1990). Yet more than a result of European immigration itself, racial formation in most of Latin America allowed for the possibility of transcending racial categories through race mixture. Unlike the U.S. where (for the most part) offspring of those of African descent and those of European descent were considered black, in many Latin American countries, there were intermediary categories and the possibility of *blanqueamiento*, or becoming white through either intermixing or the attainment of status or class associated with whiteness.

Even so, in contrast to the United States where racial exclusion was explicit and formal and where racial lines were entrenched in institutions and society, Latin American states did not create formal barriers to citizenship based on race/ethnicity. So while racial hierarchies in Latin America were similar to the U.S. in substantive terms, Latin American elites treatment of the “race problem” often included a mixed bag of discursive inclusion and exclusion of different ethno-racial groups, something Sawyer calls “inclusionary discrimination”. This approach involved putting subordinate groups at the center of nationalist discourse, promoting race mixture, and nominally extending citizenship to all racial groups upon independence. This mirrors what Goldberg (2001) calls “raceless states” in which race at once profoundly shapes the nation, yet discussions of racial inequality and hierarchy are silenced. To be sure, throughout Latin America color-blindness shaped state institutions and social relations producing norms that de-legitimated any discussion of racial hierarchy or racism (Hanchard 1994, Marx 1998, Nobles 2000, Telles 2004, Sawyer 2006).

In Colombia and Brazil more specifically, a celebration of racial egalitarianism and mixture existed alongside whitening policies and a reality of ethno-racial inequalities that were becoming increasingly entrenched. Even so, the extent to which black and indigenous peoples were explicitly included in nationalist narratives of race mixture varies substantially throughout the region. In this chapter, I give an historical overview of state colorblind discourses in Colombia and Brazil. I argue that while nationalist discourses rooted in race mixture were prevalent in both countries, there are some key differences between Colombia’s model of “*mestizaje*” and “racial democracy” in Brazil. Whereas Colombian political elites developed a regionalized nationalism based on the invisibility of black Colombians²⁶, elites in Brazil developed a centralized discourse of nationalism based deeply on the symbolic inclusion of their black population. Yet despite these nationalist narratives, racial hierarchies and exclusion did persist in ways that prompted indigenous and black groups to mobilize, to varying degrees, throughout the post-independence period in each country. Drawing on secondary research and interview data, the second part of the chapter examines how these early black movements attempted to contest the hegemony of colorblind exclusion. I show how these movements were largely unsuccessful in pressuring the state to make reforms, or in radically combating ideas of colorblindness, which until recently were pervasive in both countries.

²⁶ This invisibility of the black population in nationalist discourse is also prevalent in Honduras, Argentina, Mexico, Ecuador, and Costa Rica, to name a few.

Colombia: Mestizaje, Regionalized Nationalism and Black Exclusion

Colombia's colonial economy relied on slave labor, mostly in mining, which was concentrated in the Pacific Coastal region of the country (Freidemann 1974). In contrast to the U.S., after abolition in 1851, the Colombian state never institutionalized any notion of race or ethnicity through legislation.²⁷ Even so, Mosquera (2004) notes that seemingly non-racial legislation was still implicitly racist, or at least exclusionary. In 1959, the state declared much of the rural territory of the Pacific Coast "vacant lands" despite the significant, Afro-Colombian population in this area. Thus, in post-independence Colombia, blacks found themselves integrated in the populations in a formal sense, yet markedly excluded, and ignored in others.

Colombian elites began to elaborate an ideology of race and nation in which cultural and biological miscegenation was central. Though discourses of *mestizaje* in Colombia, like in other parts of Latin America, carried with them racist notions of both Indians and Blacks as backwards and inferior. In the minds of *mestizo*²⁸ Colombian elites, indigenous peoples and blacks were very distinct, and thus each would play a different role in the "evolution" of the Colombian nation. Elites ultimately had the goal of solidifying the nation through whitening the population and incorporating Indians. In this, they often excluded the country's sizable black population.²⁹ This is clear in the memoir of Fermín de Vargas, an intellectual and leader of Colombia's independence struggles:

We know from much experience that among animals, breeds become better when they mix, and although we can say that this observation is also true of humans from the half-breed categories in the castes, the result of mixing Indians and whites are 'stepping stones'. Consequently, this evidence shows the through our nation's legislation, we can easily achieve a society in which Indians are extinguished and confused for whites..." (Memoir of Fermín de Vargas)

As Vargas' vision of Colombia's future suggests, political elites in Colombia had the explicit aim of improving the country through race mixture and ultimately moving toward whiteness (Stepan 1996).³⁰ Thus, far from an egalitarian discourse of cultural hybridity, embedded in discourses of *mestizaje* in Colombia and elsewhere were racial hierarchies.

What is also apparent in Vargas' statement is that *mestizaje* in Colombia was much more about the mixing of Spanish and indigenous blood and culture, often ignoring the sizable black population (Wade 1993b, Sanders 2003, Green 2000).³¹ While elite discourses aimed to make Colombia the "model of the mixed nation", not everyone was included in this nationalist

²⁷ The one exception was the creation of *resguardos* or semi-autonomous reserves for Indigenous peoples.

²⁸ In Colombia, *mestizo* means someone who is of mixed European and indigenous ancestry.

²⁹ Green (2000) also argues that the place of black Colombians in nationalist narratives contrasted substantially with popular national imaginaries which typically included blacks in ideas of "el pueblo" or "the people" (98).

³⁰ See Appelbaum (2003), Helg (2004), and Wade (1993b; 1997) for a more detailed account of how *mestizaje* was more than just elite discourse and how it operated on the ground in Colombia.

³¹ This history is very similar to that of Honduras, Ecuador, and Nicaragua, where the black populations are highly isolated and national discourse has been one of a white-indigenous *mestizo* nation. Constitutional reforms and legislation in both of these countries look similar to those in Colombia, in that black populations have been incorporated as ethnic groups defined by cultural distinction.

imaginary. In contrast to Brazil or Caribbean countries, there was a discursive exclusion of blacks from the national imaginary of a homogenous *mestizo*, and inevitably whiter, future. As Wade (1993) notes, while the explicit derogation of blackness was rare, it was common to “encounter the celebration of mixedness alongside silence about blacks” (17). In this discursive erasure of blackness in elites’ definition of the Colombian nation, Indians came to be the authentic cultural other, and mixture with Indian blood came to signify what it was to be Colombian (Agudelo 2004).

Some scholars have shown how elites often obscured Afro-Colombians contribution to the nationalist project, and excluded them from national imaginary (Múnera 2005, Mosquera 2004, Sanders 2004, Appelbaum 2004). Sanders (2004), for example, argues that popular forms of liberalism and the contentious politics of indigenous populations, Afro-Colombians and white poor migrants, greatly contributed to nation-building and the development of democratic processes in the country. Yet, he also contends that both regional and national elites would subsequently erase Afro-Colombians from nationalist imaginaries:

The social Darwinism of the late nineteenth century – combined with the Cauca’s own local history of racism and of the conflation of liberalism and blackness – convinced many that Afro-Colombians had no place in a future oriented toward order and progress. Blacks and mulattoes – especially in discourse, if not in reality – would be pushed to the margins of the Colombian nation and state, isolated geographically and ideologically from the rest of the polity (195).

This ignoring of a black presence by national elites, likely stemmed from an understanding of blacks as fundamentally different from the country’s indigenous population. Green (2000), for instance, suggests that “people with African ancestry would not be readily accepted as “Colombian.” Instead, they would be seen as an inassimilable group whose savageness, “sensual vigor,” and intellectual limitations were an impediment and threat to the Colombian nation (119).

This marginalization was pervasive and persisted throughout the next couple of centuries. As Appelbaum (2003) notes: “the two-century old tradition of presenting Colombia as a mestizo nation has greatly contributed to black Colombians invisibility” (3). And while it may seem inconceivable for elites to ignore such a sizable population, the regional concentration of Colombia’s black population outside of the centers of national political power, and autonomist development of each region facilitated such invisibility and marginalization (Green 2000, Appelbaum 2004).

A number of authors have shown how ethno-racial hierarchies persisted in Colombian society, though in forms highly entangled with and coded in region and class (Wade 1993, Appelbaum 2004, Green 2000, Agudelo 2004). So while race and specifically “blackness” disappeared from the state’s official national discourse, it persisted both within institutions and society using region as a proxy for race. This was also possible given that the black population of Colombia has been historically concentrated along the Pacific and Atlantic coasts, making “racial” or “ethnic” issues highly entangled with income inequality and regional disparities.³² Appelbaum

³² The Government released document Conpes 3310 estimates the Afro-Colombian population in the Chocó at 85%. This would mean that over one third of the national Afro-Colombian population is in this one province.

(2004) explores how regionalism developed in Colombia to produce racialized notions of space and geographic notions of hierarchy. “All regions were not created equal. Racial hierarchy was evident in this geographic order” (208). Thus, Colombia’s regions with higher concentrations of black and indigenous populations were virtually abandoned by the state, and continue to represent the poorest regions in the country. This regional isolation paired with a de-centralized state with little presence outside of the major cities, further contributed to the invisibility of blacks within the national imaginary. Along with the obvious intersection with class, regionalism became an important way of understanding race and ethnicity in the context of Colombia. Unlike Brazil, or even the United States, this high concentration of blacks in a marginalized part of the country and their relative absence from the centers of economic and political power allowed for race, regionalism, and marginalization to be heavily intertwined.

Yet another factor that distinguished colorblind nationalism in Colombia from Brazil is that it simply was not as hegemonic. Colombia’s unique geography and regional isolation, as well as the lack of economic development and weak state structures resulted in a form of *mestizaje* that was simply not as hegemonic as other countries in the region. Green (2000), for instance, contrasts Colombia’s nationalist project from that of Mexican elites, argues that Colombian elites “never openly embraced the idea of a mestizo nation as official ideology” and “were less sophisticated in their attempts at hegemony (their proclivities have always been tilted more toward outright repression” (116). This lack of hegemonic national identity is a direct result of the underdevelopment of the Colombian state. As Green (2000) also explains:

Though a nation of discordant regionalism and historically weak central institutions, Colombia can paradoxically claim strong currents of popular national identity. It is well known that long centuries of relative economic isolation, coupled with Colombia's largely subsistence internal economy and torturous topography, provided few opportunities to integrate the nation's different regions. Such conditions resulted in fractured regional identities and racial compositions (95).

While this assertion is indisputable, subsequent ethnographic work suggests that while *mestizaje* discourses were far from hegemonic, they were still prevalent on the ground (Wade 1993, Appelbaum 2003).

In his classic ethnography on race and regionalism in Colombia, Wade (1993) found that *mestizaje* was still pervasive in a number of regions in the country. He argued that “despite refutations of this myth from academic and popular circles alike, some people of all colors and classes can still be heard to avow the insignificance of race as an issue, especially as far as blacks are concerned (3). So perhaps the more undisputable consequence of the lack of centralized and hegemonic *mestizaje* nationalism was that the disparate processes of identity formation that would happen in different regions in the country. So rather than think of *mestizaje* as irrelevant on the ground, these scholars have shown how elite discourses of *mestizaje* in Colombia mapped on to more localized processes. They have found that while local ways of understanding race and nation were not completely constrained by national *mestizaje* discourse, they were certainly informed by it. In the arena of mobilization, this meant that more often than not, Afro-Colombians, if they organized at all, did so around regional identities rather than ethno-racial ones. , and often times seeking integration in Colombia’s *mestizo* nation.

Brazil: Racial Democracy, Centralized Nationalism and Symbolic Black Inclusion

In contrast to Colombia's nationalist discourse, which erased blacks from the national imaginary, blacks and African culture were central to the picture elites painted about the Brazilian nation, particularly after the 1930s. While this distinction may have to do with the different disposition of Brazilian elites, one might also argue that it was impossible for elites to ignore a black and mixed-black population in Brazil which has always represented the majority of Brazil's population. So even as elites and Brazilians more generally developed racial hierarchies that privileged European contributions and whiteness, African culture and blood were never ignored. Instead, after a number of failed attempts to whitewash or *branquear* the country, blackness became a key component in defining the Brazilian nation.

Skidmore (1990) argues that Brazilian elites in the late 19th century were very much concerned, if not paranoid, about the "race problem" as it was thought to be the main impediment to national progress. Indeed, "whites" or as Freyre calls the "*quase brancos*" or the "almost white" children of slave owners in Brazil never quite fit into the category of pure whiteness. Thus, Brazilian elites needed to construct a discourse around race that reconciled their past of serious race mixture and their future as a nation, which was thought to be degenerate (Skidmore 1990). Ideas of modernity were often couched in a scientific racism that relegated Brazil, and many other countries, to the category of backwardness because of their tropical climate, high proportion of African populations, and insidious race mixture.

As a newly independent Brazil began to define itself in a world where a nation's progress was tied to the increasingly popular ideas about race and genetics, these elites took on the challenge (Skidmore 1990, Stepan 1996). Political elites in Brazil would make serious efforts to whiten the population by encouraging, and even subsidizing European immigrants (Skidmore 1990, Andrews 2004). Brazil would also become a major site in the Eugenics movement (Stepan 1996). In this, intellectual elites such as Nina Rodrigues and others, who were concerned with Brazil's race problem began to develop expertise on this topic holding conferences, and writing a number of classic works on the topic until the turn of the 20th century (Stepan 1996).

Many of these intellectuals thought that the solution was to increase European immigration and racial mixing with the ultimate goal to move closer toward whiteness, in a word: *branqueamento*. To be sure, the Brazilian state adopted some of the most aggressive immigration legislation aimed at bringing in a large influx of European immigrants at the turn of the 20th century. While this state strategy of investing in European immigrants to whiten the population and usher them into modernity was one that political elites tried throughout Latin America, Brazil was one of the successful cases. Andrews (2004) notes that among the 10-11 million Europeans that arrived in Latin America between 1880 and 1930, 90 percent of them went to Argentina, Brazil, Cuba and Uruguay (136).

However, by the 1920s, it was clear that despite this large influx of immigrants, Brazil's population was not going to become white. Instead, as European migrants became integrated into Brazilian society, there was a browning of the Brazilian nation (Andrews 2004). It was in this context that political and intellectual elites would begin to rethink their definitions of nation and rearticulate their nationalist project. As Stepan (1996) explains, in the context of Brazilian elites failed attempts to achieve a homogenous national type, and to deal with the problem of racial

degeneration, racial mixing would come to be seen as a positive rather than negative feature of the nation (155). So while racial democracy is often talked about as a key feature of Brazilian nationalism from the beginning, this nationalist discourse would only take hold in the 1930s.

Published in 1933, Gilberto Freyre's landmark work, *Casa Grande e Senzala*, became the main lens through which the Brazilian nation, and its complex webs of racial mixture, would be imagined. Central to Freyre's ideas was that Brazil had a cordial and less oppressive system of slavery had led to high rates of miscegenation, which created a racially egalitarian society where national identity was much more salient than racial identity."³³ In this "cordial" and "soft" variant of slavery, slave masters were benevolent (*o bom senhor*) and social relations between slave master and slave were thought to be much more fluid and intimate. Freyre, among other nationalist intellectuals of the period, argued that the future, and strength of the Brazilian nation led in their race mixture and the creation of one, homogenous race with the virtues of Europeans, Africans and Indigenous peoples.³⁴ This ideological and nationalist project of *mestiçagem* – later termed racial democracy – helped calm white and mixed elites' anxieties about the future of Brazil and their place in the world. It also gave popular classes a sense of connectedness and national belonging.

Race mixture and racial egalitarianism had come to define the Brazilian nation. Thus, it became the civic responsibility of Brazilians to continue such mixture. As Freyre (1945) himself suggested in "more than the critique they have made of us of being African-philés or Indian-philés, or only half-breeds, anytime it has to do with being mixed race in a hot and tropical climate, it will be a way for us to be patriotically Brazilian" (5). This idea of colorblindness and race mixture as defining the nation profoundly shapes the political culture of Brazil. In some ways, it does what Goldberg (2001) suggests raceless states more generally do. He argues that racelessness becomes a "civic religion" or "political religion" of sorts, designed to "promote a 'political community' by the state in its absence" (229). In many ways, biological and cultural race mixture became what it ultimately meant to be Brazilian, almost a patriotic pursuit.

Yet while the ideology of a racial democracy claimed an equality of races by valorizing the contribution of not only the European elements of Brazilian society but also the African and Amerindian, it also reified Eurocentric ideas of a racial hierarchy (Skidmore 1990, Hanchard 1994, Nobles 2000, Marx 1998). Nobles (2000) discusses this implicit contradiction: "Freyre rescued African and Indians from permanent denigration while affirming the superiority of Europeans" (Nobles 2000:97). The backward, barbarous nature of Indian and African populations was attributed to the historical context of slavery, but also implicit were primordial notions of European superiority. It was only through mixture, then, that Brazil achieved progress

³³ Although this ideology has recently been termed the "myth" of racial democracy, it is still very much embedded in not only popular ideas of race and ethnicity, but also part of the foundation of policies and institutions in Brazil.

³⁴ The ideology of a racial democracy claimed an equality of races by valorizing the contribution of not only the European elements of Brazilian society but also the African and Amerindian while at the same time reifying Eurocentric ideas of a racial hierarchy. However, as Nobles (2000) reveals this implicit contradiction: "Freyre rescued African and Indians from permanent denigration while affirming the superiority of Europeans" (97). The backward, barbarous nature of Indian and African populations was attributed to the historical context of slavery, but also implicit were primordial notions of European superiority. It was only through mixture, then, that Brazil achieved progress that aimed to whiten the population through miscegenation and state-sponsored campaigns to offer incentives to European immigrants and limit non-European immigration.

that aimed to whiten the population through miscegenation and state-sponsored campaigns to offer incentives to European immigrants and limit non-European immigration. Still, Brazil was thought to have solved the problems of racism that other nations, namely the United States, could not escape. And while a number of scholars have since debunked this ideology as the “myth of racial democracy” (Hanchard 1994, Marx 1998), there is no doubt that it is still very much embedded in both popular ideas of race and ethnicity and institutions in Brazil. Indeed, ideas of racial democracy infiltrated all aspects of Brazilian society, including the manner with which race would be officially addressed and discussed in the education system in the country. This meant that the depiction of Brazil as a multiracial paradise became infused into the national narratives found in history books and other areas. In this sense, the development of racial democracy would represent a shift from a nationalist project that was explicitly about whitening the nation, to one where that goal was implicit.

The national census in Brazil represents one example of the many ways in which this ideology became fundamental. The question of *cor*³⁵, or race, has been the most controversial topic of the census, making its inclusion or exclusion and specific articulation a central battle from authoritarian dictatorships to military regimes to more democratically elected governments. Even Freyre himself, well into the 1990s census opposed the use of racial categories in a country where everyone was part of the Brazilian race. Nobles writes, “For most of this century, the Brazilian state not only ignored deep inequities compounded by color discrimination by deliberately promoting racial democracy. IBGE’s reluctance to produce official socioeconomic data along color lines, coupled with the insistence that the plasticity of *cor* terms made such data unreliable, ensure and sustained the idea of racial democracy” (Nobles 2000:128). So although a majority of the census surveys in Brazil ultimately included the question of race, they also faced heated resistance that upheld the notion that race was not relevant to indicators of the Brazilian population.

The role of the state in casting Afro-Brazilian identity under the flag of nationalism could not be more apparent than in the administration of Getúlio Vargas and the Estado Novo of the late 1930s. Vargas’s administration has been closely linked to the affirmation of many aspects of Brazilian culture including the centralization of formerly marginalized expressions of Afro-Brazilian popular culture. From samba to capoeira to *candomblé*, Vargas’s populist style opened up unexplored space for Afro-Brazilian culture to be valued. This, however, did not come without certain restrictions. As Tom Skidmore, a leading historian on Brazilian history, describes it, “He wanted, first and foremost, to build a strong central government. . . . Second, he wanted to project Brazilian power abroad, which would require a stronger position in international trade” (Skidmore 1999:115). Yet, neither of these goals, one rooted in domestic policy, the other in international relations, could be articulated without the backing of the Brazilian people. With political centralization came a sort of centralization of Brazilian identity. The Vargas dictatorship understood well the ways in which the promotion of popular culture would strengthen the political support of the people, presenting Brazil as a unified nation on the international front. His policies promoting Afro-Brazilian culture, then, did not emerge exclusively out of a desire to valorize the obvious African roots in Brazilian society, but rather reflect a well-executed strategy to win popular support and to develop a specific political agenda. As a result of Vargas’ style of populism, and the diffusion of Freyre’s idea of racial democracy, the Brazilian nation became

³⁵ When discussing “race” in Brazil, the term “color” or “*cor*” is a much more accurate term. See Telles 2004.

this egalitarian and multiracial paradise. In it blacks and mixed-race people were front and center, even while these groups continued to occupy the lower rungs of Brazil's socio-economic ladder.

A Political Culture of Colorblind Hegemony

Ray (1999) describes *political culture* as what is considered the legitimate way of doing politics within a given political field, which “shapes the kinds and the content of issues that can be put on the agenda by the political players” as well as “how such issues will be defined and resolved” (9). This means that the struggles within a political field are as much a contestation around power as they are about defining the actual categories of political struggles and the rules that govern the field itself. Until recently, the political fields of both of these countries, despite many efforts by black organizations, were governed by a set of rules in which race and ethnicity were not considered legitimate categories of political struggle. And while colorblind nationalism was not as hegemonic in Colombia as it was in Brazil, the political cultures of both countries were characterized by a silencing of discussions of race and ethnicity.

Combating racism in societies that define themselves by racial egalitarianism, in which racial mixture did create somewhat blurry color lines, and where racial inequalities were reproduced informally rather than through legal structures, was a difficult task throughout Latin American countries. Such struggles were often ideological ones that attempted to contest dominant national ideologies that denied that these societies were stratified racially, or even that there was any kind of cultural heterogeneity. In the case of countries like Brazil, where blackness was central to national identity, it became even more difficult for black populations to combat what Sawyer (2006) calls “inclusionary discrimination”. Indeed, many authors have argued that it was precisely this lack of Jim Crow style formal racism in Latin American countries, that made racial identities weak, even while racism persisted (Appelbaum 2003, Telles 2004, Wade 1993, Marx 1998). Scholars have argued that the pervasiveness of colorblindness in Latin American countries silenced, and even sanctioned, discussions of race and racism in these countries, making mobilization around race particularly difficult (Hanchard 1994, Marx 1998, Goldberg 2001, Sawyer 2006).

Analyzing the cases of colorblindness in the U.S. today, racial democracy in Brazil and non-racialism in post-apartheid South Africa, Goldberg (2001) shows how race is inherently part of the raceless project of intellectuals and states³⁶. In so doing, he asks questions about who benefits from racelessness and what kinds of privileges this masks. He argues that racelessness “sews the deep legacy of racial differentiation and distinction, material racial and social positions, into the social structures of their respective societies as the baseline, the given of social arrangements, the racial status quo as natural social order” (229). Perhaps more important for my analysis here is how racelessness, or colorblindness shapes the possibilities for mobilization around race. As Goldberg (2001) suggests, one of the main consequences of racelessness is the silencing of public analysis and debate on race, a disconnect between historical racist configurations and the present, and the relegation of race discussions to the private sphere “out of the reach of public policy intervention” (217). Any examination of black mobilization in Latin America, or its

³⁶ Interestingly, scholars have begun to talk about the contemporary period in the U.S. in terms of colorblind hegemony (Omi and Winant 1989, Bonilla Silva 2009).

absence, must go beyond examining collective identities, and the ability of such movements to mobilize resources, and instead situate it in the political context of colorblindness.

Consequently, much of the work on Colombia and Brazil has done just that, though research on the latter is considerably more advanced. In his historic work, Hanchard (1994) asks why there has been “no sustained Afro-Brazilian social movement in Brazil comparable to the civil rights movement in the United States or nationalist insurgencies in sub-Saharan Africa and parts of the new world during the post-World War II” (5). He argues that racial hegemony has effectively neutralized racial identity by non-whites – making mass mobilization close to impossible. His work, then, examines the limited mobilization by Afro-Brazilians from the 1940s to the 1980s as a way of testing the limits of such hegemony. A key component of this racial hegemony was the silencing and sanctioning of discussions of racism in the public sphere, and a refusal by both the left and the right to consider race a legitimate category of political mobilization.

While Marx (1998) focuses on state structures, he makes a similar argument about the impossibility of successful race-based mobilization in Brazil. He explains: “Brazil’s racial democracy encouraged submissiveness to a social order in which there is no legal racial domination against which identity formation and mobilization can be targeted” (Marx 1998: 260). This absence of legal racial domination, he argues, does not suggest an absence of other forms or racial domination, but rather indicates the subversiveness of domination and discrimination. Similarly, in a comparative study of ethnic boundaries between Brazil and the United States, Telles (1999) emphasizes, “Institutions and social structures are essential in supporting or reinforcing ethnic identity, and those that support separate ethnic identities and cultures, particularly residential segregation, are stronger in the United States” (83). The creation of an inclusive national identity with policies promoting social mixing and miscegenation, he argues, left little space for assertions of separate ethno-racial identities. This meant that black movements in Brazil had to contend not only against a distribution of economic and political power in these countries, but a questioning of the very foundation and identity of Brazilian nation.

In Colombia, where ideologies of race mixture were less hegemonic and less far reaching in geographic terms, there was a large disconnect with elite discourses and practices on the ground, particularly in the peripheral parts of the country (Sanders 2004). Even so, a number of scholars have argued that the backdrop of *mestizaje* paired with a salience of regional identities mean that racial identities did not always develop as such in Colombia. For instance, Wade (1993) contends that the possibility of whitening led to strategies of biological and cultural assimilation among black people that inhibited the fostering of a strong collective identity (334). Others have shown how regional identities have often superseded ethnic or racial identities in the country (Helg 2004). So while massive mobilization by Colombia’s black population has been rare, some forms of black resistance in Colombia can be traced back to the colonial period, including the establishment of the hemisphere’s first maroon society in 1519 (Freidemann 1974), more explicit forms of ethno-racial resistance largely faded out in the post-independence era. When black Colombians did engage in struggles and politics at the regional and national levels, they often did so in workers and peasant movements that was not explicitly racial (Appelbaum, 2003; Helg 2004, Grueso, 2000).

Yet, this recent shift suggests that this is not the full story. As we will see, black activists and their organizations were central to the adoption of legislation and policies for black populations in Colombia and Brazil in the 1990s. Moreover, the organizations at the center of these state reforms had been inspired by previous generations of black organizing. Especially in the Brazilian case, there had been serious attempts to mobilize the black populations and make claims on the state dating back to the 1920s, the same period in which racial democracy discourses were being solidified. In both countries, these movements often ran up not only against a colorblind state, but also a society with identities rooted in such colorblindness and race mixture. I now turn to a discussion of the strategies used by these earlier movements, which were extremely important for the development of black movements in each country, but which were unsuccessful in pressuring the state.

Contesting *Mestizaje*: Cimarrón and the Emergence of Urban Black Movements in Colombia

Starting in the 1970s, there was an emergence of several disconnected organizations and movements either explicitly or implicitly Afro-Colombian. These movements can be characterized as either urban, intellectual movements that were explicitly Afro-Colombian or rural, class-based movements that were implicitly Black. The former faction is exemplified in the figure of the Manual Zapata Olivella, who was one of the first Afro-Colombians to raise issues of black identity, culture and the contributions of black to Colombian society, which he did through his writings. Zapata would become one of Colombia's more renowned writers, and would go on to found the Colombian Foundation for Folkloric Research, which organized the First Congress of Black Culture of the Americas held in Cali in 1977 (Wade 1998). Another influential person was Amir Smith Córdoba, a sociologist and journalist, founder of the Center for the Investigation and Development of Black Culture and the newspaper, Black Presence. Wade (1998) states that Córdoba "gained notoriety for selling his newspaper in the city center and loudly addressing people whom he regarded as black (using a more North American than a Latin American Classification" (313). These leaders, while they were unsuccessful in mobilizing the masses, were in many ways the founders of the contemporary black movement in Colombia. Their emphasis on equality and racial integration, and the contribution of the black population to the history of the country would be central to the political platform of a new generation of urban black organizations, namely Cimarron.

Though officially founded in 1982, Cimarrón was preceded by the SOWETO Afro-Colombian Study Group. From its inception, this movement was largely an urban, intellectual movement highly influenced by the Civil Rights movement in the U.S. and the anti-apartheid struggles in South Africa. Some of the initial founders were originally from the Pacific Coast of Colombia, which has the highest concentration of blacks. Still, Cimarron's activities were mainly in Medellín, Pereira and Bogotá with some activities in rural communities along the Atlantic Coast (Wade 1998). Although Juan de Dios, founder and president of Cimarrón participated in meetings like the 1977 Congress, they also held their own meetings both at the local and national levels. Initially founded as a study group, these young students became more politicized through the reading of works by Malcolm X, Fanon, Cabral, and Martin Luther King (Wade 1998). The main objective of the movement was to recapture the history of the African presence and contributions to Colombian society as a way of developing a common identity among Afro-Colombians. Although, another important goal of Cimarron was to denounce racism, racial

discrimination and inequality, the organization was mainly scholastic and cultural in nature. Beginning in the late 1980s, however, it became clear that Cimarrón could not be effective in reaching their goals if it did not move beyond the university into the political arena. The special report from the 7th Annual National Executive Council Meeting captures this sentiment:

In the last few months, we have been very successful in the diffusion of the culture of the Black Community of Colombia... This 7th Executive Committee meeting in Medellin is important in that it shows that we have been able to consolidate the organizing efforts of the National Black Community. In this meeting, we approved strategies for 1990 that include the necessity to adopt a more political profile... we think that the socio-economic and political situation needs a greater effort. If we can just create consciousness and unity in order to conquer spaces within our society, we will be more in line with the new times. (Cimarron, 1990)

Although it is not exactly clear what they meant by “new times”, these words are prophetic in that a year later, Colombia would embark upon an constitutional reform process in which there would be a political opening for black organizations to push for policy reforms and to enter into mainstream Colombian politics. When raising the issues of rights and politics, there was a tendency to emphasize the right to inclusive education that included the history of Afro-Colombians and protections against racial discrimination. “Before that [1991 constitutional reforms], the Afro movement proposed that the state develop legal statues guaranteeing the rights of Afro-Colombians, they proposed rights to an education that recognized the history, culture, and contributions of Afro communities within the educational system. They also raised the issue of racism and racial discrimination in the country” (Interview, Juan de Dios Mosquera, Cimarrón).

In 1991, Cimarrón had been organized for over 15 years, with representatives from throughout the country; however, their work until that point had been to write publications and coordinate cultural events as a way to bring visibility to Afro-Colombian populations and create a sense of community. When asked about their role in the reform processes, Dios said that they definitely were aware of what was going on, but that they were still based in Pereira, not the capital, Bogotá, and thus their ability to actively participate was hindered. Cimarrón moved their office to Bogotá in 1994. Although representatives of Cimarrón participated in some of the debates, they did not organize any of the marches or lobbying that are now thought to have been crucial in the passing of Article 55.

While Cimarrón undoubtedly shaped debates around ethno-racial legislation, the emphasis on the urban and on discourses of racial equality would largely fade out as new black social movement actors emerged in the constitutional reform process in Colombia in 1991. While Yashar (1999) holds that the politicization of black identities in Latin America has largely been limited to urban movements, making their demands different from those of typically rural indigenous movements, Colombia is one of several notable cases in which rural black communities and their issues have been at the forefront of the creation of the black political subject (Restrepo 2004; Hooker 2005; Grueso, Escobar, and Rosero 1998; Castillo 2007). In the mid-1980s, around the same time the urban-based Cimarrón was founded, class-based and often rural movements also emerged in majority-black regions such as the Chocó, and later in Valle. Although they were created in

majority-black areas, or perhaps because of this, the organizations that resulted were not always explicitly black. Grueso (2000) contends that there were at least 135 “black organizations” before the constitutional reform; as she notes; however, such organizations may be read as black organizations because they were organizations of black people, not because they were organizations with a marked ethno-racial discourse.³⁷ One of the most notable of these organizations is the Peasant Association of Atrato (ACIA), which played a key role in bringing about Law 70.

ACIA, founded in 1982, grew out of the tradition of liberation theology, or “Comunidades Esclesiales de Base,” and was first developed by missionaries in the Medio Atrato region. Restrepo (2004) notes that because the core mission of the church in Colombia has long been “organizing the people,” it has played a central role in the development of black organizations, especially along the southern Pacific Coast. According to pamphlets distributed in the late 1980s, ACIA was a grassroots organization with the central goal of raising consciousness about social issues facing that region, though by the 1990s the organization had become more explicitly an organization fighting for the rights of black communities.³⁸ More than simply shifting their focus, these organizations began to mobilize in the national policy arena and to form alliances with other black and indigenous organizations in the Chocó and in Colombia more generally. At the same time, rural-focused black activists began to emerge from other parts of the country, mainly the southern Pacific Coast, but also from places like Palenque on the Atlantic Coast.

At stake for many of the rural black movement organizations was the need to end land dispossession by large agribusiness corporations, which had been intensifying for some time (Escobar 2003).³⁹ Without rights to the land they had occupied since colonial times and which they typically maintained using sustainable environmental practices, rural black communities had no basis on which to challenge the unfettered extractive processes of these corporations (Grueso, Escobar, and Rosero 1998; Escobar 2003; Wouters 2001; Asher 2009). Thus, the constitutional reform process became an opportunity to discuss not only the issue of racial inequality in urban areas but also the issues of land, development, and environmental sustainability that faced rural black communities. Wade notes that rather than the more established urban movements of the 1970s and 1980s, the political processes that would give rise to the historic Law of Black Communities would be dominated by a nascent Afro-Colombian movement hailing from the Pacific coastal region and making claims on behalf of rural black communities (Wade 1998, Wade 2009). He explained that “older groups such as Cimarrón were marginal to, indeed overtaken by, these events” (Wade 2009; 171). In Chapter 3, I discuss how, for a number of reasons of structure and strategic action by black activists, it would be the rural black political subject who would become the prototype for Colombia’s variant of multiculturalism in the early 1990s.

³⁷ Wade (1998) notes that in 1989, the first meeting for the Unity and Defence of Indigenous and Black Communities was held in the Chocó region, resulting in the creation of the Peasant Association of San Juan (345).

³⁸ At that point, the organization was not explicitly an ethno-racial one. Still, these organizations were recognized by many as black organizations, or at least as organizations of black people.

³⁹ This issue was at the center of my interviews with those from rural-focused organizations.

Contesting Racial Democracy: Early Black Movements in Brazil

In contrast, black mobilization in Brazil has been much more consistent over the 20th century, with ebbs and flows that map onto changes in state regimes. One of the main goals of black political organizations starting at least in the 1920s, was to prove to the Brazilian state and society that racism did indeed exist, and saying so did not make you racist. Political and socio-cultural organizations in Brazil date back at least to the 1930s with the founding of the Black Brazilian Front (Frente Negra Brasileira) in São Paulo in 1931. While the Frente Negra, like similar organizations that preceded it and organizations in other parts of Brazil was a social club, or “clube de negros”, it had explicit political objectives. The organization’s main goal was for the full integration of Afro-Brazilians into the socio-economic and political life of the country. The organization became an official political party in 1936 and had a substantial membership throughout the country and the widest circulating black newspaper to date. However, one year later, the Frente Negra, along with all political parties was banned after populist President Getúlio Vargas staged a military coup. The organization went underground and only survived until 1938.

Black political organizations in Brazil only resurfaced toward the end of Getulio Vargas’ dictatorship. The most notable of these organizations was the Teatro Experimental do Negro (TEN), founded in 1944 in Rio de Janeiro, with the goal of combating racism in the theatre, television and education system, areas that the TEN argued where Brazilian racism was most pervasive. While the organization was very much a Rio de Janeiro organization, it can be interpreted as the first attempt since the Frente Negra Brasileira at organizing Afro-Brazilians at the national level. Its focus on culture is both a reflection of the centrality of culture to the process of collective identity formation, but also can be seen as a strategy to struggle against racism, without seeming political. In many ways, this was the height of state promulgated “racial democracy” as Gilberto Freyre became more and more involved in politics and Vargas had already made ideas of racial mixture and racial egalitarianism central to his populist project. Also, while Getulio Vargas was deposed by a military coup the year after the TEN was founded, the political context in which it emerged was still volatile.

The TEN was successful in organizing a number of national black congresses in 1945 and 1950 and also had a widely distributed journal, *Quilombo*. The TEN performed classic plays, with all black actors in a time where blacks were represented in theatre only by white actors in black face. While the TEN’s main focus was cultural, they also organized national political congresses with the National Black Convention in 1945 and the National Black Congress in 1950. They also had a number of socio-economic programs including providing large-scale literacy classes for working class blacks. While the TEN was much less explicitly political than the Frente Negra, the fact that it organized black people in an autonomous space was seen as a threat to the State. The organization received invitations to participate in a number of international festivals but the government did not allow them to go. In addition, Abdias do Nascimento, the founder and leader of the organization was forced into exile in 1968 and only came back in the late 1970s at which point we could become a founding member of the Partido Democrático Trabalhista (PDT).

These early black movement organizations were very significant in terms of consciousness building especially among middle class blacks in São Paulo and Rio, and who could feel the marks of their color in terms of glass ceilings in the workplace and social boundaries between

themselves and their white colleagues. But more than just elite organizations, these organizations laid the foundation for more contemporary black organizations arising in the 1970s and 1980s and sometimes they were even more successful than later movements in terms of resonating with and mobilizing around ethno-racial identity and racial issues more generally. Moreover, some of the Afro-Brazilian militants in these organizations went on to become influential Afro-Brazilian legislators, like Abdias do Nascimento who was also central to the founding of the United Black Movement (Movimento Negro Unificado-MNU) in 1978.

Not much happened in terms of black political organizations in the late 1960s and 1970s, largely because of the military dictatorship. Some of the activists I spoke with talked about participating in clandestine leftist groups during this time, but even those organizations, given the threat of state repression, were not clearly organized, and struggles against racism and racial inequality seemed to take a backseat to larger issues of freedom, life, and the right to political expression. But, racial issues also took a backseat because the Military Dictatorship promulgated the notion of Brazil as a racial democracy in a way unparalleled to other regimes. In this, the government denominated people who discussed race as “racists” as “unpatriotic” and charged them with importing these ideas from the United States (Hanchard 1994).

The mid 1970s marked another important moment in the trajectory of the Afro-Brazilian movement with the emergence of a number of local black political organizations throughout the country. While these organizations were diverse in nature, there was a trend toward more explicitly political organization in the more industrialized southeastern part of the country, and more cultural and implicitly political organization in the Northeast such as the carnival and community organizations Ilê Aiye, and later Olodum. One of the most important of the former organization was the Institute for Black Culture and Research (IPCN), founded in Rio de Janeiro in 1975. While IPCN’s name suggests that it focused on research exclusively, that it much more a reflection of the time in which it emerged, which was still during the Military Dictatorship. The organization received a lot of notoriety because it was an explicitly political leftist organization, but more importantly, it had the infrastructure to serve as a nexus for the later construction of the most important contemporary national black movement in Brazil, the United Black Movement (MNU-DR).⁴⁰

The Emergence of the United Black Movement (MNU)

Responding to a case of discrimination against four men at the Clube de Regatas Tietê in São Paulo, on July 7, 1978, black activists organized a public demonstration that led to the founding of the Unified Black Movement against Racial Discrimination (MNU-DR) (Covin 2006). This was the first attempt at consolidating all black movement organizations throughout the country, rather than a São Paulo or Rio based organization expanding to the rest of the country. Founded by many radical black students, the organization became *the* black political organization and it did achieve a solid grassroots base in some major cities. While earlier movements were autonomous and separate black cultural societies, their ultimate goal was integration into political life.

⁴⁰ The Inter-American Foundation actually gave IPCN a grant to build their headquarters, which resulting in the Military government kicking them out of Brazil along with all other international foundations.

With the MNU, the essence of many of the founders of the organization was much more radical and separatist in nature. They denounced racism, and while the goal was to fight for a “real racial democracy” (taken from their mission statement), many were very skeptical of the state. The context in which IPCN was founded and the MNU was created was still one of Military Dictatorship in Brazil, though the state had already begun to pave the slow road toward democratization, what many historians call the Political Opening (1974-1982). And while the MNU varies depending on the region in Brazil, many MNU activists emphasized Pan-African, and Afro-Centric culture including *candomblé*⁴¹ as the basis of collective identity.⁴² For many activists I interviewed, most of which hailed from popular neighborhoods typically in the periphery of Brazil’s major cities, the MNU was their first encounter with their own racial consciousness. As Covin (2006) asserts, the MNU was the most significant black organization in the second half of the 20th century in Brazil. Through a structure of community nuclei created throughout popular neighborhoods throughout the country, the MNU held regular local meetings and study groups and distributed a national paper starting in 1981 (Covin 2006). This was perhaps the most important time and most serious effort to mobilize the masses of black Brazilians, many of whom did not identify with racialized struggle.

As the original name of MNU suggest, the Unified Black Movement against Racial Discrimination, much of the focus of the MNU was building a strong collective identity among young and marginalized black Brazilians, and denouncing racism rather than proposing reforms. From the onset, the MNU was a true attempt at constructing a “unified” black movement, which meant that within its ranks, it had to deal with the political diversity of black activists. While most of the people who would come to integrate the MNU were on “the left”, this was still a diverse bunch of people who, when faced with the possibility of constructing a left political party, would take distinct positions that would eventually lead to the decline of the organization.

Political Party Activism and the Rise of Afro-NGOs

The 1980s marked the emergence of two new tendencies in the black movement: NGOs and party activism. Whereas earlier organizations like MNU were suspicious of the State, and kept it at arms length during the military dictatorship, by the late 1980s many MNU activists felt that it was important to occupy State power and work for reforms from within the State. Telles (2004) notes that almost all of the black activists that would become legislators have been affiliated with the Workers’ Party.

Further, in the late 1980s as activists began to be institutionalized within the state, other activists created more professionalized black organizations or black NGOs. In this, black movement actors moved away from mass mobilization and onto pressuring the state through a dual strategy of legislative and political pressure from within political parties and commissions with the State, and from the outside, through autonomous black organizations typically funded by international

⁴¹ An African-based Brazilian religion practiced by many Brazilians, black and non-black.

⁴² While the black movement has been accused of being elitist and out of touch with the black poor masses, this characterization doesn’t quite match up with reality. From my fieldwork and interviews I found that black activists, while they were, on average, more educated and better off than non-activists, they were all from poor families and were, almost in all cases, the first generation to go to college. Activists such as Carlos Medeiros and Amaury Mendes Vilma Reis and Sueli Carneiro, and Luiza Bairros, while they do have graduate degrees, these degrees were typically obtained over the course of their lives as militants, unlike many white Brazilians.

foundations. In so doing they also moved away from denouncing racism to proposing policy reforms. Thus, whereas organizations like MNU were more community-based with small and sometimes no budgets and a mandate to mobilize the masses, the late 1980s marked the beginning of a new era in black movement organizations with the creation of a number of important black movement NGOs and party affiliated black organizations.

Johnson (2008) argues that the 1980s marked the beginning of a “dual strategy” among black activists whereby they would pressure the state from within through political parties (legislative activism) and autonomous black political organizations. While this is true, it is important to note two things. First, the kinds of autonomous political organizations that contemporary black movements have constituted have been overwhelmingly within the NGO model, which diverges sharply from previous organizational forms and which greatly shapes the kind of activities and strategies that the black movement uses today. Second, while his account suggests a harmonious balance between black activists within the state and those in these autonomous organizations, the reality is much more messy, and the black movement in Brazil is profoundly divided over the question of the state.

As the democratization process began in the 1980s, as political parties were allowed to legally form and the MNU marked its 10th anniversary, the organization weakened as some activists went into official politics becoming extremely active in emergent parties like the Workers’ Party (PT) and the Social Democratic Party of Brazil (PSDB), the Democratic Workers’ Party (PDT). During this *abertura*, there was also a growing presence of black legislators who explicitly addressed race issues, many of which were affiliated with emergent political parties (Johnson 2005; Telles 2004). Johnson (2008) gives a comprehensive account of how black activist and congressman with the PDT party (1983-1987) Abdias do Nascimento as well as Benedita da Silva of the PT (1996) proposed multiple pieces of affirmative action legislation, none of which passed (Johnson 1998, Martins, Medeiros and Larkin Nascimento 2004, Johnson 2008). Black activists were also very active in the CUT and other unions.⁴³

While these black activists sought to address racial inequality within the State, others felt that even though the political structures were more open for real participation, that the best way to change the situation facing black populations was through autonomous black organizations. The structure of these organizations and their strategies would largely mirror a tendency among civil society organizations to form professionalized, structured NGOs. Some have argued that the black movement in Brazil has seen been characterized as shifting from what Hanchard called a “culturalist approach” to a more political approach in the late 1980s, early 1990s, that included making specific demands on the government (Telles 2004). I argue that a better way of understanding the shift is in terms of a shift away from denunciation (and mobilization) toward lobbying specific policy reforms through political parties and black NGOs.

Guimarães (2001) highlights political factors that lead in the trend toward institutionalization and NGOization among the black movement in Brazil. Contrasting this to the less professionalized, more politically autonomous organizations like MNU, he argues that from 1983 onward: “Since

⁴³ While Johnson (2008) does recognize the importance of autonomous black organizations in bringing about what he calls “pro-black policies”, much of his analysis focuses exclusively on the role of legislative activism and lobbying from within the State by black legislators.

1988, a new juridical base for institutionalization was set, which is amply favorable to black interests, and a good many black militants who were in MNU, in political parties, unions and state organizations went to what has been called the 4th sector: the non-governmental organizations (ONGs)”.

Previously, under the military dictatorship, foundations were not allowed to operate in Brazil. The ideology of the dictatorship, and the basis of its economic and political platform, was above everything, nationalist. The introduction of grants from international foundations to civil society presented a threat to the government for two reasons. First, it could have undermined the goals of the dictatorship to have a self-sustaining country, rather than a country dependent on foreign aid. Secondly, direct money to civil society, in a place where democratization was still long off, could fuel and foster discontent with the dictatorship, and disruptive politics. In the 1980s, during the abertura, foundations were allowed back in Brazil, a factors that shaped the “onguização” of civil society in Brazil.

The most important formalized⁴⁴ black organizations emerged in the late 1980s throughout the country, starting with Maria Mulher (1987) followed by Geledés (1988), The Center for the Articulation of Marginal Populations (1989), Center for the Study of Labor Relations and Inequality (CEERT) and Criola (1992). All of these organizations sought out and were successful in securing international funding and all were at the forefront in bringing about affirmative action, a decade later. Many of the founders of these NGOs did not hail from the MNU, but rather, had been involved in other types of movements, and others were simply black professionals who decided to create a formalized organization through which they could address racism, as was the case with Cida Bento and the founding of CEERT. Still, some black activists who received their political education in the ranks of MNU would also join this wave of onguização including Gilberto Leal who founded the Niger Okan Cultural Center in 1984 and Silvio Humberto who founded the Steve Biko Institute in 1992 with the objective of getting black poor kids into college in Salvador, Bahia.

As Telles (2005) notes “the ngoization of the black movement mirrored changing Brazilians social movements generally” (52). Thus, the black movement in Brazil very much represents this larger process toward formalization with the creation of the movements first NGO starting in the late 1980s. In addition to democratization and a general trend toward NGOization, Guimarães (2001) cites the importance of international funding, which was previously not allowed under the military dictatorship, as a cause of such proliferation of formalized black organizations. He asserts that this trend, among the black movement, and civil society more generally in Brazil, in partially due to “the incentive provided by the growth of international funding for philanthropy (17).” While international funding may have created incentives to formalize organizations, it is important to note that activists who founded these organizations were often seasoned and involved previous organizations.⁴⁵ Jurema Werneck of Criola talked about it in the following

⁴⁴ I prefer to use the terms “formalization”, “professionalization” and “ngoization” to the term “institutionalization” as I feel the latter is best used to understand the routinization of relations between social movement organizations and the State and even the insertion of activists into state institutions.

⁴⁵ Rather than understand the role of international foundations as creating a movement or importing a foreign “logic of race”, as Bourdieu and Wacquant (1999) assert, I argue that foundations like Ford, the Inter-American Foundation, and others catalyzed the NGOization of a movement which was very much underway at least since the 1970s.

way: “This was the first time we were paid for stuff that we were doing...” This new phase of activism would mean that black activists would become more professionalized and would use different and often less contentious, repertoires of contestation.

However, while this formalization of black movement organizations amounted to an abandonment of the grassroots, it would also prove to be an effective strategy in getting the Brazilian state to finally recognize racism and address racial inequality through targeted policies for black and brown populations. Indeed, black activists moved away from efforts to resonate with a larger base, they ironically became more effective in getting their issues on the table and in bringing about affirmative action and other policies in Brazil. As we will see in the following chapter, their success depended heavily on more formalized organizational structures, and the efforts of black activists who would work from within political parties and the Brazilian state. As activists won allies, and began to resonate in a variety of institutions, their discourse also moved away from denunciation and toward the posing of concrete demands on the state.

Conclusion

In both Colombia and Brazil, organizing around race and ethnicity would prove an uphill battle. Even more than state discourse, colorblindness came to make up the social fabric of these countries and the basis for identity construction. On the one hand, this made it difficult to pressure the state, on the other it made it difficult to mobilize people. This combination of a political culture that did not see race a legitimate issue in politics, paired with a real problem of resonance among black populations, black movements in both countries were between a rock and a hard place. Thus, while the efforts of these earlier black movements in Colombia and Brazil were important for the trajectories for the black movement, even as late as the 1980s neither was central to mainstream politics, and neither were successful in making claims on their respective state. Especially in the case of Brazil, the project of the black movement continued to be considered racist with activists often being accused of importing racial concepts specifically from the U.S. (Hanchard 1994).

This silencing of racial questions in politics defined, and greatly limited, their earlier efforts to get the state to recognize black people and hold the state accountable for addressing the disparate living conditions of black populations and the real presence of a racial hierarchy, racial discrimination and marginalization. As we will see going forward, the discursive constraints that silenced discussions of race and ethnicity in national political debates would be upset in many Latin American countries in the 1990s, among these, Brazil and Colombia. And while there were some important international elements that gave rise to the adoption of anti-racism and multicultural policies in both of these countries, I argue that significant changes in the national political fields of these countries are also essential for explaining this historic shift.

Chapter 3

Seizing Changes in the Political Field, National and Global

While earlier efforts by black movement organizations in Colombia and Brazil were not successful in pressuring the state to make substantive reforms, a convergence of political openings in the 1990s changed the political field in which these movements were embedded. In this period, black movements in both countries were able to seize upon political openings at the international level that converged with political openings at the national level. In this chapter, I show how black activists in Colombia and Brazil were also central to this shift. However, rather than mass mobilization or the use of disruptive forms of protest, I argue that it was the strategic action of a relatively small group of black movement actors, in the context of this convergence of political openings, that best explains this dramatic shift in both countries. In each case, the emergence of new black actors, the shift toward more institutionalized strategies, and changes in the movements' discourse and claims, were also important.

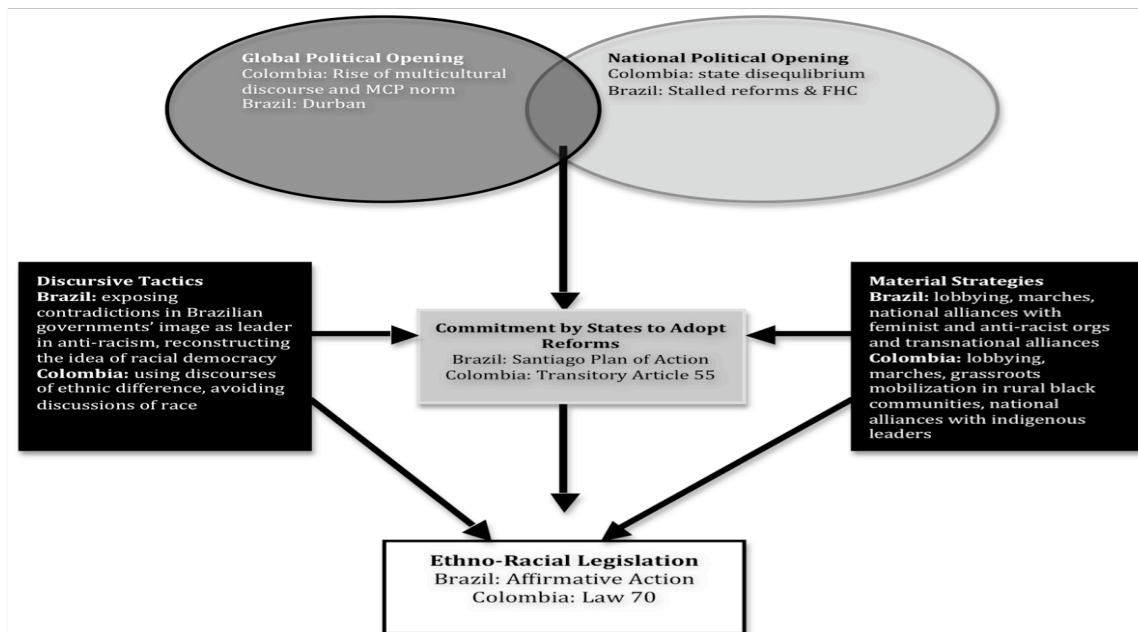
In Colombia, a nascent rural black movement took advantage of a convergence of a change in global policy norms around multiculturalism and state disequilibrium at the national level. In this context, activists were successful in pressuring the Colombian state because they used a blend of traditional social movement strategies as well as discursive strategies that centered on avoiding framing their demands in terms of race. They opted for an ethno-territorial framing, emphasizing the "right to difference", which drew both on local understandings of rights and land, but also mapped well onto international discourses of indigeneity and collective rights. Similarly, Afro-Brazilian activists faced a convergence of global and national political openness that facilitated their attempts to pressure the Brazilian state to adopt affirmative action policies. The ending of Fernando Henrique Cardoso's second term in the presidency converged with preparations in Brazil and throughout the world, for the Third World Conference against Racism. In the context of these political openings, Afro-Brazilian activists deployed a number of other effective strategies including building transnational alliances, collaborating with and lobbying from within the state and political parties. Their efforts would expose the gap between the Brazilian government's international discourse of being a racial paradise and leader in anti-racism, and a reality of stalled anti-racism reforms at home. I use the concept of global and national political fields to make sense of these dynamics.

While international factors were not important in Ray's analysis of the women's movement in Calcutta and Bombay, I will argue that they were central to black movements in Colombia and Brazil. In order to make sense of how such factors played into the shift from colorblind state discourses and policies to the adoption of Law 70 and affirmative action, I expand Ray's (1999) concept of the political field to the national and global levels. And while it would be impossible to define a homogenous global political field, we can easily identify a set of powerful actors that operate at the international level, as well as a hegemonic, albeit ever changing political culture that includes global policy norms around things like human rights and democratic institutions (Kay 2005, Van Cott 2006). More specifically in these cases, I discuss the global political field as the array of discourses and actors flow across national boundaries and interact with national politics in Colombia and Brazil in ways that are dialectic or relational. In this, black movements grab onto and appropriate global discourses, which have to be translated into the political culture of each country. They also develop alliances with international and transnational actors that aid

their struggles at the national level at different points in their trajectories. In this, state actors in Colombia and Brazil are susceptible to the influence of state and non-state actors in the global political field as well as the rise of global policy norms, the permeability of the boundary around the national political fields of this country are different. The national political field of Colombia as the third largest recipient to U.S. foreign aid and the subject of scrutiny over human rights issues by a host of different actors, is embedded in the global in distinct ways from Brazil, which has been especially proactive in consolidating its role as a economic, political and cultural leader in the Global South.

While the adoption of legislation and policies for black populations in Colombia and Brazil reflect the unique context of national politics in each country, I argue that openings at the national level converged with openings in the global political field in ways that facilitated black movements' successful organizing. In Colombia, a crisis of legitimacy of the state converged with changes in policy norms at the international level, which provided the context in which black movement actors would make claims on the state in the early 1990s. In Brazil, it was the combination of having a sympathetic president who had not made good on his processes to address racism and racial inequality, and the Third World Conference Against Racism that acted as an important political opening for activists to make successful claims on the state. Yet even in the context of this convergence of political openings in these cases, the inclusion of black populations in legislative reforms was not automatic and thus required strategic action by black social movement actors. This interaction between political openings and strategic action by movement actors--and the resulting legislation--is summarized schematically in Figure 2.

Figure 2: Explaining the Shift to Ethno-Racial Legislation in Colombia and Brazil



Rather than see this as a simple change in the political field, I want to emphasize that political openings are only openings if movement actors are poised to strategically act within the context of such opening with adequate resources and effective strategies. One could imagine a number of changes in the culture or distribution of power of the political field before the late 1990s that were potential political openings. Indeed, in Brazil, the first two World Conferences Against

Racism did not provide that opening, nor did the 1988 constitutional reform process or the Zumbi March in 1995. In the context of this convergence of political openings in Brazil, it was not mass mobilization or disruptive forms of protest that lead to success. Instead, I maintain that Afro-Brazilian activists, acting both through transnational advocacy networks and within state commissions, were able to expose the gap between the Brazilian state's discourse of racial democracy internationally, and the reality of stalled racial reforms at home. In Colombia, it was black movements' use of discursive strategies that focused on making claims on the basis of ethnic difference, as opposed to racial equality that were ultimately successful.

Colombia: State Disequilibrium and Global Multiculturalism

Though some black organizations had been well established by the early 1990s, for a number of reasons, none of them had the ability to mobilize the masses in ways that might effectively pressure the Colombian state to grant black communities specific rights. However, the early 1990s marked a particularly volatile time in Colombia, with unparalleled levels of political violence, a crisis of legitimacy of the Colombian state, and subsequently, a constitutional reform process. This opening would converge with the rise and diffusion of discourses and policies of multiculturalism that had already been circulating in Latin American countries and throughout the world. So while Afro-Colombian activists were crucial to the adoption of the Law of Black Communities, the magnitude of this legislation is surprising given that the organizations at the center of this process were nascent, resource-deprived, and did not use disruptive forms of protest as their main strategy. Given this paradox, any examination of the adoption of this unprecedented piece of legislation must understand both the nature of the political moment in which these Afro-Colombian activists were making claims on the Colombian state, and the specific strategies they used in that moment.

Changes in the National Political Field: State Disequilibrium and Constitutional Reform

The 1980s was a particularly unstable time in Colombia. The Colombian state had historically been weak, with large levels of inequality and considerable parts of the country being regionally isolated and largely abandoned by the national state. In addition, the country was still embroiled in a protracted and violent civil war between the Colombian military and armed-leftist guerilla groups tracing back to the 1960s. However, up until the 1980s the conflict largely took place in remote rural areas away from the country's economic and political centers, that all changed with the emergence of a number of urban guerilla groups. The geographic proximity of these groups to the state apparatus, and the use of new forms of political tactics and violence would pose new threats for the Colombian state. Of these, the M19 or April 19th movement was perhaps the most important, emerging in response to the presidential election of 1970 that was marred with charges of fraud and in which the left had been effectively shut out of formal politics. This movement, made up of a wide cross section of Colombian society including many students, became most known for their use of unorthodox tactics and political violence. This culminated in 1985 when the M-19 seized the Supreme Court leading to a standoff between them and the military in which 12 Supreme Court justices were killed.

This political violence also converged with the emergence of an array of class-based movements around the country as well as the rise of Colombia's notorious drug cartels. Dugas (1993) argues that these "non-civil society", as well as a failed attempt to reform the political party system, also

contributed greatly to what has been called the “crisis of legitimacy” of the Colombian state in the 1980s. In this, the Colombian state faced increasing pressure to respond in some way, and more specifically, pressure to demobilize urban guerilla groups like the M-19. In 1990 they responded by initiating a constitutional reform process (Van Cott 2002, Dugas 1993; Agudelo 2004).

Proposals were introduced on gender equality and representation, rights for the disabled, divorce, and other provisions intended to update an antiquated constitution. That year, the Colombian state began to sponsor meetings across the country to ensure a participatory constitutional reform process, activate civil society, and restore confidence in a government that was losing legitimacy. With 80 percent of the population voting for constitutional reform, the state held popular elections for representatives to the National Constitutional Court, which was charged with representing constituents in the drafting of Colombia’s new constitution (Van Cott 2000). This process opened the space for the expression of a number of voices in the political sphere that had not been at the forefront of pressuring the state to carry out constitutional reform, among them the voices of black Colombians concerned with capitalist entrenchment, land dispossession and institutionalized racism.

Changes in the Global Political Field: The Rise of Global Multiculturalism

Yet while this constitutional reform process did provide a key political opening for Afro-Colombians, it was the convergence of this national political opening with the rise of global policy norms around multiculturalism that allowed for particular kinds of claims to be made on the Colombian state. Indeed whereas national political processes amounted to a material opportunity, changes in the global political field provided a discursive opening for movement actors. Indeed, the diffusion of global policy norms around multiculturalism laid the discursive context in which both indigenous and black people could make claims on the Colombian state. Like other countries in Latin America, the translation of such multicultural policies into national politics and policy would happen through a constitutional reform process. More specifically, and as Van Cott (2002) suggests, international conventions such as the International Labor Organization Convention 169 on Indigenous and Tribal Peoples were influential in Latin America, often acting as a blueprint for the inclusion of provisions for indigenous peoples in new constitutions throughout the region. One indication of the influence of such norms on the new constitution adopted in Colombia, the state did ratify Convention 169, arguably the most important international norm around ethnic rights, just months before the constitutional reform process began. Another indicator of the diffusion of such policy norms into the context of Colombia is that the specific language in the 1991 Constitution related to recognizing collective rights, autonomy, as well as “prior” “free” and “informed consent” from indigenous communities before beginning large-scale development projects, is strikingly similar to the language in the ILO convention itself.

Though in addition to the diffusion of norms around multiculturalism and ethnic rights throughout the globe, norms around indigenous rights were also being consolidated in Colombia’s neighboring countries such as Nicaragua and Brazil. The fact that Colombia, which is often described as the oldest democracy in Latin America, was lagging behind the region in recognizing the specific rights of these groups also figured into constitutional assembly members’ calculations (Sánchez 1993; Van Cott 2006). Indeed, in the National Constitutional

Assembly, international and regional norms were referenced, at least in making the case for indigenous rights. After reading the provisions on indigenous peoples in texts of the constitutions of Nicaragua, Panama, Brazil, and Venezuela, Francisco Rojas Birry, one of the two indigenous members of the ANC, stated: “This is not something new, we aren’t making things up here; to the contrary, we are elevating the level of the constitution, so that Colombia can do the same as other countries have in recognizing special titling for indigenous peoples” (ANC Minutes, June 10, 1991). The point here was that modern democracies had modern constitutions, which recognized the specific rights of indigenous peoples, and if Colombia wanted to be advanced or developed, it would have to be the same.

These changes in international norms were important, but not sufficient for bring about the adoption of multicultural policies in Colombia. What is more, there was no guarantee that once translated into the Colombian context, that such norms would include black populations or not. In this sense, rather than seeping into countries, these changes in the political culture and norms in the global political field changes aided local political struggles for recognition (Van Cott 2006; Kymlicka 2007). In Colombia, it was indigenous leaders and their allies had begun organizing around rights to ancestral territory and political autonomy since at least the 1970s. As the constitutional reform process of 1990-1991 became more imminent, these activists began to lay the groundwork for having indigenous rights and multiculturalism recognized in the new constitution itself. In an interview with one of the main advocates for multiculturalism in Colombia and expert on indigenous movements, Anthropologist Miriam Jimeno explained this process as collaboration between activists and intellectuals like herself:

The Constitutional reform process is not what initiates this process [of indigenous mobilization] it is the other way around. The Constitutional Reform process was the result of a process of at least two decades of previous work by indigenous communities, of some black activists, some intellectuals, anthropologists, intellectuals that work on black communities too, in that struggle (Interview, Miriam Jimeno, 2006).

Thus, while indigenous peoples’ claims to land, political autonomy and collective rights were rooted in local histories and struggles, they also drew heavily on international discourses of indigeneity that were being solidified in the same period. However, whereas indigenous people were considered the ideal subject of multicultural policies, black populations were not (Hooker 2005, Paschel 2010). As such black Colombians were not automatically included in Colombia’s move toward a multicultural model of citizenship. Instead they had to prove themselves fit for such rights through a combination of discursive and other strategies.

Afro-Colombian Movements, Ethnic Difference and the Use of Discursive Strategies

Even in the context of national and global political openings, Afro-Colombian organizations faced a number of internal and external challenges that made the inclusion of new rights for them in the constitution an uphill battle. Thus, the inclusion of black populations in Colombia’s new constitution required strategic action by black social movement actors, including but not limited to what McCammon, Sanders Muse, Newman, and Terrell (2007) call “discursive tactics.” More specifically, black activists made significant gains by avoiding discussing their issues in terms of

ethnic difference and by framing their demands in terms of culture, identity and ethnic difference.

In discussions of ethno-racial legislation and policy in Colombia there are two important frames that have been used by black movement actors: the “racial equality frame” and the “ethnic difference frame.” While the differences between actual claims based on a racial equality frame and an ethnic difference frame are not self-evident--because embedded in such frames are the complex entanglements between “race” and “ethnicity”--these concepts do trigger a different set of associative chains in political debates. In Latin America, the racial equality frame is often associated with claims of integration, sameness, and equality stemming from the fact that such a frame typically perceives the ethno-racial problem as an issue of racial discrimination and inequality; thus, the solution is typically to break down the barriers that enable discrimination and to achieve better integration of racial groups.⁵⁰ In contrast, an ethnic difference frame relies on notions of the right to culture, to identity distinct from dominant society, and it usually involves claims to autonomy or self-government and to territory.

Thus, while there continues to be much debate around whether “race” and “ethnicity” actually signify different concepts and signal different social processes, what is clear is that these terms do have different kinds of political currency. Hattam (2007) argues that race and ethnicity invoke separate “associative chains,” which are largely a reflection of a political process that sought to disentangle such concepts. These different associative chains, she argues, get mapped onto different ethno-racial groups. Wade (1997) shows how the different ways that black and indigenous peoples in Latin America have been incorporated into the state has led to the reproduction of a false binary between ethnic identity as corresponding to indigenous populations and race as corresponding to black populations. Both Hattam and Wade argue that such a dichotomy has material consequences for the ethno-racial groups that are thought to inhabit these separate categories of difference.⁵¹

An Uphill Battle in the National Constitutional Assembly

In addition to organizational challenges, Afro-Colombian activists faced policymakers and government officials who opposed the passage of legislation in favor of Afro-Colombian interests because they felt that such legislation would create an interethnic conflict in an already war-torn country. Afro-Colombian activist Libia Grueso of Black Communities’ Movement (PCN) noted “the left, conservatives, and liberals all thought the same” when it came to including black communities in the constitution: none offered their support (interview, Grueso, July 31, 2006). ANC member Cornelio Reyes was one of the most vocal opponents of what

⁵⁰ The mainstream discourse of the U.S. civil rights movement is perhaps the most obvious example of how combating racial inequality can lend itself toward an integrationist frame and programs such as affirmative action aimed at those ends.

⁵¹ Multicultural policies in Latin America have largely been conceded within the ethnic difference frame, which has typically meant granting ethno-racial groups collective rights based on the notion of ethnic difference and the protection of culture and identity. Hooker argues that multicultural policies for black populations in Latin America are weak compared to those granted to indigenous populations precisely because multicultural policies are based on collective rights that are “adjudicated on the basis of possessing a distinct group identity defined in cultural or ethnic terms” (2005, 285). Hooker thus contends that in the few cases in which black populations have been successfully included in recent rounds of multicultural reform (Colombia, Guatemala, Honduras, Nicaragua, and Ecuador), they have done so by marketing themselves as ethnically distinct.

would become Transitory Article 55 for black communities. He argued that including Afro-Colombians in the constitution would create a system of “apartheid” in Colombia where it did not previously exist. In this sense, advocating for special rights for Afro-Colombians was a sure way to “divide the country more than it is already divided” (ANC minutes, May 15, 1991). Other ANC members asserted that even though the “black ghetto, poverty and isolation” existed, the task at hand was to “promote better integration of these communities” (ANC Minutes, May 15, 1991).⁵² Though conditions faced by Afro-Colombians were recognized as being similar to those of indigenous peoples, these populations were thought to inhabit a different kind of difference, resulting in policies of difference and multiculturalism for indigenous peoples and policies of racial integration for black populations.

In the face of opposition from the ANC and fragmentation among black movement organizations, these organizations achieved inclusion in the constitution by launching an effective campaign that included lobbying and forming alliances with indigenous leaders within the ANC and among other black organizations. Since Afro-Colombians were not successful in getting a candidate elected to the ANC, Francisco Rojas Birry, an indigenous leader from the Pacific Coast of Colombia with connections to traditional black organizations in the Chocó, became the main advocate for Afro-Colombians in the ANC.⁵³ Before being elected, he had pledged to run on a “multiethnic” platform and to fight for both indigenous and Afro-Colombian rights.⁵⁴ Rojas Birry’s representation proved strategically important: indigenous leaders were part of a center-left bloc led by the M-19, and although M-19 did not originally support rights for Afro-Colombians, it agreed to support all of the indigenous delegates’ proposals in exchange for these delegates’ support of the M-19 platform. This strategic bloc wielded great power, because it represented more than one-third of the ANC, and all proposals had to gain a two-thirds majority vote in order to pass (Van Cott 1996, 2002).

While having a strong advocate within the ANC was important, Afro-Colombians also deployed other tactics consistent with the resource mobilization thesis. Such strategies included orchestrating sit-ins,⁵⁵ organizing marches, forming strategic alliances with other Afro-Colombian and indigenous organizations, and organizing the Black Telegram Campaign, which resulted in the sending of 25,000 telegrams to policymakers demanding the inclusion of Afro-Colombians in the constitution (Grueso 2000; Agudelo 2005; interviews). Between 1991 and 1994, *El Tiempo* reported over 30 meetings of regional and national Afro-Colombian or “black

⁵² ANC members’ fears that the inclusion of Afro-Colombians in the constitution would create apartheid and interethnic conflict where they had not previously existed were consistent with the way that Afro-Colombians had historically been conceived of vis-à-vis the state. Since the abolition of slavery in 1851, the Colombian state had maintained color-blind policies while at the same time reproducing regional hierarchies that kept Afro-Colombians marginalized and invisible in the national imaginary. In contrast, the Colombian government had set aside *resguardos*, or semi-autonomous collective territories, to protect indigenous peoples under a corporatist political model very much influenced by colonial law, and which conferred these rights on the basis of indigenous people inhabiting the territory prior to state formation (Van Cott 1996).

⁵³ While indigenous representatives and others such as ANC member Fals Borda did mention Afro-Colombians in their statements and proposals on ethnic rights, most discussions in the ANC still centered exclusively on indigenous populations.

⁵⁴ A number of Afro-Colombians from the Pacific Coast also went to Bogotá with Birry to develop and lobby for what would become Transitory Article 55 (interview, OPABO leaders, July 27, 2006).

⁵⁵ It is not clear if these sit-ins were actually illegal occupations. They occupied the Embassy of Haiti in Bogotá and a church, two places that may have been amenable to the movement.

community” conferences and some protests. This same newspaper had not published a single article explicitly on “Afro-Colombians” or “blacks” in 1990, just a year before. Also, a diverse group of organizations advocating for ethno-racial rights for Afro-Colombians came together to form the National Coordinator of Black Communities, which pressured the Colombian government to pass and implement ethno-racial legislation for black Colombians.

Whereas opposition to Afro-Colombian provisions had hinged on arguments that posed the indigenous and black populations as two separate issues, Rojas Birry argued that they were indeed linked. Because one of the two indigenous leaders in the ANC spearheaded this legislation, added to its legitimacy. On April 30, 1991, Rojas Birry presented a proposal to the ANC entitled “The Rights of Ethnic Groups,” in which he outlined the need for provisions for indigenous peoples, black communities, and other ethnic groups. Whereas opposition to Afro-Colombian provisions had hinged on arguments that posed the indigenous and black populations as two separate issues, Rojas Birry argued that they were indeed linked. That one of the two indigenous leaders in the ANC spearheaded this legislation added to its legitimacy. But there were concerns that the proposal would not get approved. “There was no response . . . so we mobilized by municipality and sent telegrams to the president so that he had no choice but to respond to us,” one OBAPO leader told me (interview, July 27, 2006).⁵⁶

In the final hours of the ANC, an article on black communities was included in the 1991 Constitution in Colombia as Transitory Article 55. As a transitory article, it was purposely left undefined, mandating further legislation in order to develop specific policies to be implemented. The very transitory nature of the article suggests the reluctance of ANC members to recognize indigenous and black populations in similar ways. Despite activists’ attempts to include a broader definition of black communities, moreover, the article recognizes them only as those communities “which have come to occupy uncultivated (empty) lands in the rural zones adjoining the rivers of the Pacific Basin, in accordance with their traditional cultivation practices and the right to collective property over the areas which the same law must also demarcate.”⁵⁷

Even given the mobilization and strategic action of black activists, there is still an element of mystique in the way that key actors analyze these events. Many of the people that I interviewed described the inclusion of the article as a “huge, unexpected goal” and as a fluke, using terms like “undercover,” “low-key,” and “unperceived” and stating that “the article passed under the radar” (e.g., interview, Jimeno, August 4, 2006). While the inclusion of an article for black populations was far from arbitrary--and instead should be considered the fruit of strategic action by Afro-Colombian activists and their allies--it cannot be understood without considering the unique political context in which it happened. While mobilization by black activists included lobbying, forming alliances and a few instances of marches and sit-ins, a more complete analysis must consider the context of political opening in which this “goal” was scored. First, as we have seen, such mobilization happened within the context of state disequilibrium, which translated

⁵⁶ Interviews with Zulia Mena and Libia Grueso revealed that such action was not without costs. Many of the Afro-Colombians who lobbied Congress and ANC members during the constitutional reform process used their personal resources to make trips back and forth to Bogotá.

⁵⁷ Activist Libia Grueso contended, “We had originally put urban areas, inter-Andean valleys, coastal areas, and fluvial zones. All of these [black communities] were discriminated against, and we had all of them in the first draft of the Transitory Article” (interview, July 31, 2006). In many of the minutes from the Special Commission that would develop Law 70, this broader definition was also being used.

into serious (and even armed) pressure to quickly resolve issues of political exclusion paired with changes in policy norms around multiculturalism. Second, while issues of ethnic pluralism were significant, they were far from the center of the constitutional reform process: AT55 was discussed briefly and approved in the final hours of the ANC.

In the end, the inclusion of AT55 in the reformed constitution of Colombia was indeed a major feat; however, it should be considered a milestone in a longer struggle. Even in the context of a political opening and the legal mandate proscribed in AT55, the actual implementation of this legislation was won in very unfavorable circumstances. In addition to the gap between the adoption and implementation of legislation in Colombia more generally, state officials had also raised questions about the feasibility of AT55, heightening activists' fears that it would become *letra muerta*, or un-enacted legislation.⁵⁸ Consequently, the strategic organizing that took place between the passing of the constitution and the approval of Law 70 is critical to understanding the adoption of legislation for black populations. One indication of this is that the majority of mobilization by Afro-Colombians reported in *El Tiempo* occurred between 1992 and 1993, not before.⁵⁹ Many of the activists I interviewed identified this period as the critical time in which the black movement gained strength; many also noted that this was the period in which the movement shifted from making claims based on the right to equality to making them on the basis of the right to difference.

The Special Commission on Black Communities

The constitution stipulated that the government had to create a special commission that included “representatives elected by the communities involved” to develop a law for black communities within two years. By May of 1992, members of the Special Commission had been chosen; however, little action had been taken, fomenting activists' fears that the government would exclude them from the process. Six of the Afro-Colombian representatives to the Special Commission issued a letter to various state agencies demanding the installation of the Commission (letter dated May 19, 1992), and in July 1992 President Gaviria complied. Nevertheless, the Commission's status was not secure: in November, the Afro-Colombian commissioners issued another letter threatening to suspend all activities and participation in the Special Commission if the state did not offer a “political or financial guarantee” for the development of Transitory Article 55.⁶⁰

Once created, the Special Commission included representatives from 6 government agencies as well as 12 representatives from Afro-Colombian communities, chosen from four of Colombia's 32 states, all on the Pacific Coast.⁶¹ Most of the Afro-Colombian representatives were activists from organizations that participated in the constitutional reform process, and many of them had

⁵⁸ Representatives from the Colombian National Institute of Agrarian Reform were particularly concerned about how to title land in zones where Afro-Colombians lived alongside *mestizo* and indigenous populations.

⁵⁹ Juan de Dios of Cimarrón provided a different perspective. He argued that with the exception of four or five organizations, there was no black movement before 1991, and he saw the proliferation of black movement organizations since that time as dangerous, because the explosion of people working on issues of black communities for personal gain has actually weakened the movement. Today, this perspective is shared by many black activists in Colombia (participant observation by author, August 2008-May 2009).

⁶⁰ In this letter, addressed to the vice minister, they demanded basic funding, including per diems and honorariums to allow for Afro-Colombian commissioners to travel and attend regular meetings.

⁶¹ This included three representatives from each of the following states: Nariño, Cauca, Valle, and Chocó.

already begun to develop discourses of ethnic rights. Cimarrón, the urban-based movement, was virtually pushed out of the formal political process during the negotiations of Law 70. Juan de Dios said that this process “killed” his movement, and he saw this exclusion as linked to a potentially destructive proliferation of NGOs advocating for Afro-Colombian rights in name only (interview, Mosquera, July 10, 2006). The marginalization of Cimarrón was also evident in a letter from Cimarrón to Miriam Jimeno, executive secretary of the Special Commission, in which the organization demanded the names of the Afro-Colombian representatives to the Commission and asked to be kept in the loop about meeting proceedings.

Cimarrón’s exclusion from the process of drafting Law 70, while surprising, makes sense within the context of the policy norms being solidified in that period. The framing of racial inequality and the need for racial integration used by Cimarrón did not fit into the policy frame of multiculturalism. The inclusion of Afro-Colombians in the 1991 Constitution was established in cultural and ethnic terms, with a specific focus on the Pacific Coast. Further, by the time the Special Commission took shape, there was little space for movements working on racism and urban black issues. While Cimarrón did not participate directly in the Special Commission that drafted Law 70, many people who had gone through Cimarrón’s training and been part of that movement did. Thus, the shift by black movement organizations away from discourses of racial justice to a more ethnic and cultural framing is both cause and consequence of the adoption of multicultural policies for Afro-Colombians.

In addition to Afro-Colombian representatives, the Special Commission also included representatives from government agencies, including the Colombian Institute for Agrarian Reform and the Colombian Institute of Anthropology (ICAN). The role of academics in this case was most apparent in the state’s decision to ask ICAN to act as the technical secretariat of the Commission. Though ICAN was just one of six government agencies, it played a more powerful role in the debates around what would become Law 70 than did the other agencies. Although policymakers and government officials were a fundamental part of the constitutional reform process and subsequent legislation, then, when faced with important decisions about the specific provisions, government officials deferred to and relied on “expert” knowledge from the academic sector.

These academics brought with them “expertise” and strong perspectives on the question of rights for Afro-Colombians. Indeed, opposition to legislation for Afro-Colombians came from all directions, but academics became some of the most critical opponents of the development of Law 70, acting as powerful agents in legitimizing and delegitimizing the use of particular frames. The power of anthropologists associated with ICAN and the absence of systematic research on Afro-Colombians within the academy led to contentious debates that highlighted the relationship between material inequalities perpetuated by the state and discursive marginalization reproduced by the academy.

Debates within the Special Commission were often tense. A two-page briefing issued by Miriam Jimeno (1994), the director of ICAN at the time, stated, “It took more than eight months of debate, discussion, antagonism and accusations to reach a common ground.” Similarly, in an interview, Jimeno asserted that many months were “wasted” because of the “strong reproach” of some Afro-Colombian activists, which sometimes included accusations of racism. She admitted

that at times, the line between the state and anthropologists associated with ICAN was blurred, resulting in what the latter perceived as personal attacks.

Many of the black Colombian activists interviewed argued that it was the intellectuals affiliated with ICAN who presented serious obstacles in these debates. As Afro-Colombian activist Libia Grueso contended, “The fact is that the academy and anthropologists, above all, as indigenists, they’ve always had the power/authority” (interview, July 31, 2006). Black Colombian activist and Special Commission member Rudecindo Castro said: “The Institute of Culture and Anthropology is the institution that defines everything here in terms of the ethnic and cultural. It is the arm of the state that says if something is law or not. . . . and when ICAN says that you are not an ethnic group, nobody pays any attention to you” (interview, October 13, 2008).⁶²

Whereas policymakers critiqued Article 55 and subsequently Law 70 in fear that they would create a system of apartheid, anthropologists argued that Afro-Colombians, unlike indigenous peoples, were not a distinct ethnic group. According to some anthropologists, an “ethnic group” has a collective identity and culture distinct from those of the nation. Although these same anthropologists within ICAN had advocated for rights for indigenous peoples, they challenged the notion that Afro-Colombians deserved similar recognition. Consequently, most of the debates in the Special Commission were not about specific legislative provisions but rather involved the interrogation of Afro-Colombians as an ethnic group.⁶³

Perhaps the single most important illustration of the role that intellectuals played in defining the terms of the Law 70 debates occurred in the Special Commission session entitled “Concepts of Cultural Identity in Black Communities.” On November 20, 1992, ICAN invited leading anthropologists to a forum designed to conceptualize cultural identity in black communities in preparation for the official Special Commission meeting on the same topic. Convening over 20 prominent Colombian anthropologists, the meeting aimed to establish “the criteria and possible obstacles to black cultural identity” (Commission Meeting Notes, November 20, 1992). These “criteria” were salient in that they would later set the tone for Afro-Colombian activists’ strategies within the Special Commission, which would center on challenging and stretching the bounds of culture and identity as the basis of group rights.

The strong reservations held by academics at this meeting can be explained in part by the fact that many of them were specialists on indigenous populations rather than on Afro-Colombians. Until the early 1990s, anthropology in Colombia was almost exclusively focused the study of indigenous populations, with the exception of a handful of anthropologists who studied Afro-Colombian communities (see Freidemann 1974 and Arocha 1998). Wade contends “the study of blacks and Indians in Latin America has, to a great extent, been divided into, on the one hand, studies of slavery, slavery-related issues and ‘race relations’ and, on the other, studies of Indians” (1997, 27). Jaime Arocha, one of the early anthropologists to focus on Afro-Colombians, clearly summed up the anthropologists’ opposition in an interview: “The argument

⁶² He added that this is not just an academic or conceptual resistance but that ICAN has political, cultural, and economic allegiances that also contributed to this position.

⁶³ While there were four sub-commissions within the Special Commission--Territory and Natural Resources, Development, Cultural Identity, and a financial/Operational sub-commission--the question of ethnicity and cultural identity was by no means limited to the cultural identity commission and in many ways was seen as the transversal issue needed to advance the proposals in all of the sub-commissions.

of these anthropologists was that this legislation made no sense because these people didn't have particular identities and that instead, they opted for an opportunistic stance, cloning the indigenous model" (August 14, 2006). Using the methodology and theoretical frameworks dominant in anthropology, these scholars defined culture and identity as the criteria upon which the "Other" was based and as the basis upon which multicultural rights could be exercised. When evaluating the case of Afro-Colombians, intellectuals often used the indigenous case as the prototype.

Even intellectuals sympathetic to the plight of Afro-Colombians felt that the best way to guarantee territorial and other rights would be not to exactly copy the indigenous model but more importantly to "de-racialize the perception of Afro-Colombian communities" (interview, Arocha, August 14, 2006). In other words, it was more important for Afro-Colombians to emphasize their culture, traditions, and knowledge of the environment than their "group-ness" based on racial discrimination or marginalization. Indeed, the "de-racialization" of Afro-Colombians may have been a necessary step in guaranteeing that they would indeed benefit from multicultural policies. Insofar as some of the anthropologists were willing to concede that black Colombians were a group at all, they identified this group-ness as based on racism, not ethnicity (culture and identity), and they therefore conceived of Afro-Colombians' challenges as very different from indigenous struggles and as an inadequate basis for constructing multicultural rights for black Colombians. One intellectual argued that "the focus of attention of the black community has been the struggle against racial segregation, whereas the indigenous struggle has been the recognition of collective human rights (territory, language, etc.)" (Commission Meeting Notes, November 20, 1992).⁶⁴ These discussions about the relationship between race and ethnicity in the Special Commission highlight the lack of viability of using a discourse of race or racism in discussions of multiculturalism.

As a result of the anthropologists' discursive orientation, Afro-Colombian activists shifted their efforts, strategically appropriating notions of what it meant to be an "ethnic group," since this represented the criteria upon which multicultural rights could be obtained, while challenging the dominant ideology that indigenous peoples were the only legitimate ethnic group in Colombia. Commissioner Silvio Garcés argued that the most imperative task at hand was to make sure that the law give gave "normative legal recognition of the black community as an ethnic group" (Commission Meeting Notes, November 20, 1992). Similarly, Grueso argued that the main purpose of the Special Commission was as much about developing a law for Afro-Colombians as it was about determining if "Afro-Colombians were an ethnic group or not" (interview, Grueso, July 31, 2006). Thus, in this period, the main strategy of Afro-Colombians was not to organize mass protests but rather to intervene in centralized political processes, which included

⁶⁴ The merging of academic production and ethnic rights in Colombia was clear, in that interviewees had a hard time distinguishing the intellectual project of indigenista scholarship from the indigenous movement itself. Even anthropologist Miriam Jimeno said, "The indigenous movement started in the 50s if you start with when the anthropologists began to write and collect data and see 'the difference'" (interview, August 4, 2006). Further, she said that the ideological project initiated by anthropologists of creating "the difference" was an important part of, and perhaps a precondition for, the articulation of a viable indigenous movement.

convincing anthropologists to endorse the idea that Afro-Colombians were an ethnic group deserving collective rights.⁶⁵

Appropriating the criteria used by anthropologists, Afro-Colombian leaders argued that it was important to discuss identity and culture among black communities. They highlighted the particular and dynamic nature of black identity and culture, linking many of the problems in identifying this culture to the lack of research on these communities. In both meetings and impromptu mobilizations, Afro-Colombian activists filled in the gaps by bringing maps, drums, songs, and knowledge of the biodiversity of the Pacific Coast in order to prove their ethnic distinction. Paradoxically, in doing so, they may have undermined their other goal of expanding the legal concept of black communities beyond the rural zones of the Pacific Coast defined in AT55 (Castillo 2007). Minutes from the Special Commission meetings reflect many attempts by activists to expand the idea of black communities. Commissioner Silvio Garcés, for example, had argued, “The reach of this article must not be limited to the river-based communities of the Pacific Coast. . . . You can’t deny the territorial rights of our others from the black community in this country” (Special Commission Minutes, October 2, 1992).⁶⁶ Yet the process of constructing the Law of Black Communities led to the reproduction of a limited and geographically specific notion of blacks as rural and from the Pacific Coast that persists today. Rather than evidence of a lack of concern about urban issues, however, this can be read, first, as a result of activists’ struggle to assure that Law 70 would actually come to fruition, and, second, as a response to the discursive constraints that a multicultural framework put on discussions of black rights.

Similarly, though organizations from the Pacific Coast had begun to develop an ethnic frame well before the 1991 constitutional reform, some of their explicit discursive distancing from Cimarrón--which persists today--may have stemmed from the lack of legitimacy of the racial equality frame in debates about multicultural policies. Afro-Colombian activists juggled two largely incongruent notions of black communities: one rooted in the ethnic difference frame, or what they have termed the ethno-territorial approach, wherein notions of distinct ethnic identity, history, and geography were central; and another that was much broader and that included the urban Pacific Coast and rural predominately black areas outside of the Pacific Coast. Even so, frequently the lens through which other black areas were discussed by the state, by Afro-Colombian activists, and by intellectuals, was the ethnic difference frame. Thus, activists’ justifications for bringing these other areas into discussions of Law 70 used the language of traditional black territories with distinct culture, history, and identity. This discussion, and certainly any more expansive notion of blackness--which might include the urban black population in Colombia, estimated by Barbary and Urrea (2004) to make up 69.4 percent of the state’s black population--ran the risk of delegitimizing the concept of black communities as being distinct in terms of culture, identity, and history.

⁶⁵ In this period, to the extent that they could obtain financial support, they Afro-Colombians also focused on raising the visibility of AT55 among the grassroots black community and constructing the proposal for Law 70 through this process.

⁶⁶ There was also discussion of urban black populations, though such discussions were often limited to urban populations on the Pacific Coast, with Quibdó and Buenaventura being the most-cited examples of black communities that were urban but that also preserved black culture and had to be included in Law 70, albeit using different legal provisions.

As Afro-Colombian activist Zulia Mena asserted, bringing the cultural traditions of the Pacific Coast and performing serenades in Bogotá was extremely important in proving that Afro-Colombians could exercise a “right to difference” (interview, August 27, 2006). Such manifestations served a dual role, moreover, of constructing a particular type of Afro-Colombian culture and demarcating an ethnic boundary by distinguishing these traditions from mainstream Colombian culture. Also, in order to bolster claims of cultural difference, activists asked policymakers and intellectuals if they were familiar with the rivers and animals in their communities: “Do you know how to play this instrument?” “Do you know this song?” “Can you identify this river on the map?” (Interview, Mena, August 27, 2006). Since the inclusion of Afro-Colombians in the constitution had already been established in cultural and ethnic terms with a specific focus on the Pacific Coast,⁶⁷ between 1991 and 1993 Afro-Colombian representatives mainly worked within this framework, though simultaneously appropriating these new discourses of a multicultural nation.

Whereas Cimarrón and other, earlier urban organizations mobilized discourses that emphasized racial discrimination, racial inequality, and the need for integration, emergent Afro-Colombian organizations integral to the passing of the Law of Black Communities did not explicitly formulate their struggles in terms of race or racial discrimination. Instead, they strategically adopted what I call the “ethnic difference frame,” which activists call an “ethno-territorial” approach. Carlos Rosero of Black Communities’ Movement articulated it best in the following statement: “Racism and racial discrimination are all a part of the assertion of the right to equality. . . . We fight for the fight to difference” (interview, June 29, 2006). Similarly, Libia Grueso of the same organization argued that these represent “two distinct ways of thinking,” which resulted in differences between demanding “programs to not be excluded” versus the “right to territory” (interview, July 2006). Thus, the early 1990s marked what Restrepo (2004) calls the “ethnicization of blackness in Colombia.”⁶⁸ Their efforts proved successful when Law 70, or the Law of Black Communities, was introduced by decree on August 27, 1993.

Brazil: Symbolic Commitments and the World Conference Against Racism

The process by which the Brazilian state would adopt specific policies for the country’s black and brown population would be similar to Colombia in some ways, yet markedly different in others. While this shift in state policy in Brazil would happen through a similar process of a convergence of political openings at the national and global levels, the nature of those openings, the strategies activists would use, as well as the nature of policies that the Brazilian state would adopt, would all be distinct from Colombia. In Brazil, it was the convergence of stalled reforms

⁶⁷ While there were attempts to expand the idea of blackness outside of rural areas of the Pacific Coast, both actions by activists in the Special Commission aimed at socializing the Transitory Article 55 and constructing Law 70 from the grassroots were mostly in rural areas of the Pacific Coast, reproducing the notion that this law was for a specific kind of blackness.

⁶⁸ Restrepo focuses on what the “ethnicization of blackness” means for the local identities and memories of black populations in the Southern Pacific Coast of Colombia. He argues that the black political subject has been created through this process, and the identities and local memories of black people have been transformed and rearticulated. While most of his emphasis is on the role of more powerful actors, including academics, church officials, and black activists with more economic and cultural resources in creating the “ethnic imaginary,” he also argues that local people do not accept and reproduce such discourses wholesale. Instead, local people have “inscribed, transformed and engaged it in multiple ways” (2004, 711). These have included resistance to the collective legalization of their land, which was mandated by Law 70.

at home converged with the preparations for the World Conference against Racism to provide the key political opening for a diverse set of Afro-Brazilian activists. Yet, their success depended heavily on the use of transnational strategies and elevating the level of this UN conference from a merely symbolic meeting, to a major political event that would have both policy and structural repercussions on the Brazilian state.

Changes in the National Political Field: FHC and the Expiration of Symbolic Commitments

By 2000, Brazil's black movement had already been successful in making concrete demands on the state and having high level state officials respond. In 1995 black movement organizations mobilized tens of thousands of people for the Zumbi March against Racism and for Citizenship and Life in Brasilia in which they demanded a shift in the state's position on racial inequality, and concrete policies for black populations from education, to health. While the march was organized by more established political organizations like MNU, black NGOs and black leaders working within political parties and unions also played an important role in organizing the march⁶⁹. The march was successful in at least two ways. First, in an official statement responding to the march, Fernando Henrique Cardoso, became the first Brazilian president to publically recognize that the country was not, in fact, a racial democracy, but instead suffered from pervasive racism and racial inequality. Second, he also created the Inter-Ministerial Working Group for the Valorization of the Black Population (GTI), a committee composed with high-level government officials and Afro-Brazilian leaders charged with the task of researching and designing government policies on anti-racism.

However, while many activists had hopes that the GTI would lead to deep reforms and the adoption of policies and programs addressed at combating racial inequality, the initiative did not have the political support or budget to actually implement policy reforms (Telles 2004). Thus, while this historic instance of mass mobilization among Brazil's black movement was certainly successful in getting the state to take a stance on the race issue, it was not enough. So while the GTI, did set an institutional precedent for future reforms, the lack of political will thereafter did not allow FHC's symbolic statements on racism to become real state reforms. Indeed, by 1999, the Brazilian government had yet to implement any of the concrete actions recommended in the GTI commission report on public policies to address racial inequality from 1995. While President FHC himself and some of his key advisors were committed to adopting race policies, among them Afro-Brazilians, there was still serious opposition by high-level government officials within his administration (Telles 2004, Interview, Gilberto Saboia, March 2010). Toward the end of his second term, pressure was mounting from within and outside of his administration to make good on his promises. Yet, while these national political processes are necessary, they are not sufficient for explaining Brazil's radical shift from colorblindness to the adoption of affirmative action policies in the early 2000s.

⁶⁹ The National Executive Commission of the march included: Agentes de Pastoral Negros (APN's), Cenarab, Central de Movimentos populares, CGT, Comunidades negras Rurais, Central Única dos Trabalhadores (CUT), Força Sindical, Fórum, Nacional de Entidades Negras, Fórum de Mulheres Negras, Movimento Negro Unificado (MNU), Movimento Pelas Reparações (MPR), Conun, União de Negros pela Igualdade (UNEGRO) e Grucon.

Changes in Global Political Field: The World Conference Against Racism in Durban, South Africa

The context of stalled reforms at home and the ending of FHC's second term converged with an opening at the international level: The Third World Conference against Racism in Durban, South Africa in 2001. Indeed all of the state officials and many of the Afro-Brazilian activists I spoke with confirmed that Durban was a critical moment in this process. One Afro-Brazilian leader, and member of FHC's administration discussed his difficulty in trying to move forward on the recommendations of the GTI and affirmative action policies. He explained: "nobody believed in this issue that I was talking about...I talked and talked and I kept hitting the ceiling". Similarly, in an interview with Alberti and Araújo (2002), Ivair Santos talked about this lack of political will at the national level.

"We spent four years trying to occupy space, using the Ministry of Labor, that nucleus and everything, all of that effervescence. But I confess to you guys that it was always a marginal thing. It wasn't a program within the Secretary of Human Rights supported by the Regional Labor Agencies. It was just something that I did. I wasn't able to convince Jose Gregori [The National Secretary for Human Rights] that it was a big deal. So why did this change? It changed when Brazil began to prepare for the Third World Conference Against Racism in Durban, South Africa in 2001 (Interview published in Alberto and Araújo (2002)).

And while Ivair did express his initial skepticism about the impact a UN conference could have on actual policy in Brazil (Interview, Ivair Santos, Alberto and Araújo 2002), he admitted that as preparations continued, the magnitude of the conference grew exponentially. For him, Durban marked a "critical juncture". He explained: "there is before Durban and after Durban... from there, everything changed"... (Interview, Ivair Augusto Alves dos Santos, 2010). Indeed, many of the activists and all of the government officials I spoke with cited the Durban Conference as a moment that divided the waters. It would catapult a movement blocked by stalled reforms into full-fledged negotiations with the State, and would push the Brazilian government to move beyond recommendations and toward the implementation of concrete policies.

Though, while Telles (2004) and Htun (2004) have also signaled the importance of the Durban in the adoption of affirmative action and anti-racism policies in Brazil, it is not clear why it was so important. I argue that it was the Brazilian government's investment in being the model of race relations within the UN, paired with the strategic action of black activists situated in a number of places, that made the Durban Conference such a powerful catalyst for the adoption of affirmative action in Brazil. Thus, the way in which this global event figures into contestation between the black movement and the Brazilian state is in many ways a reflection of Brazil's embeddedness in the global political field. Aware of the Brazilian state's mission, Afro-Brazilian and anti-racism advocates interpreted Durban as an opportunity to expose contradictions between this mission, and the lack of action at the national level. In this context, Afro-Brazilian activists were most effective in their use of institutionalized strategies and development of transnational alliances.

Cultivating Brazil's Image as the Model for Harmonious Race Relations

Brazil's image as the model of race relations in the world dates as far back as the turn of the 20th century when scholars from around the world began to visit Brazil and write about what they typically found to be more harmonious race relations. Many African Americans including prominent theorist of race relations in the world, W.E.B. Dubois, suggested that Brazil did not suffer from the burden of racism like the U.S. (Hellwig 1992). But beyond affirmations by visitors to, and observers of, the country, the Brazilian government also engaged in what might be called an exercise of soft power. As an emergent leader in the Third World, they actively promulgated the idea of the country as a racial democracy, or racial paradise, something most evident when examining Brazilian officials statements and actions in the apparatus of the UN apparatus. There is also evidence to suggest that by the 1990s, the Brazilian government had high hopes that their leadership in the United Nations in a number of areas, including race relations, would lead to a permanent seat on the UN Security Council (Telles 2004).

One of the first examples of Brazil's racial project within the UN apparatus came even before the UN began to work systematically on the issue of anti-racism in the world.⁷⁰ In 1950, UNESCO commissioned a large multi-city study on Brazilian race relations to be carried out by prominent social scientist from Brazil and elsewhere including Florestan Fernandes, Costa Pinto, and Roger Bastide.⁷¹ The goal of the study was to offer the world a more harmonious model for race relations in a world of apartheid and recently scarred by the Holocaust and World War II. In September of 1952, UNESCO reported the findings in their internationally circulated magazine, *The Courier*. The researchers commissioned to do the study had very distinct findings, with the scholars researching São Paulo and Rio de Janeiro concluding that there was a de-facto racial hierarchy and pervasive racial inequality, and those in the Northeast of Brazil reaffirming ideas of racial democracy and harmonious race relations. However, the general tone of the report in the UNESCO magazine as still that Brazil had created a multi-racial society where race relations were harmonious.

Featuring an article by the father of racial democracy in Brazil, Gilberto Freyre, the UN magazine report affirmed Brazilian race relations as the model for the world. Despite contradictory findings, the report concluded: "Brazil remains an exemplary nation, destined because of this to play an important role in the building of a world in which mutual respect between races will become an established universal"⁷². Thus, while in Brazil, some of these studies represented an unprecedented piece of evidence that racism did indeed exist in Brazil, (Telles 2004), internationally, the studies were still were packaged to make Brazil the model of race relations. Part of the appeal of Brazil was its common history with many nations of colonization and slavery, which Brazil was thought to have overcome. The country also emerged as the model within the UN because it was constantly juxtaposed against the racist, intolerant, and cruel regime of South Africa, among other countries.

The UN statements by Brazilian officials I analyzed over the period between 1978 and 2002 show that the Brazilian government was proactive in promulgating its image as a racial democracy in the world. However, these narratives were not just of Brazil as a pure racial

⁷⁰ The UN Convention on the Elimination of all Forms of Racial Discrimination (CERD) was not adopted until 1965 and the CERD Committee was not yet constituted.

⁷¹ This study was actually FHC's entrée into the study of race relations. He was a student of Fernandes and as a result of this study, FHC wrote two books on racial inequality in São Paulo.

⁷² August – September, 1952 of UNESCO magazine, *Courier*.

paradise. Instead, and particularly after the adoption of the 1988 constitution in Brazil, officials promulgated two complimentary narratives of Brazil's racial and social order: 1) Brazil was a tolerant society with race mixture and without racism in a world of racial oppression and ethnic cleaning; and 2) The Brazilian government was proactive in combating (potential) racism. Both of these themes come out in a statement made on November 30, 1999 in a meeting called to discuss the Third World Conference Against Racism. "Under Brazilian legislation, racism was a crime for which there was no bail or statute of limitations. Any kind of racial discrimination is punishable by law. Brazil was proud to be a melting pot of cultures, all of which had contributed to building a tolerant, multi-ethnic society"⁷³.

Thus, while on the one hand, statements emphasized that Brazil was a "tolerant", "multi-ethnic society" with a "melting pot of cultures", on the other, they highlighted Brazil's pro-activeness in criminalizing racism and assuring what some might call "formal equality" in the country. Rather than a clear and organic racial democracy, Brazilian officials did recognize that the country *did* have to cope with historical issues like slavery and residue for racial inequality in the colonial period:

Today it was recognized that democracy meant equality for all. Governments must set an example by scrupulously enforcing non-discriminatory policies...it was the responsibility of States to prohibit and put an end to discrimination within their territory... For Brazil, a country made up of people of different races and ethnic origins, diversity was a valuable asset in achieving the nation's goals. Nevertheless, Brazil still *had* to cope with a legacy of social problems largely resulting from injustices perpetrated during colonial times and the early stages of independence.⁷⁴

In so doing, Brazilian diplomats acknowledged historic injustices, failing to recognize ongoing racism. This statement, along with many similar ones made well through the 1990s, Brazilian officials painted the picture of a "multi-racial, multi-ethnic society" that "had always at the forefront of the struggle against racism and racial discrimination"⁷⁵. Thus, the image that Brazil sold to the world was not just that Brazil was a racially tolerant society, but that the government had also been proactive in fighting against possible racism and the persistence of historic inequality.

In addition to being a model for race relations in the world, Brazilian diplomats were also active agents in the anti-racism efforts within the United Nations. This translated into leadership and active participation in the Convention on the Elimination of Racial Discrimination (CERD) follow-up and leadership in the second and third decade against racism campaigns. Brazil was also one of the first countries to speak about the significance of having a Third World Conference against Racism, and also advocated for a format that would include great civil society participation⁷⁶. While the Brazilian government's interest in leading anti-racism efforts in the UN may have been rooted in their genuine idea that Brazil was a model of racial tolerance, the fact that Brazil was also actively seeking a permanent seat on the UN Security Council,

⁷³ Official UN record of the 54th session, 22nd meeting 10/25/1999 October 1999, document A/C.3/54/SR.22.

⁷⁴ Official UN record, October 18, 1991.

⁷⁵ Official UN record of the 43rd session, 12th meeting on CERD, 10/18/1988, document A/C.3/43/SR.A2.

⁷⁶ Official UN records from 1988 onward.

further put the spotlight on the country. Given this ambition on the part of the Brazilian government within the UN structure, the Third World Conference against Racism would catalyze black activists' mobilization. Indeed, Afro-Brazilian activists were fully aware of the image diplomats gave of Brazil in these spaces (Telles 2004). They also had reason to believe that such an international event might put needed pressure on the Brazilian state. This same event would also re-energize advocates in FHC's administration who had lost momentum on race issues and had not made efforts to seriously implement the recommendations from the GTI in the mid 1990s.

Afro-Brazilian Activists, Racial Equality, and the Use of Transnational Strategies

In this context of political openings, Afro-Brazilian organizations drew on established repertoires of strategic action, namely the consolidation of what Keck and Sikkink (1998) call "transnational advocacy networks". Keck and Sikkink (1998) argue that NGO forums related to UN conferences have been important of such networks, which they define as "forms of organization characterized by voluntary, reciprocal, and horizontal pattern of communication and exchange that defend a cause or proposition," (8). They assert that the creation of the UN in 1952, and the emergence of parallel civil society forums in the 1970s, facilitated a particular variant of transnational exchanges among activists who now routinely convene around such events. The first of these forums was the NGO forum held parallel to the UN Conference on the Human Environment in Stockholm in 1972, which they assert, was "absolutely central to the formation and strengthening of advocacy networks around the world" (137). In Brazil, the increasingly professionalized NGOs among black movement organizations and Brazil more generally, leveraging and mobilizing around UN conferences had already emerged as a viable strategy to influence state policy in that country (Fernandes 1994, Martins, Medeiros and Larkin Nascimento 2004, Telles 2004).

In March of 2000, Brazil stepped up to host the Regional Conference of the Americas, the first of the regional preparatory conferences to be held in the world in the Durban process. However, the Brazilian government rescinded their offer after the scandals surrounding the country's 500-year independence celebration in April, in which the military police violently repressed protestors among them indigenous and black protestors. Images of the protest quickly filled the international media in April of 2000, which juxtaposed the insensitivity and violence of the Brazilian state against the popular image of Brazil as a racially mixed and tolerant society. And while Afro-Brazilian activists had already interpreted the Durban Conference as a political opening, the events in April of 2000 presented a widening of that opening. For example, Afro-Brazilian activist Ivanir dos Santos of the Center for the Articulation of Marginalized People explained why organizing around the Durban conference was so effective: "At first it wasn't. First the government... ..the thing that helped us was the moment in which the Brazilian government refused to host the regional conference". (Interview, Ivanir Santos, October 2009).

Even as Brazilian diplomats cited a lack of financial resources as the reason it would not host the regional meeting, activists speculated that they actually withdrew their offer bid because of the scandal that ensued around the 500-year celebration. Indeed, government officials themselves admit that the 500-year celebration shaped their calculations about the importance of taking a progressive position in Durban. This was clear in my interview with Ambassador Gilberto Saboia who would become the de-facto head of the Brazilian government delegation in Durban:

The 500-year celebration was really poorly done. It ignored the contribution of indigenous peoples, as if everything had started with the Portuguese. And the people that I met in the Ministry for Human Rights and other sectors...they said the following a lot: 'Look Ambassador, if we do not succeed in doing this conference and doing something, during this administration, that really promotes the true advancement of blacks in Brazil, the moderate [black] leaders are going to be replaced by the more and more radical leaders that are emerging among the youth' (Interview, Ambassador Gilberto Saboia, March 2010).

Indeed, the governments' treatment of the 500-year event and subsequent refusal to host the regional conference confirmed for Afro-Brazilian activists what they already knew, that the Brazilian state felt that much was at stake in upholding their image as a racial paradise.

Activists took advantage of this opening by deploying a wide range of strategies aimed at pressuring the Brazilian government to make and fulfill commitments. Among these strategies were participating in government commissions, lobbying but also shaming them publically and leveraging transnational advocacy networks. Early on in the preparations for Durban, a divide emerged among black activists positioned in different spaces who had different ideas about what would be the most effective strategy for Durban. While there were official channels through which a small number of black activists could influence the Brazilian state's decisions in the Durban process, embodied in the National Committee, this was not the only avenue that activists used. The large majority of black activists that seized upon the political opening of the Durban conference did so representing professionalized NGO and through the strategic leveraging of transnational advocacy networks. At every juncture, activists within and outside of the official committee would use official statistics on inequality in Brazil and make public statements about persisting racism in Brazil and the hypocrisy of the Brazilian government (Telles 2004).

Given this political turmoil, the Chilean government stepped up as host the regional meeting, and in preparation, held a meeting of regional experts in Santiago. In addition to government officials throughout the region, they invited 12 experts on race and racism, including activists and intellectuals, to present background papers that would help frame the regional conference to be held in December. Edna Roland, from the Black Feminist NGO, Speak Black Woman! (Fala Preta), and who would later be integrated into the official delegation, was charged with the task of presented the background document on Afro-descendants in the Americas. Responding to her presentation, which painted a picture of sharp racial inequality in the region, and poverty as a result of racial discrimination, the Brazilian government highlighted the important work of the GTI and ongoing efforts in Brazil. Edna Roland responded to Brazilian officials saying that "while positive changes had taken place in Brazil, the Government had not been able to implement many of the recommendations of the Inter-Ministerial Working Group (GTI), and in particular changes that would have a real impact on the living conditions of Afro-Latinos".⁷⁷ While statements like this had previously remained unchecked, this was one of the first instances in which non-state actors could monitor the Brazilian governments representation of race relations abroad, and offer an alternative account. As things progressed, Afro-Brazilian activists

⁷⁷ Taken from the UN "Report of the Latin American and Caribbean regional seminar of experts on economic, social and legal measures to combat racism with particular reference to vulnerable groups".

would have as Telles (2004) suggests, “the undivided attention” of high-level government officials (67).

December of 2000 held the first regional conference in preparation for Durban in Santiago de Chile.⁷⁸ Upon returning from Santiago, FHC signed a Presidential Decree creating the National Committee charged with Preparation for the III World Conference against Racism with two objectives: 1) consult the President in decisions related to the formulation of the position of the Brazilian government for regional and international negotiations during the World Conference; 2) promote, in cooperation with civil society organizations, seminars and other activities designed to have a deeper understanding of, and to disseminate information about issues related to the World Conference, especially those topics that are relevant to the Brazilian reality.⁷⁹ In addition to government officials including Senator Benedita da Silva, the Committee also included four black activists from established black NGOs, and Edna Roland who acted as a quasi member of the committee.

The level of expertise and style of lobbying from within used by black activists within the committee was also important. High-level government officials were willing to listen to their recommendations and even charge them with formulating the Brazilian governments position in the Durban meeting. This was especially the case with Roland who actually negotiated with other countries, representing the Brazilian government and who would later be named one of the world’s five eminent experts charged with monitoring Durban follow up. While activists outside of the Commission tend to underplay the role of the Committee in this process, the influence they had in inserting more binding language and specific policies in the Brazilian governments official document was indispensable.⁸⁰ However, it is that case, that it is not clear if activism alone would have been enough to hold the Brazilian government to the discussion, adoption and implementation of specific policies for black populations.

The creation of strong transnational advocacy was a key part of the strategy used by Afro-Brazilian activists outside of the National Committee during the Durban process. In late 2000, Afro-Brazilian activists affiliated with black NGOs began to organize forums about the Durban conference, approach donor institutions to fund activists to assure a strong presence in preparatory meetings, and perhaps most importantly, develop strong relationships with black movements and anti-racism activists in other countries. Thus, rather than work within the official State Committee which included activists, the opted to strengthen their ties with activists outside of Brazil, and in so doing, would appropriate established repertoires among professionalized activists throughout the globe who had been leveraging international UN conferences since at least the 1970s.

Some Afro-Brazilian activists had experience with mobilizing around UN conferences, particularly Afro-Brazilian women who had organized around the 1994 Population and

⁷⁸ The document that governments would sign onto in Santiago was, in many ways, more progressive than the actual Durban document.

⁷⁹ September 8, 2000 Presidential Decree, Brazil.

⁸⁰ Alberti and Araújo (2006) assert that the inclusion of one sentence in the document that would become the Brazilian delegations official statement at Durban conference “quotas in the university for blacks” is what set the ball rolling for affirmative action policies approved by the State legislature of Rio de Janeiro in 2001, and in a number of other States.

Development Conference in Cairo and the Fourth World Conference on Women Beijing in 1995. Both of these resulted in significant reforms and changes in discourse by the Brazilian government.⁸¹ In this sense, a particular kind of professionalized organizing around UN conferences had become an established repertoire of mobilization in Brazil by this time. As Lucia Xavier of Criola told Alberti and Perreira (2007) one activist told me, those who didn't know how to "position themselves" learned from established repertoires and from exchanging information with people who had already been involved in these activities (368). As Telles (2004) highlights, partnerships Afro-Brazilian activists had with U.S. based institutions such as the Southern Education Foundation, the International Human Rights Law Group, and the Ford Foundation, despite the fact that the U.S. effectively boycotted the conference.

While these partnerships were important for Brazilian activists, the United States government launched an effective boycott of the conference amidst accusations that the conference was anti-Israel and anti-semitic. The withdrawal of the U.S. government and their allies⁸² significantly weakened the civil society efforts of U.S. based institutions. In this vacuum of government and civil society leadership, Afro-Brazilian activists' became the nexus of regional civil society efforts, which elevated them to a status of legitimate interlocutors with the Brazilian government. One of the most important regional networks of black activists that would be formed around Durban was the Strategic Afro-Latin American Alliance (Alianza), founded in San José, Costa Rica in September of 2000 (Telles 2004; Martins, Medeiros and Larkin Nascimento 2004). Afro-Brazilian activists were at the center of this network that was effective in securing international funding for black activists from throughout the region to participate in the Santiago and Durban Conferences, and most of its members held from established black NGOs in their respective countries. Geledés, an Afro-Brazilian women's NGO was charged with getting funding for Alianza's strategic meetings and with getting a critical mass of black activists from Latin America to attend Santiago for the regional preparatory meeting of the Americas. This same NGO, along with Criola, had already become the nexus of national organizing around the Durban conference as the Ford Foundation gave them the funds to manage civil society participation in Durban. In this way, Afro-Brazilians were highly visible in the Santiago and Durban process, making it impossible for the Brazilian government to ignore them.

Alianza members were also familiar with the type of lobbying that was most effective in these international spaces. Thus, they devised a strategy where by they would collectively lobby different governments to raise, or support, the inclusion of specific policies into the official Santiago and Durban documents. Speaking about this, Minister Jose Gregori said, "Durban was the triumph of black Brazilians... so, even though governments were against Durban, in the outset, they were going to have to collide with black Brazilian activists. In Durban, [black activists] found the place to affirm their struggle." (Interview, Jose Gregori, March 2010). He

⁸¹ Some of the black women activists at Beijing were Nilza Iraci and Sueli Carneiro of Geledés. Wania Santanna was also there. Other organizations who participated in the preparatory meetings in Brazil refused to participate in the actual conference because they refused to receive money from USAID, who sponsored much of the Brazil civil society participation (Interview with Lucia Xavier). Many black women participated in the national conference in Brazil in preparation for the 1994 Cairo conference. I counted 25 names of black activists from recognizable black organizations present at the 1993 "Our Rights for Cairo" conference that took place in Brazil on September 28, 1993 and who helped draft the document that would later be negotiated with the State.

⁸² Canada and Israel also boycotted the conference. There were also some conflict over the question of classifying slavery a crime against humanities, and reparations.

added that in addition to having the support of the President, the work of the GTI from 1995 which he argued had gained some legitimacy within the government, that the pressure and expertise of the Afro-Brazilian movement, particularly the women, allowed him to push the agenda within the official delegation and with other delegations. Thus, Afro-Brazilian activists had become an organized force in Durban negotiations, not just in terms of their ability to pressure the Brazilian government, but also other governments in the region. Indeed, it was through these transnational processes that Brazilian activists emerged as the main articulator of the regional process, which gave them more momentum and clarity in their negotiations with Brazilian diplomats.

While the Brazilian government officials felt they had adequately consulted the black movement by including them in the National Committee, those outside of the committee demanded another space for interlocution from which they could also negotiate with the government. In the Santiago Conference, and later in Durban, Afro-Brazilian activists succeeded in having daily meetings with high-level government officials including Minister José Gregori and Ambassador Gilberto Saboia, who headed up the Brazilian delegation (Interview, Jurema Werneck, October 2009; Gilberto Saboia, March 2010; Saboia and Porto 2001). The goal of these meetings was to hold the Brazilian government accountable for maintaining the positions that official had promised to take. In the end, both black activists in the official committee and those outside would be central to the formulation of the Brazilian government's official document in Santiago and Durban.⁸³

As some 300 Brazilian activists⁸⁴, most of them representing black movement organizations, made their way to South Africa for the Durban conference, the Brazilian government was already poised to make strong statements about their commitment to change domestic policy and to adopt "affirmative" measures to address racial inequality. The government had already signed on to the Santiago document, sponsored regional meetings throughout the country and held the National Meeting on Racism and Racial Discrimination, which included 1,700 participants (Saboia and Porto, 2001). Moreover, as the government delegation embarked upon its trip to Durban, South Africa, it had already expressed its intention of exerting diplomatic pressure on other governments so that the Durban Program of Action include language like reparations, affirmative action and statements that acknowledged the transatlantic slave trade as a crime against humanity.

The Brazilian government sponsored a large number of activists to attend the conference in South Africa, and in many ways assumed a leadership role that sought to further the projection of itself as the model of race relations and leader in anti-racism within the United Nations. Minister Gregori explained this in powerful imagery: We worked a lot on the Durban conference for reasons that don't have to do with Brazil exactly...this helped us, Brazil emerge in that world of people, with everybody happy, everybody singing, everybody understanding each other, in the context of this dispute between the Palestinians and Jews, those things that almost foreshadowed 9/11" (Interview, Jose Gregori, 2009). He suggested that the conflicts around the Durban Conference required Brazilian officials to work more carefully in diplomatic terms if Brazil was

⁸³ The actual text of the Santiago document was in great part written by activists from Brazil and throughout the region.

⁸⁴ See: Saboia and Porto, 2001.

to emerge as a leader in this context. This exercise of soft power on the part of Brazilian officials was even more imperative given the diplomatic scandals and charges against the conference as anti-Semitic. While promising to adopt concrete policies to ameliorate racial inequality and discrimination in the country, Brazilian officials were also showing the world that Brazil, in contrast to much of the rest of the world, was one happy, tolerant, democracy. This stance, though, was much more than a symbolic one. Just days before the Durban Conference officials announced the creation of the first government affirmative action program in the Ministry of Agriculture. State officials also began to discuss their intentions of implementing racial quotas in universities. Upon returning from Durban a whole host of other affirmative action policies would be adopted by government agencies as well as state-level governments.

The Black Political Subject in Colombia and Brazil

Beyond symbolic reforms that simply recognize these populations and the multi-ethnic character of the nation, the Colombian and Brazilian state adopted policies that were redistributive in nature. What is more, they both adopted legislation that would require a restructuring of the state apparatus to guarantee the political participation of black and indigenous peoples, something I discuss in the following. Indeed Law 70 includes provisions mandating the obligatory study of Afro-Colombian history and culture in schools, grants black communities the right to be previously consulted on development projects, the right to ethnic development, the right political participation including the designation of two special seats in the House of Representatives, and perhaps most importantly, the right to collective territory. Indeed recent multicultural reforms in Colombia have meant the titling of almost 35% of the national territory to indigenous and black communities in an ethnic-based land reform (DANE 2007). As we will see going forward, the titling of collective territory and the granting of collective rights to natural resources and mining run up directly against the interest of a number of important actors including national and international capitalists interested in extractive mining and in initiating large-scale agro-business projects in precisely the regions in Colombia that have recently been titled.

In Brazil, this shift has meant that thousands of black and brown students, throughout the country, have gained access to higher education. In 2001, the Ministry of the Exterior accepted its first cohort of students for the Affirmative Action Program designed to help blacks and indigenous peoples to make it into the diplomatic core. After Durban, the incoming administration passed legislation creating the National Secretariat for the Promotion of Racial Equality (SEPPIR) in 2003 and passed a number of pieces of national legislation that mirrored demands made by activists at the Zumbi March in 1995 including Law 10.639 which mandates all schools, public and private, to teach “Afro-Brazilian History and Culture”. Also in 2003, the State University of Rio de Janeiro (UERJ) became the first Brazilian university to adopt racial quotas, followed by the State University of Bahia. By August of 2010, 70 of Brazil’s 98 public universities⁸⁵ had adopted affirmative action policies for black, brown, indigenous peoples or for working class/poor students in Brazil. While affirmative action policies only represent one of the many historic demands of the Afro-Brazilian movement, their importance cannot be overstated. Indeed, the adoption of these policies has prompted a large-scale backlash by white elites and media outlets, resulting in a national reckoning of sorts on race and nature of Brazilian society.

⁸⁵ Taken from the website of the Secretary of Education of Bahia (Brazil) accessed on June 11, 2011 - <http://www.educacao.servidores.ba.gov.br/node/1391>.

And while there is some overlap between the actual policies adopted by the Colombian and Brazilian state, there are also some important differences in the discourse of black rights that has become institutionalized in each country that are worthy of mention. Indeed, whereas the dominant discourse around black rights in Brazil centers on notions of “the right to equality” and “the promotion of racial inclusion”, black issues in Colombia are largely framed in terms of the “right to difference”, culture, territory and autonomy. The language used in Law 70 shows the magnitude of the shift to ethno-racial legislation and points to some of its limitations. Law 70 has two objectives: The first is to “recognize black communities that have traditionally occupied the uncultivated (empty) lands in the rural zones adjoining the rivers of the Pacific Basin, in accordance with their traditional cultivation practices and the right to collective property over the areas which the following articles demarcate,” while the second is to “establish mechanisms for the protection of cultural identity and the rights of black communities in Colombia as an ethnic group, and the stimulation of economic and social development with the goal of guaranteeing that these communities achieve real conditions of equality of opportunities when compared to the rest of Colombian society.” The first objective refers specifically to black communities on the Pacific Coast. While the second objective includes a broader concept of black communities that is not geographically defined, the rights granted to them are still based on the justification that black communities are an ethnic group with a distinct “cultural identity” to be protected. While such language does not preclude the majority-urban black population in Colombia from protection under the law, the focus on the rural black populations of the Pacific Coast and “other zones of the country that comply with the requirements established in this law,” and the idea of the black population as a “black community” has often been interpreted narrowly both by the state and some activists (Asher 2009).

What may be more telling is what is missing from the legislation. Although regional identity had historically been salient, the process of formulating Law 70 was the first time that Afro-Colombian activists from different regions met each other and began to consolidate a national black identity. While some black activists did initially advocate for a broader notion of blackness and therefore a broader set of provisions that were not exclusively for the Pacific Coast or restricted to rural areas, the state and anthropologists associated with ICAN felt that this approach was too broad and perhaps not an appropriate way to carve out ethnic rights, which were typically associated with rural indigenous populations. Thus, despite the many references to racism and racial inequality in the Special Commission meetings and the Law 70 process more generally, the law itself only addresses racism and discrimination facing Afro-Colombians in Article 33, which is not tied to any concrete proposal, sanctioning of racist acts, or clear policies to address these issues. While the majority of the black population was and continues to be urban, the word “urban” is only used once in the legislation in a provision that defines rural zones as lying beyond the “urban perimeter.” This lack of attention to urban issues is striking given that about 70% of Colombia’s black population lives in urban areas (Barbary and Urrea 2004). In contrast, the new policies adopted by the Brazilian government are much more explicitly about the integration of urban black populations. From the discourse institutionalized in the state apparatus of “promoting racial equality” to the explicit goal of combating all forms of racism, among them institutionalized racism.

One specific example on how these differences map out in terms of actual policy is the case changes in education related to the history and culture, which both states adopted. In Colombia,

Decree 1122 related to “ethnic education” mandates the inclusion of the history and culture of Afro-Colombians be taught in educational settings, public and private, to all Colombians, with the goal of protecting the country’s cultural heritage. However, in practice, “ethnic education” the state, and some even Afro-Colombian organizers themselves, treat the law as the alternative and autonomous education designed specifically for remote Afro-Colombian communities on the Pacific Coast of the country. In contrast, Law 10.639 has been conceptualized and implemented as a change in the national educational curriculum that would integrate the history of Africa and Afro-Brazilians. In this way, blackness has been consecrated in Colombia in the language of cultural difference and autonomy, where in Brazil, it has been institutionalized within a more integrationist paradigm. These differences have as much to do with the ways in which black populations were historically imagined by the state – something I discuss in the previous chapter – as it does with the actual demands and discourses used by black movements central to the political processes I discuss here.

But perhaps even more important than the nature of these policies is the extent to which they have actually been implemented. We know that in many Latin American countries, there is a gap between legislation and policies on paper, and actual state practices. Colombia and Brazil are no exception to this rule. In fact, a popular Brazilian expression “there are laws that stick, and laws that don’t” references this notorious gap. Similarly, Colombians often talk about there being more laws than Colombians, and use the “*letra muerta*”, or dead words, to refer to a similar phenomenon as in Brazil. Given this gap, there are many questions to be asked about the extent to which these reforms have actually been implemented, and how they affect people on the ground. In asking such questions, it is also imperative that we examine black movements’ ability to exert pressure on the state to comply with existing legislation, or to make further reforms. Indeed, one outcome of black movements’ efforts in both Colombia and Brazil has been the constituting of a black political subject, which has granted movement actors unprecedented access to the state and formal politics in each country. I now turn to discussion of how the reconfiguration of the distribution of power and political culture within the political fields of these countries profoundly changed the trajectories of the Afro-Brazilian and Afro-Colombian movements. I argue that this would have consequences for the actual implementation of policies for black populations in the two countries.

Part II: Black Movement Dynamics in the New Political Field

Chapter 4: State Logics of Incorporation

Before the 1990s, the demands and struggles of the black movements in Brazil and Colombia were not recognized as legitimate in mainstream politics. More than just the adoption of new constitutions, legislation and policies for the newly constituted black political subject, states would also respond by giving black activists unprecedented access to a variety of different spaces within the state. And while giving limited access can often be an effective state strategy to quiet dissent, the significance of this change. Especially given the pervasive gap between legislation and policies on paper, analyzing the role of black activists who engage with and inhabit the state becomes even more important.

This new political context in which black actors have access to the state and formal politics has profoundly reshaped how black actors engage with the state, each other, and their level of effectiveness in the two countries. Even so, there are some differences in the structure and level of political influence embedded in these new spaces for political representation for black actors in the two cases. The Colombian and Brazilian states would respond by creating a distinct set of structures aimed at guaranteeing the political participation of black populations. The differences in the institutional designs created by these states, I suggest, reflect their more general logic of incorporating civil society and quieting dissent, and also shape black movement trajectories in distinct ways.

In August of 1993, the Colombian president announced the creation of a special division within the Ministry of Justice called the Office on Black Communities with the mandate to “design and coordinate the implementation of public policies” for black communities. Similarly, in 2003, President Lula created Brazil’s first National Special Secretariat for the Promotion of Racial Equality in 2003, a state agency with ministerial status. These agencies would also carry with them an entire state apparatus including state/department state agencies, as well as a number of important consultative bodies established to formalize the participation of black activists in the implementation of ethno-racial legislation and in mainstream politics more generally. The most notable of these agencies have been the High-Level Consultative Commission in Colombia, and the National Council to Promote Racial Equality (CNPIR) in Brazil. Both of which are national bodies that include civil society representatives and high-level government representatives. This set of institutions was created to ensure that the state move beyond the symbolic recognition of black people, and toward the design coordination, and implementation of policies for black populations in the two countries. Throughout this process, then, organized sectors of the black population were supposed to participate. The nature of these different institutional arrangements are not only central to understanding the extent to which recent reforms have been implemented, but also act as key sites in the continued contestation between black movements and the state.

However, while at first glance Brazilian and Colombian states’ responses to black movement demands look similar, a deeper examination reveals major differences in the nature and level of influence of such structures for political participation as well as differences in the discourse of blackness codified in the law and state policies in the two countries. Thus, while both the Brazilian and Colombian state’s responded to black movement demands by creating a host of state and semi-state institutions, the actual nature of these structures in the two countries are distinct. In this chapter, I will argue that these differences reflect different *logics of incorporation*

of the Brazilian and Colombian states, whereby the former operates mainly through associational ties with civil society, and the latter through clientelism. Consequently, whereas black movements in Brazil have been co-opted or absorbed into a relatively democratic state through mainstream political mechanisms, black movements in Colombia have not been incorporated into the Colombian state itself, but rather institutionalized into a complex alternative structure for political participation that create perverse incentives for the proliferation of black organizations, and foster corruption and ineffectiveness.

The Logic of the Colombian State: Clientelism

One of the overarching principles outlined at the beginning of Law 70 is that the state must ensure “the participation of black communities and their organizations without detriment to their autonomy, in the decisions that affect them as well as all national decisions with the goal of reaching equality, and in conformity with this law.” In assuring such political participation, the state, with considerable input from black movement organizations, established the parameters under which black organizations and individuals could participate, which included establishing formal channels to the state and the construction of a new kind of traditional authority in rural areas, community councils. Thus, all five substantive chapters of Law 70 include provisions to assure the participation of Afro-Colombian communities and their organizations in specific matters such as development policy and education reform. In order to understand how black activists would actually come to participate in these processes, we must first understand the particularities of these structures as well as the political context in which these structures are embedded. Drawing mainly on government documents and interviews with state officials, this chapter examines the nature of the newly created structures for black participation in Colombia and Brazil.

Structuring Ethnic Participation in Colombia

In total, Law 70 created more than 300 formal spaces for political participation for black communities (Agudelo 1999). At the national level, the most important mechanisms for the political participation of “black communities” that the legislation mandates is the establishment of two special seats for black communities in Colombia’s House of Representatives as well as a High-Level Commission on Black Communities (Comisión Consultiva de Alto Nivel). Law 70 also establishes the creation of the Office on Ethnic Affairs (now called the Office on Black Communities), a sub-division of the Ministry of the Interior and of Justice and agency responsible for administering the official registry of black organizations and community councils, among other things. Before this, black activists had virtually no access to any arm of the national state. The 1991 constitutional reform process, and Law 70 marked the first time in Colombian history that black activists gained some level of access to high-levels of the Colombian state.

Perhaps the most important body setup along these lines was the High-Level Commission for Black Communities, mandated by Decree 2248 of 1995. This High-Level Commission, in many ways, became the key site for engagement between the black movement and the Colombian state, this body included high-level government officials from a number of ministries, typically at the vice-minister level, directors of nearly all national government entities as well as representatives of black community organizations. The purpose of this permanent space for

participation was to “serve as an instance of dialogue between black communities and the National Government” with the fundamental goal of monitoring, and guaranteeing the implementation of the social, economic, cultural, territorial and political rights of black communities. In order to sit on the commission, one must be a representative of a black organization that is registered with and officially recognized by the Office on Black Communities.

Figure 3: Commissions on Black Communities Structure in Colombia

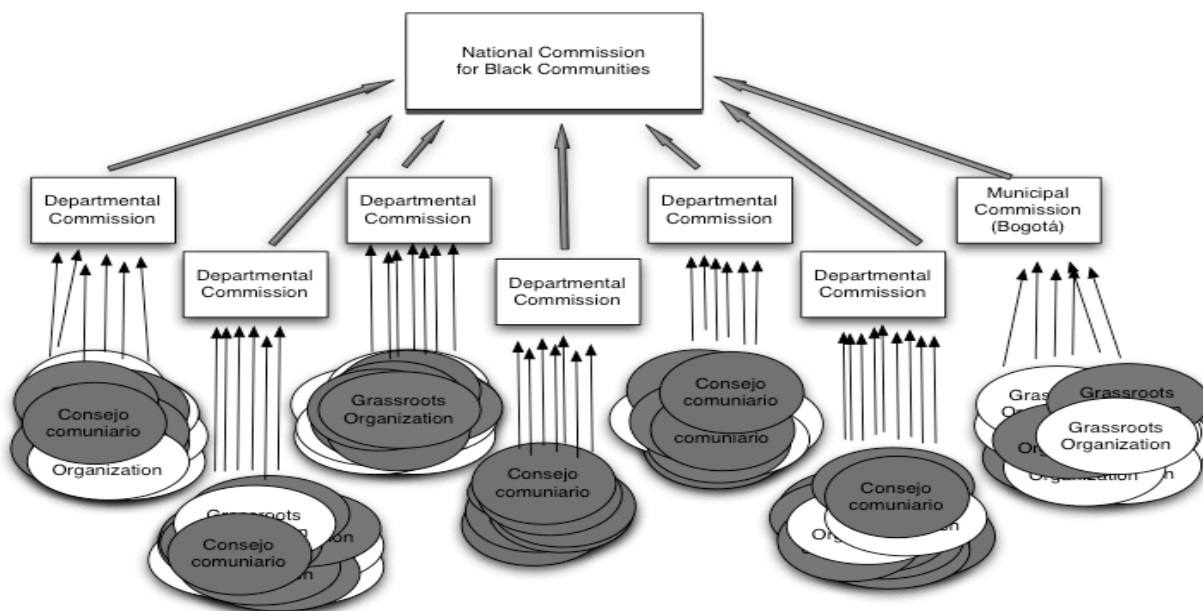


Figure 3 outlines the structure of the Consultative Commissions and their relationship with grassroots social movement organizations and community councils. While the structure may look straight forward, it is important to note some of the not so obvious aspects of the structure. First, in order to register your organization with the Office on Black Communities, one must simply collect the signatures of 15 members of the organizations, create bylaws, and establish one person to be legally responsible for the organization’s bureaucratic matters.⁸⁶ Second, it operates under the one-organization, one-vote, system. Thus, whether the organization has the minimum of 15 members or 15,000 members, it still gets one vote in the election for local, departmental and High-Level Commissioners (representatives). This structure, as we will see in Chapter 5, simultaneously establishes very minimal standards for registering these organizations and creates incentives for the creation of an infinite number of organizations. Thus, in order to participate in the design and implementation of policies related to Law 70, one must use these formal channels that are increasingly seen as corrupt.

Like the High-Level Commission on Black Communities, and two seats in congress for black communities, also create incentives for the creation of black organizations as the law stipulates that candidates to both must represent black organizations officially recognized by the Ministry of the Interior. Most of the candidates represent organizations that emerge and are discarded

⁸⁶ Taken from untitled and undated document written by the Office on Black Communities.

around election cycles (Agudelo 1999). And, while technically these organizations are autonomous from political parties, their campaigns are typically financially backed by traditional political elites. This is evident if you analyze the elections for these congressional seats, which are among the most contested seats in congress, but which requires very few votes compared to regular congressional seats. The number of candidates competing for one of the two special seats for black communities in congress has grown exponentially since the first election.

At the center of the institutionalization of the Afro-Colombian movement is the Office on Black Communities that occupies a precarious and volatile space between black social movement organizations, and a Colombian state that has shown little interest in implementing serious reforms to address the situation of black populations. The Division of Black Communities is housed within the Ministry of the Interior and of Justice, and in many ways acts as a buffer between the state and black movement organizations (Asher 2009). Since its inception in 1993, the office has been headed by a number of former black activists, though some of them did not have long trajectories in the movement. The frustrations of many black activists outside of the state are channeled through this office, even while it has little power to make executive decisions related to the big issues affecting the black population, including land titling, extractive mining, development projects, guaranteeing previous consultation, and combating institutional ethno-racial inequality.

However, the level of power and influence of the Division shifts depending on the administration. I asked the Director in 2008, Pastor Murillo, about differences between the ways that the Division engaged with Afro-Colombian social movements organizations today vs. the period from 1994 – 1998 when he was also the Director. He noted: “one difference between now and when I was here the first time has to do precisely with what the atmosphere was before, it was a [political] context much more favorable, much better for engagement between the government and the community and to work for the interests of... well, of collective rights with much less interference” (Interview, Pastor Murillo, Director of the Office on Black Communities). Murillo's comments referred to the combination of a the lack of a favorable environment within the state, but “interference” in terms of which black activists occupied formal spaces of participation negotiate with the state.

Further, many activists I spoke with understood the Division as occupying a precarious but central role in the retrenchment of the Colombian state. Esildo Pacheco asserted that the role of the Office on Black Communities was central to the government’s simultaneous strategy of retrenchment, and the symbolic gestures of the Colombian State to appease the Congressional Black Caucus, on the other. He argued that while the Director of the Office on Black Communities receives much of the heat for government policies:

“He is simply the Ministry’s messenger... but the Office on Black Communities controls absolutely nothing, nothing, it is a public notary and that’s it. That needs to change, it needs to be an office that mobilizes things, it is the maximum magistrate that Afro-Colombians have, the Direction of Black Communities. It’s a Vice-Ministry (Interview, Esildo Pacheco, ACABA).

Many activists shared this notion that the Office on Black Communities, while it was indeed the main interlocutor between Afro-Colombian activists and the State, had very little power. This

lack of executive power of the Office on Black Communities was also clear in my interview with its Director himself. When I asked him if his office was responsible for assuring that according to ILO Convention 169 and Law 70, that Afro-Colombian communities are previously consulted on development and mega-projects that might affect them, he said: “this is the responsibility of the Ministry of the Interior and of Justice which is headed by the Vice Minister...this Office on Black Communities lends support in this process” (Interview, Pastor Murillo). Thus, in many ways this Office has become more responsible for bureaucratic processes and the formalization of Afro-Colombian social movement organizations, than a space of real decision-making.⁸⁷

Even so, the complex structure of political participation set up by the Colombian state has created an economy of black representation of sorts with no shortage of public hearings, high-level meetings, community projects and legislation in progress. Thus, despite the lack of political power in these spaces, there is much ritual and ceremony around black participation. This simultaneous strategy of retrenchment on the one hand, and rituals of convening representatives of black communities, has become increasingly necessary as a number of important international actors outside of Colombia have become concerned about the human rights crisis there.⁸⁸

Ambiguity and Limited Discourses of Blackness in Colombia

The discourse of blackness institutionalized into state structures through Law 70 further complicate the ways in which the Afro-Colombian movement engages with the state today. Law 70 recognizes a number of collective and individual rights, with the subject of collective rights being “black communities” defined as: “the group of families of Afro-Colombian descent that possess their own culture, share a common history and has their own traditions and customs within a campo-poblado setting and which show and preserve a consciousness of identity that distinguishes them from other ethnic groups (Law 70, August 27, 1993). While this definition of “black communities” can be read as encompassing a potentially broad population, the objectives and chapters of Law 70 actually reveal a much complex portrait of how blackness has been institutionalized in Colombia and who the “black political subject” in Colombia actually is.

Law 70, and much of the political debates related to Afro-Colombians today, straddle two perhaps incongruent notions of blackness: one geographically bound and rooted in notions of difference, and another, broader notion of blackness which is not geographically bound and discussed within the framework of “equality”. These two, perhaps incongruent, notions of blackness are apparent in the first paragraph of Law 70 itself, which lays out the two objectives of the legislation, which follow:

1. Recognize black communities which have come to occupy the rural zones adjoining the rives of the Pacific Basin, in accordance with their traditional practices of production [and] the right to collective property

⁸⁷ While the Office on Ethnic Issues or Black Communities was never thought to be a particularly powerful State institution, it was seen as losing power and legitimacy over time, especially as some High-Level Commissioners have gone recently around the Office to directly negotiate with the government at the ministry-level and with the offices of the president and vice-president.

⁸⁸ This includes U.S. Congress and other state actors in Canada and Spain, international human rights networks, international donor agencies, multilateral agencies and a host of academics in the U.S. as well as other countries around the world.

2. Develop mechanisms for the protection of the cultural identity and rights of black communities in Colombia as an ethnic group and the economic and social development with the goal of creating real conditions for equality in relation to the rest of Colombian society.

The first objective of Law 70 demarcates blackness in geographically specific terms within the framework of ethno-territorial rights. As such, this applies specifically to rural black communities mainly on the Pacific Coast. However, the second objective is much more ambiguous and less geographically specific, which has allowed Law 70 to be appropriated by a wide range of Afro-Colombian social movement actors which have stretched and expanded the geographic and discursive limits of the legislation. In this, many more urban based movements including organizations like Cimarron, who did not actively support Law 70 in the early 1990s, to appropriate it and leverage the legislation to make some (limited) policy gains such as the implementation of limited affirmative action in a small number of public universities and the establishment of spaces for Afro-Colombian political representation throughout the country, including the country's urban centers.

Yet while Law 70 includes two notions of blackness, the State's interpretation of the Law often binds blackness and the "black political subject" in geographically specific terms (as rural and from the Pacific coast), even though an estimated 71.5% of the black population is urban. However, through legislative decrees associated with Law 70 and mobilization by actors who found themselves excluded from that definition of blackness, the application of Law 70, and the arena of black politics, has expanded to every nook and cranny of Colombian society. Discussions of a multicultural Colombia and the need for differentiated policies for them, has become part of the political landscape throughout the country from rural towns on the Pacific Coast to the large metropolises, and even in Colombia's international relations with the United States. Still in key areas, like land titling, the Colombian state has maintained more restrictive interpretations of what constitutes a "black community".

The question of who is the actual subject of rights under Law 70 is not merely an abstract philosophical debate about blackness and authenticity, but rather a political debate that can and has had material consequences for many black populations that find themselves outside of the definitions of black communities laid out in the legislation. Law 70, or the Law of Black Communities, guarantees a host of rights to "black communities" that can be summed up in the following five sets of rights outlined in the five substantive chapters of the Law: 1) the right to collective territory; 2) the right to use land and the protection of natural resources and the environment; 3) Mining resources; 4) a number of cultural rights including the right to ethno-education; and 5) the right to political participation and the right to a number of socio-economic rights including the right to "ethno-development. Narrow readings of what black people are recognized under Law 70 can be, and have been used, to protect capital interests around land and mining.

One example of this is the fact that, to date, no black community outside of the Pacific Coast have received land titles under Law 70 after dozens of solicitations because they did not fit the definitions of "black community" established under the law. These communities are mainly in the inter-Andean regions of the country and on the Atlantic Coast, majority Afro-Colombian areas with long and direct histories that tie them as much to their African ancestry as groups on the Pacific Coast. However, they were denied land titles because, in legal terms, they did not fit

the definition of “black communities” defined by Law 70. This is in part because of different histories of land demarcation in these areas, the more urban profile of these rural areas, but also because, historically, the Pacific coast, and the Chocó in particular, have constituted an authentic space of blackness in the national imaginary of Colombia (Wade 1993; Asher 2009). Beyond land rights, the exclusion of large sectors of the black population from this restrictive definition of blackness, also threatens other “ethnic rights” guaranteed by the 1991 constitution, Law 70, and established under ILO Convention 169. One example of this are the attempts by the Colombian government, including Decree 3770 proposed in December of 2008, to limit the right to previous consultation to those black communities that already have collective land titles.

Finally, another unintended consequence of consecrating two discourses of “black communities” in Law 70 is that it adds fuel to debates about legitimacy and authenticity between different Afro-Colombian social movement actors, which usually amounts to contestation between those emphasizing struggles and discourses of urban black communities in Colombia vs. rural black communities. Thus, while the discursive stretching of Law 70 to include broader sections of the Afro-Colombian population can be considered an important advance mainly by urban black organizations, it also complicates the internal dynamics of Afro-Colombian social movement organizations such that there is a constant struggle between different Afro-Colombian social movement actors. These competing discourses of blackness become the fuel for such struggles and the basis upon which different actors justify their claims to legitimacy. However, these disputes over defining the subject of rights in Colombia, as well as the rampant corruption and ineffectiveness of the parallel structures of political participation are not unique to the Afro-Colombian struggle. Instead, they must be situated in the context of Colombian politics more generally.

Situating Colombia’s New Ethnic Politics in a Global Political Field

While political elites in the country boast that it is the oldest democracy in Latin America, such democracy has mainly existed only in a formal sense (Palacios 2006). Many scholars have shown that beyond formal democracy, the actual nature of politics in Colombia has been characterized by violent repression, rampant corruption, impunity and the radical and violent exclusion of the left from mainstream politics. Thus, despite Colombia’s long history of holding elections, as Palacios (2006) notes: “the republican state had never been able to ensure political stability since the day it was founded” (17). More recently, such political instability has manifested in a complex internal conflict between the Colombian state, leftist guerilla forces, and paramilitary forces that have become increasingly linked to the government.

However, this context of political instability is largely tempered by the Colombian state’s relationship to international actors. In many ways the boundaries around the political field of Colombia are extremely permeable as the military efforts of the state increasingly rely on foreign aid, and as a number of international actors become increasingly powerful in national politics in Colombia. More specifically, Colombia as the third largest recipient of foreign aid from the U.S. and a key site in the US government’s “war against drugs”, the boundaries around the relatively contained field of Colombian politics has become ever so permeable (Mason 2004). As Mason (2002) argues “the U.S. exercises a form of social control over Colombia, and that in turn Colombian compliance cannot always be explained by fear of retribution or self-interest, but rather suggests some acceptance, no matter how rudimentary, of the legitimacy of U.S. power”

(48). In the area of the guarantee of human rights, this has meant that the guise of formal democracy has become increasingly important in Colombia even as politics continues to be governed by a set of norms that amount to violent state repression (at worst), and clientelism (at best). This combination of formal democracy, clientelism and the salience of international actors has profoundly shaped the way that the Afro-Colombian movement engages with the Colombian state.

The period directly following Law 70 was one marked by a receptive administration, and a certain level of unity among different black movement actors who had the goal of implementing the newly approved legislation. While there were certainly some internal conflicts during this period, the Consultative Commission and members of Congress legislated and negotiated the complex process of collective land titling for black communities mainly along the Pacific Coast leading to the titling of more than 11.7 million acres. Organizations like Black Communities' Movement, represented in the Commission, were at the forefront of these efforts. This period also marked the passing of Decree 804 of 1995 related to "ethno-education" designed to reform the national educational curriculum in Colombia to include the history and experiences of Afro-Colombians. Many black activists I interviewed refer to this period as the good old days, where the government expressed some political will, and the formal spaces for political participation were relatively transparent and effective.

However, the land titling process coincided almost perfectly with the exacerbation of violence and internal conflict in precisely the areas where Afro-Colombians and indigenous people had been recently granted rights to land thereby displacing them from their collective territories. Thus, either ironically, or perhaps as a consequence of the land titling process, indigenous and Afro-Colombian communities have experienced unprecedented levels of violence. Serious human rights violations including massacres, political kidnappings, and the forced displacement of thousands of Afro-Colombian families from land recently titled under Law 70 have plagued these populations in recent years (Wouters 2001). While this violence must be situated in the ongoing civil war, or internal conflict, which started in the 1960s with a number of insurgent leftist groups, it is important to note that before the late 1990s, many of the rural majority-Afro-Colombian areas were relatively outside of the intense fighting between armed groups.

Further, the strategy of the Uribe administration (2002-2010) has been an increasingly militarized counter-insurgency, which has relied both on the national military, largely funded by the U.S. government, as well as extra-legal paramilitary forces. More recently, the Colombian government began to retrench on ethno-racial policies, evident in the closing of the Office on Black Communities in 2004, a failed attempt to adopt the Forest Law⁸⁹ in 2006, which would have violated many of the territorial, and development rights of Afro-Colombians and indigenous communities, the lack of implementation of three of the five chapters of Law 70, among other state efforts to renege on previous legal obligations. Further, starting immediately after the adoption of Law 70, there was an exacerbation of violence in black communities

⁸⁹ The Forest Law was actually deemed unconstitutional as it violated the constitutional rights for ethnic groups.

involving paramilitary groups, who have been tied to high-level government officials (Escobar 2003; 2008)⁹⁰

The Uribe administration's focus on foreign investment and free trade may also be at the center of the government's reluctance to title land in areas not yet titled, or to implement the remaining chapters of Law 70 dealing with natural resources, mining and development as all of these things threaten to undermine Colombian and international business interests. This relationship between capital, geopolitics and the state's unwillingness to fully implement Law 70 was very clear to activists in strategic areas that have been denied land titles. Thus, nearly 20 years after the adoption of Law 70, the government has failed to implement three of the five substantive chapters of Law 70, all of which involve complex questions of mining, development and natural resources.⁹¹

Yet, the government's noncompliance with existing legislation and attempts at rolling back the rights of black populations has also coincided with a renewed interest on the part of the Colombian State in Afro-Colombian issues. Starting in 2007, the government also reinstated the Office on Ethnic Affairs, now named the Office on Black Communities, and also convened the Consultative Commissions much more frequently in the past. This recent period has also marked a series of symbolic maneuvers by the government including appointing Afro-Colombians to cabinet-level positions, sponsoring high-level town hall meetings across the country to address Afro-Colombian issues through the Inter-Sectorial Commission on Afro-Colombians. This has led to a strange marriage between continual retrenchment on the part of the Colombian state and symbolic politics. Many activists see this as an attempt to save face with a number of international players including international human rights organizations, development institutions, and most importantly, members of U.S. congress who have critiqued the Colombian government for its inaction related to Afro-Colombian issues. Together, these different aspects of the political context of Colombia post-Law 70 profoundly shape the nature of the institutionalization of the Afro-Colombian movement. In contrast, the institutionalization of black movements into mainstream politics in Brazil paired with the political context of associationalism and broad legal definitions of the black political subject lead to a unique context of black movement institutionalization in Brazil.

The Logic of the Brazilian State: Democratic

Similar to Colombia, one of the central demands of black activists in Brazil was that the state carves out a space within its structure to implement policies related to the promotion of racial equality and to assure the political participation of black leaders in such processes. However, the process through which this would happen would be much different than in Colombia. This is in part because of the different nature of engagement between civil society and the Brazilian state, and different routes to institutionalization by the Afro-Colombian and Afro-Brazilian movements. In contrast to the Colombian case in which black activists gained access to the state through a legal mandate in the chaos of constitutional reform process, the formalization of relationships between black activists and the state happened through a slow process of absorption

⁹⁰ This complex issue of violence in collective territories for black and indigenous communities has to do with struggles over land and increasing interest in this land by both domestic and foreign capitalists.

⁹¹ Finally, the government has yet to provide reliable statistics on the black population making it even harder to assess the situation of this population today.

which was in the making for 20 years. Thus, while some of the same factors are still at play in both countries post-reforms, including debates about political autonomy and the costs-benefits of using institutionalized tactics, the nature of black politics post-reforms is very distinct in the two countries.

Indeed, rather than parallel structures for political participation, black movement actors in Brazil have been incorporated into mainstream political structures within the Brazilian state, namely through political parties. Thus, while the black movement in Brazil is certainly institutionalized, it is different from the parallel extra-state spaces in Colombia void of political power, and governed by clientelist modes of engagement. When one compares SEPPIR with its Colombian counterpart, it is apparent that the former is a higher-level state agency with a more considerable budget and with the explicit goal of mainstreaming racial policies in the Brazilian government. Second, and more importantly, unlike in Colombia, SEPPIR does not hold a centralized registry of black organizations nor does it play the role of authenticating the black movement through representative structures. Thus, while the black movement in Brazil is certainly institutionalized, the structures of participation have been more politically open, and the vehicles by which one can engage with the state, are not restricted to these representative spaces. Finally, in the instances where black movement activists participate in commissions and other bodies, these spaces are rarely perceived as providing opportunities for personal gain or seen as the only avenue to obtain state funds and contracts.⁹²

Democracy, Associational Politics and the Black Movement in Brazil

While clientelist modes of engagement between the state and civil society continue to be rampant in most of Latin America, more recently a number of countries in Latin America have fundamentally shifted toward a deepening of democracy and shift toward substantive rather than purely formal citizenship (Alvarez, Dagnino and Escobar 1998). In this context, a wide variety of social movement actors, many of which were responding to authoritarian regimes, have been instrumental in questioning traditional notions of citizenship and demanding participation in the formal political systems from which they had long been excluded (Grueso, Rosero and Escobar 1998, Alvarez 1990, Dagnino 1998). In Brazil, a long period of military dictatorship throughout the 1960s and early 1970s ended with a democratic opening that sought to establish a relatively open political system with a range of different political perspectives and political parties. Thus, many of the political groups that operated in clandestine ways under military rule, decided to engage in some aspect of formal politics during Brazil's period of democratization. As Baiocchi, Heller and Silva (2008) assert, in Brazil, "protest activity on the part of civil society was often aimed at establishing associational modes of engagement and expanding citizenship" (23). This meant that a wide range of civil society actors that were previously underground, or who did not organize for fear of violent repression, became involved in emergent political parties or civil society organizations that sought to engage with the state in some capacity.

Indeed, oppositional parties, clandestine political groups, and international foundations were all allowed to legally operate in Brazil in the same period beginning in the early 1980s. Thus, in this

⁹² SEPPIR does hold a national conference (CONAPPIR), which includes representatives from organizations doing work on racial justice, and government officials. Although it was supposed to be held regularly, there have only been two meetings, in 2005 and 2009. At both conferences, there have been more 1,000 activists in attendance.

period, a wide range of civil society actors, including black activists, sought out formal politics for the first time. Examining feminist movements, for example, Alvarez (1990) explains:

Brazilian feminist identity, for instance, was originally configured in a still-authoritarian political conjuncture, where the spaces for its political articulation — particularly outside the opposition — were highly restricted. By the late 1970s and early 1980s, however, as legal opposition parties gained electoral strength and came to power in several states and municipalities, the radically “autonomous” organizational and political feminist identity described above was deeply shaken; many feminist activists flocked to electoral politics, began pressuring for the adoption of progressive gender politics, and even went to work for some of the new local opposition governments (298).

Similarly, Hipsher (1998) argues that the institutionalization of the women’s movement in Brazil has led to very distinct outcomes than the women’s movement in Chile precisely because of the nature of the political system in Brazil. She argues that while the closed political system of Chile has meant the exclusion of women’s organizations, in Brazil, institutionalization “has served to incorporate movements into the system” and has “allowed feminists to approach the state and policies and actions that respond to the specific needs of women” (168). Alvarez (1993) and Hipsher (1998) findings offer insights into the contours of the Afro-Brazilian movement’s institutionalization, which has followed a very similar trajectory as women’s movements in the country.

As the democratization process began and political parties were allowed to legally form, the radical organization MNU also marked its 10th anniversary. The organization was already weakened as some activists went into official politics becoming extremely active in emergent parties like the Workers’ Party (PT) and the Social Democratic Party of Brazil (PSDB), the Democratic Workers’ Party (PDT). During this *abertura*, there was also a growing presence of black legislators who explicitly addressed race issues, many of which were affiliated with emergent political parties (Johnson 2005; Telles 2004). Johnson (2008) gives a comprehensive account of how black activist and congressman with the PDT party (1983-1987) Abdias do Nascimento as well as Benedita da Silva of the PT (1996) proposed multiple pieces of affirmative action legislation, none of which passed (Johnson 2008, Martins, Medeiros, and Larkin Nascimento 2004). Black activists were also very active in the CUT and other unions.⁹³ Indeed, many black activists who were clandestine actors during the military dictatorship and organizers of autonomous black organization in the beginning of the *abertura* would be essential in the construction of Workers’ Party. However, while the institutionalization of black activists into political parties and the state itself starting in the 1980s, it was only in the early 2000s that the anti-racism agenda and the demands of activists began to be institutionalized into state policies at the national level.

In this sense, the 1980s marked the beginning of a long trajectory of incorporation of a large group of excluded sectors into formal politics in Brazil, the black movement included. In

⁹³ While Johnson (2008) does recognize the importance of autonomous black organizations in bringing about what he calls “pro-black policies”, much of his analysis focuses exclusively on the role of legislative activism and lobbying from within the State by black legislators.

addition to agencies within the state and political parties, there are also national umbrella organizations in Brazil, such as Union of Blacks for Equality (UNEGRO) and the National Collective of Black Organizations (CONEN) that are closely linked to the Workers' Party (PT) and the Communist Party of Brazil (PCDB), respectively. Both of these entities were created in the mid 1990s, but were elevated to the level of semi-official black movement representatives after the election of President Lula of the Workers' Party in 2002. As we will see in the following chapter, in contrast to earlier black organizations like the Unified Black Movement (MNU), these party-affiliated organizations were built by long-term activists active within leftist political parties who were mainly concerned with occupying political power through representative politics. While many of these organizations consider themselves politically autonomous black organizations, they are often read as the black-branch of these political parties.⁹⁴ Unlike the Afro-Colombian movement, much of the success of the Afro-Brazilian movement, including the creation of state agencies like SEPPPIR, involved what many political observers to Brazil call "party activism" (Johnson 2008). Indeed, Afro-Brazilian activists were very central to the rise of leftist political parties in the 1980s, the anti-racism and racial equality platform would only become central to the platforms of these parties in the late 1990s.

Indeed while black activists indeed began to participate in formal politics, it was only in the early 2000 that their institutionalization congealed. More specifically, the Durban process, the rise of the Workers' Party (PT) with the election of Lula, and the adoption of affirmative action policies in the early 2000s all represent the culmination of the black movement's institutionalization into the Brazilian state. This would also happen through the absorption of black activists and organization into what I call the "racial equality apparatus". This apparatus consists of specific structures created within the Brazilian state to implement racial equality policies, and guarantee the political participation of organized sectors of the black population and other racially marginalized groups.

The Racial Equality Apparatus

After much contestation within the Workers' Party, on March 21, 2003, the International Day for the Elimination of Racial Discrimination, President Lula announced the creation of the Special Secretariat for the Promotion of Racial Equality (SEPPPIR).⁹⁵ SEPPPIR's main objective would be to "establish initiatives against racial inequality", and was given status as a ministry. While this was certainly not the first time a government agency of this sort was created within the Brazilian state, it was not the first attempt by the executive branch to designate a body that would not only implement targeted policies for the country's black population, but that would incorporate the participation of black social movements into formal political and policy processes. In fact FHC had already established a precedent with three national consultative bodies, which sought to

⁹⁴ It is important to note that members of these organizations are very clear that they are autonomous from political parties. However, they are very closely linked to these parties, and the line between their parties and organizations are often blurred. For instance, I interviewed a number of high-level representatives of UNEGRO, all of which had offices in the local headquarters of the PCdoB.

⁹⁵ Interviews with Flavinho Jorge and Matilde Ribeiro, SEPPPIR's first Minister, both suggested that while there were discussions of having a ministry before Lula took office, there were many doubts that this would actually happen. This was especially the case since Lula, early on in his presidency was charged with already expanding government by two special secretariats with ministry status: Ministry of Fishing and Agriculture and the Special Secretary of Policy for Women.

include black activists in the design and implementation of public policies that targeted the country's black and brown populations.

The first of these was the Inter-Ministerial Working Group for the Advancement of the Black Population which was established by FHC in 1995 with the goal of “establishing permanent dialogue with institutions and entities, including black movement organizations, national and international, whose objectives and activities could bring relevant contributions to issues affecting the black population and their development”, which I discuss in Chapter 3. While the GTI largely failed at implementing policies, it was crucial in developing a policy agenda for racial equality and in the development of an institutionalized space within the Brazilian government for black activists and the question of racial equality and anti-discrimination. FHC also created the National Council to Combat Discrimination in 1998 within the Ministry of Justice and also formed a National Committee for Preparing Brazil's Participation in the Durban Conference Against Racism that also included high-level government officials and members of civil society including black activists.

Furthermore, the Workers' Party (PT) had also developed a structure within the party to address the issue of racial discrimination within the organization and take up the issue as part of their party platform. That year, future president Luis “Lula” Inácio da Silva, one of the founders of the PT from Pernambuco, Zé de Oliveira and the Afro-Brazilian woman senator, Benedita da Silva, proposed the creation of the National Secretariat to Combat Racial Discrimination within the Workers' Party. The goal of the office within the PT was to “guarantee the formation, capacity building, and articulation of black men and women within the PT, contribute to the construction and organization of the party at the state and municipal levels and to widen the representation of black men and women in positions of power and to formulate and consolidate efforts to build an anti-racism platform within the PT.

After the Durban Conference of 2001 and Lula's election in 2003, a number of black activists who hold weight within the PT (Flavinho Jorge –Head of the Perseu Abramo Foundation, Matilde Ribeiro, the first Minister of SEPPIR and Matevs Chagas) were called on to be a part of Lula's transition government. However, while high-level discussions were already underway within the PT around having a ministry to deal with issues of racial inequality, there was much debate within the transitional government around if this was necessary, and if it might present problems politically for the PT. In the end, as Flavinho Jorge explained in an interview, the creation of SEPPIR was the result of “Durban paired with our participation within the PT” (Interview, Flavinho Jorge, 2010). More specifically, the creation of SEPPIR must be understood as a result of internal arrangements within the PT that involved black *petistas* like Flavinho who had worked alongside Lula through his unsuccessful presidential campaigns of 1989, 1994 and 1998. Thus, as Flavinho notes in my interview with him, Lula had become committed to the anti-racism agenda. Consequently, the actual structure and make-up of SEPPIR itself is very much the reflection of the ideas of a number of black activists who had already been institutionalized into the political party structure of Brazil, and into the PT in particular.

Thus, while outside pressure from black NGOs and other political organizations were certainly important, internal pressure within the PT was perhaps even more important. Black activist and party loyalist, Flavinho Jorge, would be one of the main architects behind the construction of SEPPIR. Part of his vision of SEPPIR would be that the organization would be occupied by

specifically by black-*petistas* who would at once advance the platform of the Workers' Party and the black movement. Responding to critiques about the strong party allegiances involved in the construction of SEPPIR, Flavinho explained: "We in CONEN were in control of SEPPIR. That was our strategy. We felt like since we helped to create SEPPIR, it was only fair that we also directed it" (Interview, 2010, Flavinho Jorge). Thus, while the architects behind SEPPIR did discuss the relationship SEPPIR would have with the black movement more generally, the idea was to implant a very specific branch of the black movement, those affiliated with CONEN and the PT, into the actual structure of SEPPIR itself.

Once created, SEPPIR would employ about 40 people and manage a budget of roughly \$10 million in 2004, \$20 million in 2008 and \$35 million in 2010.⁹⁶ Among the five objectives of SEPPIR is to "promote equality and protect the individual and group rights of racial and ethnic groups that are affected by discrimination and other forms of intolerance, with an emphasis in the black population" and to "monitor and coordinate the policies of different ministries and government agencies in Brazil to promote racial equality". While SEPPIR is an official ministry of the Brazilian national government, its executive power is limited, making it better positioned push for affirmative action and other policies for Afro-Brazilians within the upper echelons of the Brazilian government rather than implement policies. This structural impediment made it such that the relationship between SEPPIR and other agencies within the Brazilian government were much more uneven than was expected. Even still, SEPPIR has made some important advances. For example, it was instrumental in mainstreaming racial policies in the Brazilian government and solidifying the state's position on affirmative action and other policies. Moreover, the language of racial equality and some policy reforms have become institutionalized in different ministries like the Ministries of Health and Education, as to a lesser degree the Ministry of External Affairs. SEPPIR was also responsible for brokering the passage of the Statute of Racial Equality in 2010, after being held up in Congress nearly ten years.⁹⁷

However, SEPPIR occupies a strange and often ambiguous space as many of the people affiliated with these agencies think about themselves as "the movement" and not "the state". This ambiguity between state and movement is clear in most of the materials of SEPPIR, which state that: "The creation of SEPPIR is a recognition of the historic struggles of the black movement of Brazil".⁹⁸ Among the ranks of SEPPIR are some people with technical expertise in the areas of racial inequality and race policy, the Minister as well as the Program Directors or (sub-secretaries) have always been political appointees. Some of which, while they were black themselves, did not have expertise in the area of race inequality. In this sense, while SEPPIR did absorb some black activists into the structure itself, they were mainly black activists who had

⁹⁶ Taken from SEPPIR's website.

⁹⁷ There is much controversy within the black movement around this Statute, which I discuss in Chapter 5. In its original form, was very comprehensive and would mandate affirmative action in education and in government jobs (until now universities have adopted affirmative action policies spontaneously and there is no national legislation mandating affirmative action), land titling for quilombolas (escaped slave societies) and would have set aside state funds in health and other areas to specifically address racial inequality. While the final Statute approved in July 2010 was much more limited than the original proposal, it does represent an important advance in that it restated and solidified the legal position of the Brazilian state to continue to pursue affirmative action policies and government programs. It also makes it easier for state agencies to be granted the necessary budget to implement such programs and policies.

⁹⁸ For many activists this meant that they would have access to the agency, and be central in developing SEPPIR's agenda and policies, which has not been the case. I discuss this in Chapter 5.

already been absorbed into the structure of the Workers' Party. Even so, while the actual institutionalization of black activists into formal politics in Brazil was well underway by the 2000s, the creation of SEPPIR, and a host of other government agencies and semi-autonomous black organizations affiliated with political parties, solidified this process.

In addition to SEPPIR, black activists have also been absorbed into some 600 special coordinators, secretariats and offices on the promotion of racial equality at the state, and municipal levels, and within political parties and workers unions.⁹⁹ All of these agencies are officially charged to coordinate and synergize public policy implementation by different secretariats and ministries at each level, though many of them do not have the mandate to actually implement policies themselves. So, on the national level, the intervention of black leaders within the PT and SEPPIR have been able to make considerable progress. In contrast, the racial equality apparatus at the state and municipal levels often have insufficient budgets, precarious relationships with other government agencies, and are sometimes seen as black ghettos within the government that were created to pay "political debts" within political parties. In addition to positions within the state, the racial equality apparatus in Brazil includes spaces for official engagement between the state and organized sectors of the black population.

National Council for the Promotion of Racial Equality

Mandated by Law 10,678 of 2003, the Council for the Promotion of Racial Equality (CNPIR) is the official body that guarantees the continued participation of anti-racism activists to formulate and recommend policies in Brazil. The mandate of CNPIR is to "promote, at the national level, policies to promote racial equality, with an emphasis on the black population and other ethnic segments of the Brazilian population".¹⁰⁰ It is made up of 19 representatives from federal government agencies including all of the pertinent ministries as well as 19 activists from a wide range of civil society sectors including the religious community, the Jewish, Arab and Palestinian communities, Gypsy and Indigenous peoples, as well as 3 experts in the area of anti-racism. Unlike the High-Level Commission for Black Communities in Colombia, CNPIR is not a key site of contestation between different social movement actors. This is, in part, because of these structural differences in the two bodies created to ensure the political participation of black communities.

In order to be named a National Council-Member, you have to represent a national organization that has the equivalent of 501(c)3 status, has operations in at least five states in three regions in the country for at least three years. Among the many documents that organizations have to submit are minutes from their election of board of directors for the organizations and a report on activities in the last three years¹⁰¹. This is why the national organizations strongly associated with political parties, including UNEGRO and CONEN are always represented in CNPIR. Other national organizations like CONAQ, an organization of quilombolas that was practically created by SEPPIR, as well as national organizations that include local NGOs, such as the Articulation of Black Women, also typically make up the National Council. This leaves very few, if any, national black organizations that are not included. Indeed, the more radical MNU has never

⁹⁹ *STF abre debate sobre cotas raciais nas universidades*, March 3, 2010.

¹⁰⁰ Text taken from Law 10,678 of 2003.

¹⁰¹ Taken from text of call for nominations for the 2010 CNPIR.

participated in CNPIR, but this is because the organization's position has been to boycott it. Consequently, in 2008, only 22 organizations applied for the 19 civil society positions within the National Council.¹⁰²

Further, while people in SEPPIR nominated the first National Council, subsequent councils were named through a more transparent process. For instance, in 2010, calls for nomination for a new council were advertised on a wide range of civil society list serves and the SEPPIR representative in charge of engaging with civil society through CNPIR spoke on a number of national TV programs to get the word out. In this sense, the process of choosing councilpersons has become all the more transparent. These higher standards, paired with more transparency, help guard against the proliferation of organizations that get created solely to occupy such spaces. In addition, while it is the case that some of the organizations represented in CNPIR also receive considerable funding from the government, through SEPPIR, a number of organizations not affiliated with CNPIR also do. Also, because this funding is made public by the Brazilian state, black activists who do not participate in CNPIR do not typically see it as a site for personal or organizational gains. Finally, while CNPIR gives activists privileged access to particular arms of the Brazilian state, and perhaps even state funding, it is by no means the only avenue to the Brazilian state.

Instead, black activists affiliated with political parties and semi-autonomous party organizations like CONEN and UNEGRO gain access to the state through their political parties. Similarly, established black NGOs with international funding have created different kinds of engagement with the federal government as well as state and local government. They have been consultants for SEPPIR as well as other ministries, and even acted as sub-contractors of social programs, working on social campaigns together as was the case with the black women's NGO, Criola with the recent "Health of the Black Community" campaign. Thus, the combination of a long history of the institutionalization of the black movement through political parties, the strength and expertise of black NGOs, and the context of a Brazilian state that develops associationalist modes of engagement with civil society has meant that institutionalization looks distinct in the Brazilian case. Moreover, the ways in which rights for the black population have become institutionalized into the Brazilian state have been much broader than the Colombian case.

Broad Discourses of Blackness in Brazil

Brazil stands out as the case in Latin America where policies for the black populations have been defined in the broadest terms possible. Unlike other countries in the region, where the black political subject has defined around geographic and cultural boundaries, policies for the black population in Brazil have been broad, including urban and rural populations as well as mixed-race persons (Hooker 2005). According to the 2000 census, roughly 54% of Brazilians identified as white, 39% as *pardo* (black-mixed or brown), and only 6% as black. While over the years there was much contestation within the black movement over definitions of who was black, increasingly, movement actors opted for a broader notion of blackness, the term *negro* which included both *pretos* and *pardos* (Nobles 2000, Telles 2004). As Nobles (2000) notes, starting with the 1991 national census campaign launched by the black movement, activists advocated for

¹⁰² <http://www.portaldaigualdade.gov.br/apoiproj>

a notion of blackness that included everyone was non-white. As the black movement began to discuss racial discrimination against both pretos and pardos, and advocate for a collective *negro*, the Brazilian government also followed suit. Further, a number of important sociological studies done by IPEA as well as other researchers showed that in socio-demographic terms *pretos* and *pardos* were very similar, and that the gap between them and whites was large in terms of educational attainment, income, and a number of other outcomes (Telles 2004). This solidified the idea that Brazilian society was characterized not by a color continuum, but by a rigid socio-economic line between whites and non-whites.

Starting as early as 1995, the Brazilian state began to define the black political subject using the terminology of the black movement. Thus instead of designating policies for the small percentage of people who identify as *preto* in the 1991, state policies typically targeted both the black and brown population and used the terminology *negro*. For example, Fernando Henrique Cardoso's Inter-Ministerial Working Group was created with the goal of "promoting integrated actions to combat racial discrimination and for the development and participation of the black population". Similarly, many affirmative action policies, as well as the Statute for Racial Equality, also includes everyone who self identifies as negro or Afro-Brazilian, both of which include *pretos* and *pardos*. Indeed the main objective of the Statute is to "assure to the Afro-Brazilian population the achievement of equal opportunities, the support of individual collective and diffuse ethnic rights and the struggle against discrimination and other forms of ethnic intolerance". In this, they define the Afro-Brazilian population as: "the number of people who identified as black or colored according to the color or race definition used by the Brazilian Institute of Geography and Statistics (IBGE), or those that self-identify as such."¹⁰³

While the black movements at the center of national politics in Brazil have been concerned with urban issues, in some cases they have also advocated for the rights of rural black communities, namely the descendents of escaped slaves or *quilombo* communities.¹⁰⁴ Thus, the Brazilian state has developed two ways of understanding the black political subject, one related to rural black communities and the other related to majority black urban population. Policies for the former are typically addressed through INCRA and the Palmares Cultural Foundation, and the latter, through the other federal ministries. While the black movement in Brazil has most notably pressured the Brazilian state to implement policies such as affirmative action policies in higher education and jobs, and to address inequality in education and access to justice, Brazil's black rural populations, particularly quilombolas were also included in how the black population in Brazil has been institutionalized into state policy. In fact, the two areas of priority defined by SEPPPIR in 2003 were affirmative action policies and land titling for *quilombo* communities. This broad notion of the black political subject also set a particular context for a number of different civil society actors, urban and rural to exercise their rights in Brazil.

Notwithstanding these differences, some black movement actors in both Colombia and Brazil have become institutionalized into their respective states, while others dispute formal structures for participation. Those that do not institutionalize often have to adopt new strategies more appropriate for the new political context in which they find themselves. This often also involves

¹⁰³ Taken from Title IV of the text of Law 12.288 of 2010 (The Statute of Racial Equality).

¹⁰⁴ This is evident in the 1988 Constitution, which gives quilombolas a protected status similar to indigenous peoples, and guarantees the right to collective territories as a result of lobbying by black activists.

raising questions about political autonomy, boycotting institutionalized spaces and publically delegitimizing those that have become institutionalized. However, while movement actors in both countries must navigate this new political terrain and decide what kind of relationship they want with the state, the distinct nature of these states' logic of incorporation, paired with different decisions made by activists in each case, have lead to divergent patterns of institutionalization. Whereas institutionalized sectors of the Afro-Brazilian movement have been most effective in the post-reform context, it is those that refuse to be institutionalized that are most effective in Colombia.

Chapter 5 Engaging with and Inhabiting the State

While black movement actors are constrained by the new structures created by the state to ensure their political participation, they also make decisions about whether they want to have a relationship with the state, and on what terms. Indeed as different movement actors make decisions about inhabiting the state, “social movement institutionalization” inevitably becomes a *partial and segmented process*, rather than a homogeneous one. As Gamson and Meyer (1996) suggest, “movements often have a range of actors pursuing numerous strategies in both institutional extrainstitutional venues. Sometimes a single organization combines institutional means of influence such as lobbying and electoral policies with extrainstitutional strategies such as demonstrates and boycotts” (283). Yet, the effectiveness and consequences of these different strategies depends heavily on the political context in which social movement actors are embedded. Given these different contexts, is important to understand how black activists negotiate these new political fields where the state has promised to make reforms, and where the movements now have access to certain parts of the state apparatus and formal politics.

In the next two chapters, I uncover this interplay between black movement actors’ decisions, and the nature of the political contexts into which they are institutionalized in Colombia and Brazil. I argue that the segmented process through which movement actors become institutionalized does not just effect the kind of the engagement the movement has with the state, but also profoundly shapes internal movement dynamics including their strategies, effectiveness, organizational forms and internal contestation and hierarchies. In this chapter, I draw mainly on interviews with black activists who have taken up positions within the Colombian and Brazilian state as well as those that represent the black populations official state-civil society consultative bodies. In the context of a clientelistic Colombian state, and a relatively democratic Brazilian state whose primary mode of engagement with civil society has been a democratic or associationalist logic, black activists have inhabited the state and occupied political spaces created for them by the states in these two contexts.

In Colombia, the creation of institutionalized spaces for black representation has led to the proliferation of black movement organizations. It has also spurred the delegitimizing of such official spaces by recognized black organizations in the country. While some activists are fully aware of the ambitions and power of the Colombian state to co-opt, others inhabit the state and institutionalized spaces for self-promotion and personal benefit, while still others are painfully optimistic about the possibilities for social change within these newly conquered political spaces. Even so, while different motivations bring black activists to institutionalized politics within Colombia, their participation inevitably amounts to something I call ritualized participation. In this context of clientelistic politics and the institutionalization of black activists into spaces within the state that are void of power and susceptible to corruption, the black movement, though now consisting of more organizations than ever, is largely weakened.

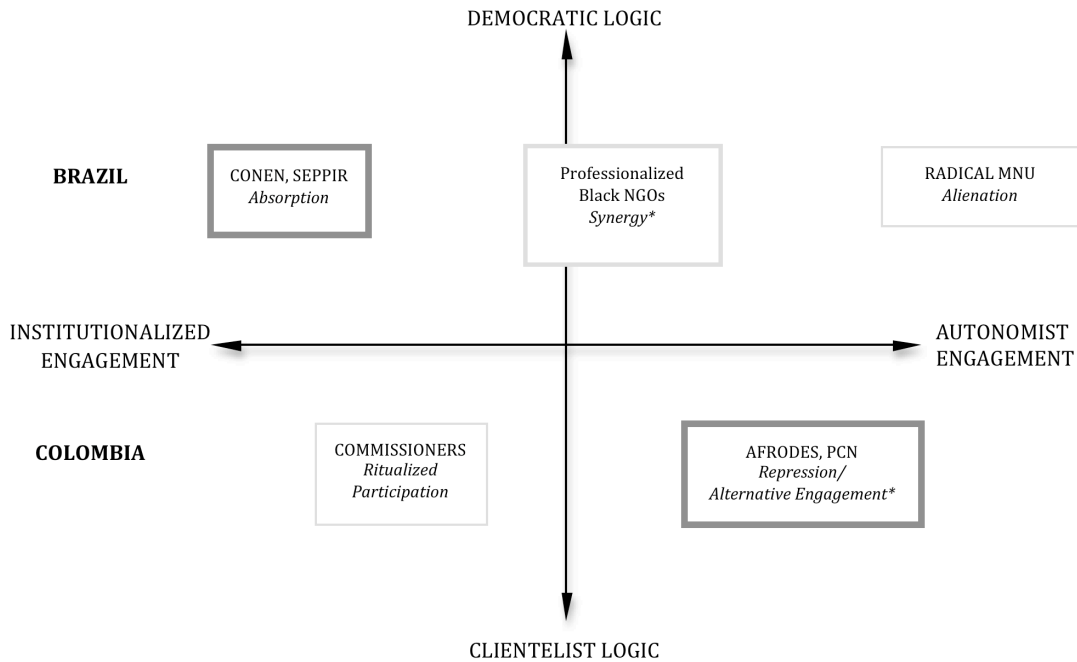
In contrast, the road to institutionalization in Brazil has been paved for a number of decades with the incorporation of a number of black activists into the ranks of the Workers’ Party and other emergent parties. Further, the context of associationalist politics and the absorption of many social movements including black social movements have produced an entirely distinct process of social movement institutionalization in that country. In this context, the increasing influence

of black activists within political parties in the country, paired with the Brazilian state's associationalist mode of engagement with civil society has made it such that the dominant thrust in the black movement has been to institutionalize. Thus, unlike the Colombian case where many of the most recognized black activists and organizations have worked to maintain their autonomy from the state and contest such cooptation, in Brazil the most important black activists and organizations have subsequently taken up positions within the state, in consultative bodies, formed organizations that are hard to separate from political parties, and become financially dependent on the Brazilian state, something I call absorption. In this context, the small sector of the Afro-Brazilian movement that has chosen to maintain its autonomy has largely remained alienated from formal politics, and not as effective in pressuring the state to make needed reforms.

Segmented Institutionalization and Degrees of Engagement

Baiocchi, Heller and Silva (2008) offer a useful framework for understanding the different ways that civil society actors engage with the state, which takes into consideration the orientation of the state as well as the degree of self-organization of civil society itself. Their framework is concerned with routinized forms of engagement with the state in different political contexts and different state regimes. While their approach takes local civil society as their unit of analysis, I suggest that their model may also be used to understand how *different* civil society actors *within* a particular political field engage with the state, and the consequences of these different configurations on movements' trajectories and effectiveness. In this way, I assume that civil society, and social movements more specifically, are always fragmented, making it such that the nature of their engagement with the state will always be bifurcated. In Figure 4, I map out my schema for understanding how different black movement actors engage with the Brazilian and Colombian states. However, rather than thinking about local civil society as a whole as being either dependent or autonomous from the state, I suggest that at the national level different civil society actors within the same movement can have quite different relationships with the state.

Figure 4: Black Movement Institutionalization in Colombia and Brazil



*The boxes with bold text represent the more effective strategies in each case. Its also important to note that in both cases, international actors act as guarantors to autonomist engagement with the state. In the case of professionalized NGOs in Brazil, they provide international funding and external legitimacy. In Colombia, transnational advocacy networks act as watchdogs and provide needed external leverage.

I will now discuss the ways in which black activists in Colombia and Brazil inhabit the state and consultative structures, and how they make sense of these new relationships with the state, and positions within the state. In so doing, I show how Afro-Brazilian activists that occupy state positions, and the ranks of political parties, do so in ways tend to blur the line between social movement actors, political parties and the state. This pattern of institutionalization mirrors that of a number of other social movements and civil society actors in Brazil (Alvarez 1990; Hipscher 1998, Baiocchi, Heller and Silva 2008). While there are limits to black representatives within political parties and state agencies' ability to critique and pressure the Brazilian state (and administration) from within, these blurred and dependent relationships between the state and civil society have become the hegemonic way of doing politics in Brazil. I call this pattern of institutionalization whereby formal, institutionalized, and bureaucratic politics become such a part of the political culture that they are seen as the only legitimate form of black politics, institutionalization by absorption. In Colombia, the backdrop of clientelistic politics heavily shapes the nature of black activists political participation and level of effectiveness.

Ritualized Participation: Institutionalized Black Movement Actors in Colombia

The institutionalization of black movements in Colombia has been precarious, with a handful of activists, representing small black organizations, occupying most official spaces for participation in the context of a repressive state in retrenchment. The relative closeness of the political context

of Colombia, the creation of power-void parallel structures of participation for black communities, and the limited discourses around who the black political subject actually is are all components of the Colombian state's clientelistic logic of incorporation of civil society. In this context, those that do choose to engage with the Colombian state despite the controversy, corruption and decreasing legitimacy of such spaces, have become complicit. Whether knowingly or not, many of these actors participate in power-void rituals of political participation that facilitate the Colombian state's continual retrenchment on issues facing black communities.

August of 2008 marked the 15-year anniversary of Law 70 and a special national public hearing was held in the Senate in Bogotá. In this underwhelming event, black activists from a number of different organizations from throughout the country (though mostly from the Pacific Coast) spoke about the historic Law 70 and where it stood 15 years later. The presentation by activists, and the general sentiment in the hearing was of frustration, of stalled reforms, of mixed messages from the state. Juan de Dios Mosquera put it most succinctly:

“15 years after Law 70, the Cimarron Movement's perspective, and my own as a scholar and fighter for the ethnic rights of our Afro-Colombian peoples, I can only see frustration. I only see manipulation on the part of the Colombian state. I haven't seen, in the process of implementation of the Law 70, that the Colombian state in these past 15 years has designed a clear and comprehensive public policy for the country, for the nation, in order to implement the policies that Law 70 establishes, to promote the development of Afro-Colombian communities, to eliminate inequality, to eliminate historic injustice that continues to affect our people, and in particular, I haven't seen a policy aimed at promoting the eradication of racism or racial discrimination, something that affects us in every sphere of Colombian society” (Interview, Juan de Dios Mosquera, 2006).

Indeed, Law 70 was historic and the content unprecedented within Latin America. However, anyone's analysis of implementation of Law 70 would conclude that it has been disappointing. The period directly following Law 70 was one marked by a receptive administration, and a certain level of unity among different black movement actors who had the goal of implementing the newly approved legislation. While there were certainly some internal conflicts during this period, the Consultative Commission and members of Congress legislated and negotiated the complex process of collective land titling for black communities mainly along the Pacific Coast leading to the titling of more than 11.7 million acres as well as the implementation of the chapter on Ethno-education. However, the remaining chapters of Law 70 related to the right to development, the use of natural resources and mining have not yet been implemented.

In addition, despite an attempt with the 2005 census, the Colombian state has still not produced reliable data on the Afro-Colombian population, which is also indicative of the state of rights for black populations post 1993. Even so, while the lack of quality data disaggregated by ethnicity/race makes it difficult to approximate any measure of ethno-racial inequality in Colombia, evidence suggests that little has changed in the last 15 years. Recent data suggests, for example, that ethno-racial inequality manifests in many forms including income inequality, gaps in access to health and education, infant and maternal mortality, disproportionate lack of access to social services and justice, and serious issues with political representation. In the end, black Colombians were, and continue to be, disproportionately impoverished, with a high

concentration of the population residing in certain regions, resulting in a de facto regional segregation (Barbary and Urrea 2004). Such inequality has been recognized by the Colombian state, as well as documented by many, including international institutions and many black movement organizations.

Further exacerbating the situation is that Afro-Colombians, particularly those residing in rural areas, have become increasingly caught in the crossfire between different armed groups, making these communities disproportionately affected by political violence, mass forced displacement and practices of confinement in Colombia (Rodríguez Garavito, Alfonso Sierra and Cavalier Adarve 2008). All the while, the Colombian government at all levels, municipal, departmental, and national, has had consistent and high-level engagement with representatives of black communities, through formal channels for political participation setup by Law 70 including Consultative Commissions, Community Councils and the Representatives of Black Communities in the House of Representatives. However, this paradox of increased participation, and a lack of implementation of the basic tenants of Law 70, can only be understood if one examines both the nature of these “structures for political participation” setup by the Law, but also the ways in which black activists inhabit such spaces.

Movement Proliferation, Ineffectiveness, and the Myth of Political Participation

On the morning of the Election for Bogotá Commission on Black Communities, I met a group of representatives of a number of Black organizations who were devising their strategy to win the highest number of seats on the District Commission. Every 15 minutes another person, representative of another black organization in Bogotá – many of which I had not heard of during my six months there – would come into the office vowing to vote for a specific slate of candidates. Other representatives of other organizations called in to make the final legal and bureaucratic arrangements in order to assure that their vote would count, even in their absence. By the time we arrived at the actual place where the election was to happen, the group I accompanied knew how many organizations could legally vote in the election, what the different political factions were, and how many votes they needed to win. After arriving it was clear that these activists were not the only ones prepared for this complex election process. Indeed, almost everyone present had gone through the bureaucracy to register their organizations with the Office on Black Communities, and the overwhelming majority had already formed their political alliances and made backdoor deals with each other around what kinds of projects they might funnel to allies in the case that they gain a seat on the commission. In this, newcomers would be left on the margins of an entrenched and complex election process that represents the Commissions on Black Communities.

The meeting was supposed to start at 9:00 a.m., however much dispute over issues of political autonomy and the presence of government officials’ at the election delayed the election some four hours. While votes were already determined and no formal presentation of candidates would actually take place, the formality of the election was still a necessary condition for determining the next body of Black Community Commissioners. While just two years before there were only about 80 black organizations registered in Bogotá (a city with an extremely small black population), by the time of this election November of 2008, exactly 122 organizations were registered with the Office on Black Communities. Throughout the day informal discussions included talk about how many of these organizations were “organizaciones de uno” (one-person

organizations), “organizaciones en papel” (paper organizations), and “organizaciones fantasma” (ghost organizations). Even so, those registered organizations would be responsible for choosing the 30 representatives to the District Commission who would become the main representatives of black communities in negotiations with the city government. Further, these city-commissioners could also run to be part of the High-Level Commission, who would have the unique privilege of dialoguing and negotiating with the Colombian state about more high stakes issues including land reform, large-scale development projects, free trade, natural resources, among a number of other things.

While the city government did hold a number of public meetings around the city before the official election in order to make the process more transparent, the composition of the Commission elected that day would be left largely unchanged from the previous Commission. Between 150-200 people were present at the event, and in the end there were 11 slates with a total of 70 candidates for the 30 seats. As state officials called each organization up to vote in the front of the entire group, some individuals voted on behalf of various organizations, other slates were clearly family affairs, and some legitimate organizations known for their grassroots work in Bogotá were not allowed to vote because the Office on Ethnic Affairs didn't have them in their official registry. Despite the discontent and questioning of legitimacy and authenticity of the candidates slated, the election went on. In the end, many of the same commissioners from the previous term would be re-elected, and many of them would subsequently receive government contracts related to Afro-Colombian communities.

Election for the Bogotá Commissioners was not unlike the commission elections that take place throughout the country, but rather is emblematic of a more general trend toward a proliferation of black movement organizations post Law 70, and the increasing contestation over these spaces. Indeed, while before 1993 there was only a handful of Afro-Colombian organizations that organized as such, by 2008, over 1,500 “grassroots” black organizations and over 350 community councils were registered with the Office on Black Communities. Moreover, there is an estimated 4,000 more organizations that have yet to register and be officially recognized by the government. These organizations range in their focus, ideologies, strategies, capacity, ability to mobilize people, and their organizational structures. The registry includes anything from small cultural groups to massive ethno-territorial organizations that govern over collective territory in rural areas to large professionalized NGOs that largely work on issues affecting urban black populations.

While these organizations also range in their level and type of activity, it is also clear that many of them are “paper organizations” or “ghost organizations” created for different reasons, one of which relates to the incentives set up by Law 70. Today, while there are thousands of black organizations recognized by the state, only a handful are recognized among Afro-Colombian activists as being serious organizations with a strong grassroots following, political platform, and solid organizational structure. The Colombian state has institutionalized black movements through structures that have created many incentives, perceived and real, to create organizations, including the opportunity to officially negotiate with the state, receive bribes, and funding for their organizations' projects. Thus, while the proliferation of black organizations in the Post-Law 70 period has many origins including the awakening of consciousness of many Afro-Colombians, there is also a direct relationship between the structure set up by Law 70 and such

proliferation. In this, the commissions are not the only one site for the proliferation of black organizations and the contestation over representation within the black movement.

While this rapid increase in black organizations has happened mainly in urban areas, as the criteria to constitute a “grassroots black organization” is extremely loose, there has also been a proliferation of black community councils in the rural areas of the country. Some of the increase in organizations is what one might expect given that such formal organization did not always exist in rural areas, and that constituting a community councils is the only vehicle through which black peasants can exercise their right to collective land titles, the extraction of natural resources, political autonomy, and alternative development. However, another phenomenon that has contributed to the rapid increase of black community councils has been the dividing up of existing community councils into smaller and smaller units. The case of Buenaventura in the department of Valle is one of the cases where this trend is most marked. While many of the organizations that organized black farmers in the period leading up to Law 70 including Black Communities’ Movement (PCN) have organized community councils at the level of riverbanks, other black activists have begun to organize at the *vereda*, or village level.

The consequences of these different strategies were clear when I participated in the election of Commissioners for the department (state) of Valle. While the community council of the Rio Naya, for example, is affiliated with PCN and includes 17,000 people and as many as 100 communities, because it is organized as one larger unified rural organization, only receives one vote in the election of Commissioners. In contrast, more recently black activists, many of them seeking seats in the High-Level Commission on Black Communities, have begun to organize black farmers to constitute smaller community councils at the village or community level. This dividing up of community councils, they suggest, allows diverse local communities to represent their own interests, however the other consequence of such an approach is that it also gives them more votes in the election for the Departmental and High-Level Commission. Under such an approach, Rio Naya could be as many as 100 different community councils, and consequently as much as 100 votes in the Commission. Thus, whereas the proliferation of black organizations that was apparent in Bogotá was the creation of urban black organizations, in Valle and other parts of the country, there has also been a proliferation of black rural organization, or community councils. The tension between these two approaches was apparent at the election for the Commission for the Department of Valle where harsh words between different activists contending to be elected to the Commission reached the level of an intense physical fight between candidates that had to be broken up by some of the other candidates in the auditorium of Cali’s municipal building.

Yet another avenue to the political participation of black communities is within the state itself, through the two special seats in the House of Representatives designated for representatives of black communities. Similar to the commission, this political space set up by Law 70 also creates perverse incentives to create and divide organizations, rather than build larger, stronger organizations. Like the Commissions, in order to run as a candidate for the special congressional seats reserved for black communities, one has to have the backing of either a grassroots black organization or a black community council registered in the database held by the Ministry of the

Interior. Also similar to the Commissions, these two congressional seats have been plagued with charges of corruption, clientelism and opportunism.¹⁰⁵

Whereas representatives of known black organizations hailed as the winners of the two seats in the first election in 1994, this has not been the case in subsequent elections. In 1994, there were only 12 candidates, many representing solid grassroots organizations that mobilized around Law 70 in the early 1990s. However, this number jumped to 56 candidates in 2002 and 48 in 2006, and nearly reached 180 in the 2010 election.¹⁰⁶ Figure 2 shows the ballot for the 2010 elections, which I discuss in the following chapter. In all of this, and hidden among the many boxes seen in the ballot below, representatives from recognized Afro-Colombian movement organizations. Carlos Rosero (PCN) and Juan de Dios Mosquera (Cimarrón), two of the best known black activists of national organizations have both run for these special seats in congress on several occasions since 1994, and neither has won.¹⁰⁷

Figure 5 shows the ballot for the 2010 elections that includes 67 registered black organizations, and multiple candidates for many of those organizations summing to roughly 180 candidates. As in past elections, the winners of these seats were not activists from major Afro-Colombian organizations, but rather, politically connected black professionals representing organizations that were recently registered with the Ministry of the Interior months before the election and never recognized by the majority of Afro-Colombian social movement actors as legitimate organizations. In the 2010 election, for example, one of the winners of the seat was Yahir Acuña Cardales, who ran representing Afrovides, an organization she became affiliated with just three weeks before the election. In Acuña's home department, voter turnout increased 30 times in raw numbers from 1,955 in 2006, to 59,627 people voting in the 2010 election.¹⁰⁸

¹⁰⁵ Most activists recognize that in the first election for these special seats in 1994, two representatives of reputable black organizations were elected (Zulia Mena and Agustín Valencia). Much of the controversy has been since 2000.

¹⁰⁶ Registraduría Nacional del Estado Civil, Colombia accessed at <http://www.registraduria.gov.co>

¹⁰⁷ Carlos Rosero did not run in the 2010 election; however, two other representatives of PCN did run.

¹⁰⁸ El Tiempo article, "Votos De Afros En Valle Y Sucre Se Multiplicaron Hasta 30 Veces", reported this figure and suggested that such a drastic increase had raised many flags about possible corruption. 2010. In Juan Carlos Martínez Sinisterra's department of Valle, the figure increased from 18,107 to 58,806.

Figure 5: 2010 Election Ballot for Special Seats for Black Communities in House of Representatives



The other seat went to Heriberto Arrechea, who has ties to ex-Senator Juan Carlos Martínez Sinisterra who renounced his Senate seat in 2009 while being investigated by the Supreme Court for alleged ties to known paramilitary leaders.¹⁰⁹ Further, activists raised other questions about the organization under which he ran the United Popular Movement (MPU), an organization which is neither explicitly or implicitly an organization that addresses ethno-racial issues, but rather a former political party which had already lost its status for reasons not made public. Even so, shortly before the election, the MPU was approved as a black community organization and included in the Registry of Black Community Organizations managed by the Ministry of the Interior.

In an interview with the Director of Black Communities, without talking in specifics, she said that if they were allowed to run as candidates in the election, MPU must be a “grassroots black community organization” they must be in the official registry of black organizations that the Office of Black Communities maintains. When I asked her about the serious charges of corruption in this election, she did not deny it per se, but instead situated this case in the broader context of Colombian politics. She responded: “this is not just an issue with black communities. In Colombia, it is a more general issue. An analysis of the national context will show this reflected in every election (Interview, Rosa Carlina Garcia, Director of National Office on Black Communities). Indeed, as I suggest in the previous chapters, the dynamics of corruption and clientelism that are seen as rampant in these institutionalized spaces for black participation are heavily shaped by the political field in which black movements are embedded and the Colombian state’s dominant mode of engagement with civil society, through clientelism.

Behind the scandals and public ridicule surrounding the election for these two special seats is a high-stakes game. These elections, along with the election of the High-Level Commissioners of Black Communities, determine who will occupy the main vehicles through which black communities are supposed to participate in the formulation of public policy decisions that affect them. There is no doubt that Afro-Colombians have participated in politics and in the

¹⁰⁹ See El Espectador article entitled: “Juan Carlos Martínez presentó renuncia a su curul en el Senado”

formulation of policies in ways unprecedented. However, the coexistence of increased participation and 15 years of stalled reforms also suggests a need to assess the nature of such participation and the extent to which such participation has happened, “without detriment to their autonomy”, a condition that Law 70 guarantees. Even so, black activists, old and new, line up to participate in this peculiar politics of representation, and do so for different reasons and with distinct objectives.

Despite the inherent problems with engaging with a state without clear democratic and transparent processes and one whose interest is not necessarily in making good on its promises to black communities, some black leaders do develop routinized and formal relationships with the Colombian state. Indeed, the thousands of black people who have started black organizations after the passing of Law 70, and the hundreds that show up to elect the Black Commissioner at the city, department, and national levels do so for very different reasons. While some of the activists I spoke with did choose to inhabit these institutionalized bodies in the interest of personal gain and in order to channel resources to their organizations, others I interviewed saw these spaces as symbolically important, representative, and sometimes effective places from which black activists could pressure the Colombian state to change the living conditions of Afro-Colombians. Indeed, despite the serious charges of corruption, and the likelihood that such charges are substantiated, these spaces are still the main vehicle through which black activists can participate in the construction and implementation of policies for Afro-Colombians.

Participation to Shape Policy

Post-1993, constituting a formal black organization or community council, registering in the official registration with the Office on Black Communities, and participating in the Consultative Commissions and the Special Election for Black Representatives to the Colombian Congress became the only legitimate way of engaging with the Colombia state around these issues. Consequently at different points, Afro-Colombian social movement actors and individuals of all political persuasions have attempted to use these official channels to the State set up by Law 70. While the past commissioners I spoke with were vocal about their opposition to the Commission, and spoke freely about the rampant corruption that they argued did not exist in the early years, the current commissioners tended to give a more mixed analysis of the commission as far from perfect, but an important and necessary space that can be effective. Thus, those individuals and organizations that decide to inhabit such spaces do so for a variety of reasons. While some are certainly interested in personal and organizational benefits, others seemed to believe this was the only space from which they could push for the full implementation of Law 70, or pressure the state to adopt new legislation and policies for the country’s black population.

While the High-Level Commissioners I spoke with recognized the critiques of the Commission, they maintained that the space was one of both symbolic and political importance.¹¹⁰ They emphasized the fact that this was an unprecedented legally mandated body that was representative and allowed black activists to sit down with high-level government officials and hold them accountable. Rosita Solis, a High-Level Commissioner representing the Department of

¹¹⁰ Of the 54 people I interviewed in Colombia, eight were High-Level Commissioners at the time of the interview. The overwhelming majority of the others I interviewed represented organizations that were either represented at the municipal or department commissions, or had occupied seats in the commission at some point.

Valle on the High-Level Commission was often seen as the most powerful and most corrupt High-Level Commissioner. Activists both inside and outside of the Commission often cited Rosita as the quintessential case of *politiqueria*, or corruption and political manipulation for personal gain, in the Commission. Fully aware of such charges, in an interview Rosita justified her position, arguing that it was an important space to inhabit precisely because of its political power. She stated: “if you read the functions of the departmental and High-Level Commissions, it is a space of lot of power, a space of inclusion of negotiation and consensus building (Interview, Rosita Solis, FEDECOVA). Ironically, even with such representation, the government has not always complied with the constitution, or with the Law of Black Communities.¹¹¹

Rosita also argued that the Commission was the only democratic and representative space for black communities to access the state. She often contrasted this with the unofficial and undemocratic ways in which her critics outside of the commission tended to engage with the Colombian state. For Rosita, the Commission had been effective, and was able to sustain the direct dialogue with the Colombian state precisely because Commissioners were selected through a fair and transparent election that gave the Commission a particular kind of legal legitimacy vis-à-vis the state. The notion that the Commission was a representative space for political participation came up in other interviews with Commissioner. For example, Dimas Ernesto Micolta, an Afro-Colombian student activist and Commissioner at the Department level, explained that while there are many notable grassroots organizations that have done important work in the country, the Commission is the organization that “by law has the legitimacy and legality” (Interview, Dimas Ernesto Micolta, CADUBHEV). He added that while the Commission had recently acquired a bad reputation, it was beginning to “gain legitimacy, beginning to gain representativity”. (Interview, Dimas Ernesto Micolta, CADUBHEV). Dimas argued that the increasing interest in the commissions by a wide range of black activists from a variety of “political tendencies”, and PCN specifically, suggested that it was regaining some of the legitimacy had lost in recent years.¹¹²

This idea of the Commission as the legal and legitimate space for black representation (and protection) came to the surface with a state decree that aimed to reform the Commission to make it more proportional to the distribution of black people throughout the country, and to get rid of the entrenched commissioners by banning re-election. If adopted, the decree would have left a month gap between the dismissing of the current commissioners. Rosita was very vocal in her opposition to the decree, and argued that it would “leave the community without representation” and allow the government to “take advantage and do things without consulting the community”. (Interview, Rosita Solis, FEDECOVA).

Yet other Commissioners shared the perspective that given the divisions within the black movement more generally, the Commission was a rare instance of a representative and powerful space that assured continual dialogue between black communities and high-level government officials. Ivan Sinisterra of the national organization, Cimarron and Commissioner at the time of

¹¹¹ Recent sentences by the Constitutional Court of Colombia have confirmed this.

¹¹² Interestingly, the election that happened shortly thereafter signaled the persisting crises of legitimacy of the Commission. PCN and other organizations who did make the decision to return to the elections, fared miserably and publically charged the elected commissioners with corruption.

the interview, was quite critical of the lack of financial political autonomy and serious problems with corruption within the commission. Even so, he argued that the legal mandate of the Commission made it the most important and effective route to the Colombian state:

The commission is a reference for interlocution throughout the country. More and more, whether they like it or not, it is an important space and people have come to understand that it is an important space. Two, even given the contradictions of the Commission, it has made it such that the Government doesn't respond so strongly to affect the interests of the community. So the commission, in some ways, has defrayed large companies from taking over territory.... in some ways the Commission has paralyzed them, and they have said, look people, we have to consult the community..." (Interview, Ivan Sinisterra, Cimarron).

Thus, despite his critique of the Commission, Ivan, like many other commissioners, held that the Commission was important, and even effective at times. He added, for example, that the High-Level Commission actually led efforts to stop the controversial Ley Forestal from passing, a law that would have nullified many rights and provisions guaranteed under Law 70.¹¹³ Similarly, Rosita Solis asserted that organizing by the High-Level Commission is what led to the reinstatement of the Office on Black Communities, which had been previously terminated by the Uribe administration (Interview, Rosita Solis, FEDECOVA).

Others felt that while the High-Level Commission was plagued with corruption, that the Departmental and local commissions made it easier to do more effective organizing on the ground. Carlos Rua, a long time activist involved in the Law 70 process, was one of the people responsible for creating the first city-level Commission in Bogotá circa 1996. Originally Bogotá was not considered a place with a considerable black population, and particularly, not of black communities as defined in Law 70. Thus, the decree establishing the more local and High-Level Commissions did not actually include Bogotá. For Carlos, it was important to create this Commission given the black community in Bogotá that did exist, but also because of the geopolitical importance of Bogotá.

I think it does work. The proof that it does is that it hasn't disappeared after 12 years of existence. It is a Consultative Commission that was created with Law 70 and it hasn't disappeared. The reason for that is that the Commission is negotiation, I mean, it's the product of negotiation, it can seek dialogue and negotiation, and it has negotiated a series of things, public policy... But one factor that I think is important [for the Bogotá Commission] is that it functions more easily than all of the commissions in the country because it's easier to convene [at the level of] Bogotá.

¹¹³ Ley Forestal was a piece of legislation proposed in 2006, which threatened to undermine the rights of rural Afro-Colombian and indigenous peoples' rights around territory, previous consultation and the protection of culture. The legislation was deemed unconstitutional after much protest by Afro-Colombian organizations and environmentalists who deployed a number of strategies including the use of transnational advocacy networks. The High-Level Commission was involved in this process, though, they were not the only actors.

While Carlos recognized that Commissions were facing a crisis of legitimacy within the movement, something he called the “movement over here, commissioners over there” effect, he still felt that these were important spaces for black activists to inhabit.

Similarly, a Commissioner from a rural area in Northern Cauca talked about how the official registry of black organizations and black community council as important for local organizing. He said that engaging with the state through these institutionalized spaces permitted them to know just how many community councils existed in their towns and department more generally: “Knowing all of that information allows us to know exactly what work is being done by which organization either because we are going to initiate a [community] project or not, but it allows us to be more effective”. (Interview, Pablo Cesar Mina, Masai Foundation). However, this same commissioner was much more skeptical of the High-Level Commission, and was a strong advocate for reforming it from within to deal with some of what he saw as rampant corruption and a concentration of power in the hands of a few commissioners. Pablo Cesar, in many ways, was an “infiltrator” of sorts into the High-Level Commission, as a newer member of the commission without the political alliances and an entrenched interest in continuing to occupy that space. Consequently, for Pablo Cesar, such corruption within the High-Level Commission was a sign that it had lost touch of its primary goal, which he saw in the following way:

The High-Level Commission allows us to engage with state officials at the national level, at a high level. So, in some ways, the High-Level Commissioners represents the grassroots. They are the ones that take the issues, the needs [of communities] and communicate them to high-level government officials. They dialogue with Vice-Ministers, officials with different government agencies, with the regional administration of the government, and even with ministers (Interview, Pablo Cesar Mina, Masai Foundation)”.

This lack of commitment to the grassroots on the part of Commissioners also converged with what another activist from the same organization called the “repressive” nature of the Colombian government: “The type of government we have is a repressive one that doesn’t legislate in the interest of the most disfavored communities, but in a government for the elite.” (Interview, Activist, Masai Foundation).

Even so, while members of the Masai Foundation did lodge a pungent critique of the Commission, they did admit that the High-Level Commission was responsible for one important act: the seizing of the Chapel of San Francisco in Bogotá in November of 2005 which lead the Ministry of Education to launch the National Contest of Ethno-Educators. Indeed, this action was referenced by a number of the commissioners I interviewed as a testament to both the ability of the Commission to mobilize people, and exert its political autonomy from the state. However, Pablo Cesar, in recounting the event, emphasized that the Commissioners were only one of the many organizers of the event, and that teachers, and local leaders were the real ones responsible for taking over the Chapel (Interview, Pablo Cesar Mina Garcia, Masai Foundation). During my fieldwork in 2008, the year that municipal, departmental and national elections took place for the Commission on Black Communities, a number of organizations ran as candidates with similar hopes as the people of Masai Foundation to reform the Commission and hold leaders within it accountable for their actions and complicity.

Participation to Access Resources

Though not everyone involved in the Commission has been drawn to institutionalized black politics with the great hope that they would be able to design public policies for black populations and represent the interests of grassroots in high-level government negotiations. Indeed, a number of people I spoke either occupied or sought to occupy such spaces for more pragmatic reasons. Indeed newcomers to organizing around black issues in Colombia quickly found that participating in this complex field of black community representation required formalizing one's organization, obtaining status as an official black organization through the Ministry of the Interior, forming political alliances, and being elected local and High-Level Commissioners. These activists often came to these political scenarios with a sort of pragmatism whereby they wanted to shape local policies related to black communities and, more importantly, access government resources for their community organizations. Though, the only way they could access such funds was through this complex bureaucratic and political process. In 2003, Orlando Sánchez Lasso, a retired worker, decided to form an organization called AfroYumbo to work with the black community in Yumbo, a small town about an hour just outside of Cali. Orlando didn't know much about "black rights" as such until a friend invited him to a "black community meeting" some years before:

When I was in Jamundí a friend of mine told me, 'look, there is a meeting of afro communities and you should come, and I told, okay, let's go, and I had never been in a meeting like that. I went and it was there that the told me, well, there is a law, Law 70 that gives certain benefits to black communities. And so I began to look into this and I came here with that question. Upon arriving in Yumbo, I started to talk to these same friends and I met with one of the leaders here, people who had been involved in community action, community organizing, and I proposed we create an Organization" (Interview, Orlando Sanchez Lasso, AfroYumbo).

After founding AfroYumbo, though, Orlando and his fellow organizers, found that getting involved in government discussions, and accessing state recourses related to black populations were channeled through a complex structure of black representation, namely the Departmental Commission. When I asked Orlando why he decided to formally register with the Ministry of the Interior, he said.

"If you want your organization to be respected, the recognition of the Ministry of the Interior is fundamental. In many places you go, the first thing they say to organizations is, well, I'm sorry, you aren't affiliated with the Ministry of the Interior...In our first experience going to the Commission meeting, there were many resources that the Department gave us, that came from the national government through the department, that came from international funding...but we didn't have access to these funds because according to the Commissioners at the time, they looked at it like this...we would go to solicit resources and the first thing they would tell us is, 'awe, but you guys don't have a Commissioner'. So from there we started to have issues with them. The fact that we did not have Commissioners shouldn't mean that we couldn't benefit from the benefits

designated for Afro-descendent communities” (Interview, Orlando Sanchez Lasso, AfroYumbo).

Orlando added that if his organization could get one or two commissioners, they would be able to access resources and “have voice and vote within the Commission that we can present projects, to exert some influence, to pressure” (Interview, Orlando Lasso, Afro-Yumbo). Consequently, organizations’ ability to negotiate with the state, participate in the formulation of policies, or to be considered for government contracts related to Afro-Colombian, all require official registration with the Ministry of the Interior. This channeling of black organizing and engagement with the state through these specific institutionalized spaces makes it hard to argue that the black people that inhabit such spaces have a singular motive. The case of Orlando and AfroYumbo suggests that people make decisions about inhabiting the state for different reasons, his being a blend between a pragmatic aim to get resources for his organization, and a desire to have a voice in local politics related to black communities.

Even so, the motivations behind activists’ decisions to inhabit these spaces cannot be analyzed without considering the reality of clientelism and personalism that likely goes on behind closed doors in the Commission and in the negotiations around the two seats in the House of Representatives. While AfroYumbo leaders and many others see such spaces as a space for accessing needed funds to the kind of community work they envision, others do make decisions to occupy commissions for personal gain. Beyond mere charges of corruption by those outside of the commission, many of the commissioners themselves admitted in interviews with me that the exchange of money and government posts was commonplace within the commissions. While all of them prefaced this by saying they were not directly involved in such corruption, in interviews some commissioners told me that money often exchanged hands between commissioners and government officials. When asked why the government felt the need to pay off commissioners, they explained that this was in exchange for Commissioner’s authorization of government development plans and capitalist enterprises of a variety of sorts.

Complicity in a Ritual of Political Participation

Although allegations of corruption were very much widespread while I was in the field, there were only a few key moments in which I was able to get a window into the many transactions that likely happen behind closed doors between government officials and commissioners on black communities. In an interview with one Commissioner who acknowledged that money did exchange hands, said that such processes are not necessarily covert within the commission, and particularly with certain leaders. Discussing why he liked to work with one activist who was often cited for his corruption, this commissioner said: “at least I know where he is coming from. If he says we are going to fight, we are going to fight. I mean, he’s the kind of man that is not two-faced. If he says ‘this part is for me’, then it’s for him and you decide to work with him you know that that piece [of the project/money] is for him. Other black community leaders don’t work like that” (Interview, High-Level Commissioner). While this commissioner did not get into the specifics, he was very explicit about the existence of bribes by government officials in the form of projects and even money within the High-Level Commission. In this context of rampant corruption, he insinuated that many of the commissioners participated in this, but only some were willing to be transparent about it.

Another rare window into this was in March of 2009 when I had the opportunity to accompany High-Level Commissioner notorious for corruption on a series of meetings with government officials and a host of other things. When we arrived at one of the national ministries to meet with a high-level government official, we immediately received VIP treatment, bypassing the line where a number of people stood waiting to be cleared to enter the building. After we enter, it was immediately apparent that the commissioner had an almost familial relationship with all of the government functionaries there. “How is your mom doing”, one secretary asked the commissioner. “She’s recovering, thank God”, she responded. After a series of meetings with mid-level government officials, we headed to the office of one of the more important government officials within the Ministry. By the time the meeting was over, the Commissioner had negotiated a community project worth 200,000,000 pesos for one of the community councils she represents¹¹⁴ as well as a government position for a friend. She also secured funding for a number of community members who she described as “loyal to the government” to travel to a government-civil society event, in order to counter the efforts of other community leader which she called “the enemies of the state”.¹¹⁵

After many months attending government-civil society events, seeing activists arrive at meetings in government cars and planes, and after interviewing a variety of activists both within and outside of the High-Level Commission, it was clear that these sorts of meetings were commonplace. This may be why, with the exception of two commissioners, everyone I interviewed prefaced their defense of the Commissions with an acknowledgement of the decreasing legitimacy within the Afro-Colombian movement more generally. In fact, the majority of those interviewed (both current Commissioners and others), while they saw these spaces as symbolic and even effective at times, raised serious questions about corruption, the lack of a grassroots following among commissioners, incompetency, and the lack of political and financial autonomy of the commission from the state.

As the issues being discussed in the commission become more high-stakes (free trade agreements, mining, natural resources, development), the gains of the commission have been increasingly symbolic: the inclusion of Afro-Colombian populations in local and regional governments’ development plans, the celebration of Afro-Colombian Day on May 21st throughout the country, the drafting of national development plans for black communities, small scale health and anti-discrimination campaigns, and the National Contest of Ethno-Educators. All the while the more substantive chapters of Law 70 including the chapters on alternative or ethnic development, the right to natural resources and mining, all remain on paper. And while this lack of implementation is largely because it is not in the interest of the Colombian state to implement this legislation, this inaction happens with the complicity of people who have been officially named representatives of black communities. The prevalence of symbolic actions on the part of local and regional governments rather than systematic implementation and reform gets legitimated through complex and frequent rituals of participation.

While some Afro-Colombian activists may be genuinely optimistic about the possibilities of change from within these semi-state institutions, others fully aware of the clientelistic politics of the Colombian state negotiate their authority and formal legitimacy as leaders of the black

¹¹⁴ Around \$150,000 U.S. dollars at the time.

¹¹⁵ Adapted from fieldnotes, March 2009.

community for money, trips, community projects, and government posts. In so doing, they participate in a ritual of participation of sorts whereby their signatures on documents, presence at meetings, and consultation on government plans legitimize state action and inaction in ways that make it hard to maneuver and pressure the government from within. This is particularly ironic given that such institutional spaces for participation were created with the stated goal of consolidating social movement organizations' leadership and to channel it toward a more centralized platform to be the voice of "black communities" in dialogue with the State. As the Director of the Office on Black Communities told me in an interview "it is our obligation to strengthen organizational processes, to provide leaders with the tools, administrative, financial and administrative training so that they can govern their territories... not individual interests, but collective interests". (Interview, Rosa Carlina Garcia, Director of the Office of Black Communities, April 2010).

One of the commissioners that I spoke with disagreed with the claim that the autonomy of the Commission had been jeopardized. She argued that it was in the best interest of Afro-Colombian communities to negotiate with the State, independent of which party is in power, a strategy that she felt many Afro-Colombian activists did not understand. While it is certainly true that Afro-Colombian movement actors outside of the commission have not been completely effective in negotiating with the Uribe administration, some evidence suggests that the Commission may not be the most effective route either. One example of this comes from my observations of this same Commissioner who I observed negotiating with the Government. What I observed raised fundamental questions about the extent to which the Commission allows for autonomous negotiations with the State at all. I was able to witness this Commissioner in negotiations with the State over the terms of an upcoming meeting with the Ministry of Commerce with the agenda of discussing the question of Afro-Colombians and the free-trade agreement. This gave me a window into the nature of some of the negotiations between High-Level Commissioners and high-level government officials. Below is a modified excerpt from my field notes:

While at the house of perhaps the most powerful commissioner¹¹⁶, I was able to witness her engaged in a tense conversation with one of the government officials in the Ministry of Commerce about an upcoming meeting to discuss the free-trade agreement. This meeting was to include the territorial commission of the High-Level Commission and high-level government officials from the Ministry of Commerce and other offices. The Commission is yelling at (negotiating with) a government official in the Ministry of Commerce and the whole time it is very clear that they have a long established relationship of negotiations. While it seems that they are arguing over benign logistics such as the number of days per diems will be covered, it becomes clear that there is more at stake. The Commission is actually trying to assure that the Commissioners (representatives of black communities) will have their finances covered to meet separately two days before the meeting with the government, in order to reach a consensus among the commissioners and to coordinate their approach to negotiating with the State. She told the woman "you don't seem to understand... we always have an autonomous

¹¹⁶ She sits on the boards within the commission that negotiate high-stakes issues, the free trade board, and the territory and development board, The President of the Commission actually told me that these are the only boards and individuals that the State actually negotiates with and involves on two-three people.

space, you have to pay for us to get there early to guarantee that we have our autonomous space to meet and strategize so that we are able to “confront” you guys.

This story could be understood as a testament to how black activists involved in the Commission strategically use the state. However it can also be interpreted as evidence of the movement’s dependence on the state as a guarantor and financier of social movements. The second reading is the conclusion that anthropologist, Kiran Asher came to. Likewise, I suggest that this event shows the lack of any sort of real autonomy of the commissions on black communities. They rely on the state to convene them, something that typically happens within the parameters of, and agenda set by, the state in accordance with its interests. More than financial autonomy, the more important question that this signals is: how critical of the State can the Commission actually be given the structure of this relationship and rules of engagement?¹¹⁷

Thus, a cynical but common view of the Commission was that the state has strategically sought out this space because whereas before their clientelism involved buying of huge sectors of the population including Afro-Colombian populations, with the emergence of a black political subject and structure of representation, government officials only need to buy off a small group of commissioners. In fact, this assessment may not be too far off the mark. Talking about the dangers of a recently passed decree that named High-Level Commissioners the only interlocutor with the State in cases requiring previous consultation on mega-projects, one High-Level Commissioner told me:

The High-Level Commissioners are the only ones that the government talks to.... that the government is going to consult with to assure previous consultation...if I was selfish, I would accept it...but you can’t because the government can buy us off, we are 30 people and the government can buy all 30 of us off, they can give us a big project and we could let them screw over the communities (High-Level Commissioner).

This has led some Afro-Colombian social movement actors to make more serious critiques at the Commission suggesting that the government is known to give personal favors, handouts, positions, and finance commissioners projects. This all calls into question the political autonomy and legitimacy of these institutionalized spaces.

In the end, it is profoundly important to analyze the nature of such spaces since behind these practices of ritualized participation is a high-stakes game. Beyond the state’s failure to guarantee the legally protected rights of black communities, the state has also been complicit in a wide array of repressive practices. Despite Colombia’s long history of formal democracy, the actual nature of politics in Colombia has been characterized by violent repression, rampant corruption, impunity and the radical and violent exclusion of the left from formal politics. Indeed Colombia’s advanced legal system is so much a part of reality in Colombia that Colombians often joke that “there are more laws than people” in the country. This paradox of formal

¹¹⁷ As an aside, the composition of the sub-commission that negotiated free-trade happen to also be the only people within the High-Level Commission who are actually pro-free-trade and for the agreement being negotiated between the U.S. and Colombia. Much of their language has painted other activists who are more critical of the Uribe administration and the free trade agreement as “enemies of the State”.

democracy and ritualized political participation, on the one hand, and everyday clientelism and repression on the other, has greatly limited black movements' ability to pressure the state at the national level.

Directly following Law 70, there were attempts to define what the participation of black communities actually meant in practice (Asher 2009). And while some successful attempts in incorporated alternative models of development and ethno-education into national policies, this deteriorated soon after. The titling of collective Afro-Colombian territory coincided almost perfectly with the exacerbation of violence and internal conflict in precisely these same areas. Serious human rights violations including massacres, political kidnappings, and the forced displacement of thousands of Afro-Colombian families from land recently titled under Law 70 have also plagued these communities. Further, the strategy of the Uribe administration (2002-2010) has been an increasingly militarized counter-insurgency, which has relied both on the national military, largely funded by the U.S. government, as well as extra-legal paramilitary forces. His administration's focus on foreign investment and free trade may also be at the center of the government's reluctance to title land in areas not yet titled, or to implement the remaining chapters of Law 70 dealing with natural resources, mining and development as all of these things threaten Colombian and foreign capital.

Yet, this has also coincided with a renewed interest on the part of the Colombian State in Afro-Colombian issues and a series of symbolic maneuvers by the government including appointing Afro-Colombians to cabinet-level positions, sponsoring high-level town hall meetings across the country to address Afro-Colombian issues through the Inter-Sectorial Commission on Afro-Colombians. The government also convened the National Consultative Commissions on Black Communities at unprecedented levels, and signed a number of agreements and development plans. This strange marriage between retrenchment and symbolic gestures has lead many activists to question the state's intentions.

These findings echo those of anthropologist Kiran Asher, who found that despite the plethora of meetings between black activists and state officials in the Proyecto Biopacifico in the period immediately following Law 70, there was little substantive participation. She explains:

The assessment of widespread and consistent among members of the black community: participation and respect for ethnic rights seldom transcended the rhetorical level in the practice of Proyecto BioPacífico and other state entities. Grassroots participation in development and in biodiversity was usually restricted to informing communities of ongoing and proposed plans for the region or incorporating local people as menial workers, assistants, and informants in research projects. (75)

Indeed, the creation of bankrupt spaces for political participation ridden with clientelism, and the exclusion of more radical organizations, has lead to the further bifurcation of a movement already fragmented by deep-seated regional and ideological differences. Indeed black Colombians do make choices about the extent to which they will inhabit the Colombian state and develop routinized relationships with government officials. However, they do so within the context of a state whose dominant form of engagement with civil society is either clientelism or outright repression. In this context, it is those that have been shut out of these institutionalized

spaces, and those that make the decision to boycott them, that are the most vocal and public in their critique of the commissions. In addition to raising questions about the legitimacy of and corruption in these institutionalized spaces, these activists have also begun to pave alternative routes to the Colombian state which allow them to exert pressure from a position of relative political autonomy.

Absorption: Institutionalized Black Organizations in Brazil

In contrast to Colombia where the most historic and important black organizations make up the more radical sector of the movement, similar organizations in Brazil have largely been absorbed into formal politics. This has happened through three related absorption processes: 1) the absorption of Afro-Brazilian organizations into political parties; 2) the absorption of individual activists into the Brazilian state's robust apparatus to address racial inequality; and 3) the absorption of Afro-Brazilian organizations into, and their increasing dependence on, state funding at the local and national levels. This multifaceted institutionalization process has left two small sectors within the Afro-Brazilian movement to raise questions of political autonomy: a radical sector of the MNU/CEN, and activists affiliated with a few internationally funded professionalized black NGOs. While both of these groups are suspicious of inhabiting the Brazilian state and participating in party politics, they have a slightly different critique of institutionalized politics, and have very different strategies and relationships with the state. I refer to the relationships these two autonomist sectors have with the Brazilian state as *alienation* in the case of MNU/CEN radicals, and *synergy* in the case of professionalized black NGOs. Despite these differences, these two sectors within the black movement have created political alliances at key moments in order to critique the state. However, given the dominant pattern of absorption of the Afro-Brazilian movement, their critiques have been attacked as divisive and their success has been limited.

Absorption into Party Politics

On June 1, 1980, the following statement was approved in the national meeting held in São Paulo establishing the Workers' Party of Brazil.

“The PT is in solidarity with the movements that defend other oppressed sectors of society and understands that respecting cultures and races helps to end discrimination in all of its manifestations, especially in economic matters. The struggle for the defense of indigenous cultures and territories, and the issues facing blacks are particularly relevant.

This historic statement was recounted in the publication “The Black Youth of the Workers' Party” written by Fernanda Papa an Afro-Brazilian activist and an influential member of the PT. Once a member of clandestine leftist workers groups in the 1970s, and co-founder of the student group Negros da PUC founded in the 1980s, Flavio Jorge now occupies one of the most influential positions within the Workers' Party: Director of Perseu Abramo, the Workers' Party Foundation, was one of the Afro-Brazilian activists that argued that participating in formal politics. While his trajectory within both the black movement and the Workers' Party reflects a more general trend of what Johnson (2006) and militants in Brazil call the “double militancy”, Flavinho remembers when the intersection between black movements and formal politics in

Brazil were thought to be inherently incompatible: “When we decided to go the Workers’ Party route, we were the minority. The black movement had a serious aversion to participating in political parties. They thought that that wasn’t the right path to go on. The PT just completed 30 years since it’s founding, and the great majority of us have been in the PT from the beginning...it wasn’t easy... The critique will always be there. (Interview, Flavinho Jorge, CONEN)

For Flavinho, that decision came relatively early in his life as a *militant* and during the foundational moments of the Workers’ Party in the early 1980s. Like many others who “opted for party politics”, Flavinho saw this political juncture as important for gaining the real political power necessary to address racial inequality and racism in Brazil. He explained: “I’m part of a generation that had the vision that in order to dispute power in Brazil, we had to do it from within political parties. It was there that the debate had to happen.” (Interview, Flavinho Jorge, Perseu Abramo Foundation/PT/CONEN). While today the overwhelming majority of black organizations in Brazil either have explicit or implicit ties to political parties, Flavinho explains that opting to participate in party politics or as he called it “the racial struggle inside political parties” was extremely criticized in the beginning: “At that time being from the PT was difficult. I can now say, calmly that we were right” (Interview, Flavinho Jorge, CONEN/Perseu Abramo Foundation). For many of the black activists I spoke with, the indicator that this route was indeed the “correct” route was the dramatic shift in the Brazilian state’s position on race and racism in the country including the high visibility of anti-racism and racial inequality within the government, the national debate around these issues in the country, the adoption of affirmative action policies throughout the country and the passing of Law 10.639 that makes the history of Africa and Afro-Brazilians mandatory in public and private schools in the country. Perhaps more importantly, the Statute of Racial Equality was passed in 2010, which set the legal framework for the adoption of affirmative action in the hiring of state workers in Rio de Janeiro in June of 2011.¹¹⁸

Many of these activists and former activists saw their involvement within the Workers’ Party and in autonomous black organizations as intertwined, if not one in the same. Jose Oliveira joined the Movimento Negro Unificado in Pernambuco the early 1980s and was also a founding member of the Workers’ Party in that state. Born in the neighborhood of Casa Amarela in Recife, a working class and poor neighborhood now infamous as a key site of social mobilization, for Ze, it was hard to disentangle his party activism from his black movement activism: He explained in an interview:

Our militancy in the MNU and our militancy in the PT is sort of indistinguishable, it’s the same thing. They are autonomous [spaces], but we often bring debates from the PT to the MNU, and vice versa. I always had autonomy, [I knew] what I had to discuss, I discussed things in their appropriate spaces. The objectives are different, one of them has political party concerns, the other social concerns. The political force within the PT is the black movement, and the MNU is influenced by the PT.” (Interview, Ze de Oliveira, MNU/PT)

¹¹⁸ There is much controversy and heated debates between black leaders around the Statute of Racial Equality, which I will discuss in Chapter 6.

Thus, while Zé saw the mission and objectives of the two organizations were distinct, he very much saw their struggles as parallel and intertwining struggles. For him, it was precisely this intertwining of struggles that has led to the transformation of the Brazilian state's position and policies on race and class inequality in the country: "the unity that the PT was able to bring into social movements helped this country a lot in becoming what it is today." He understood this as linked to a broader trend of social movements in Brazil seizing formal politics. Indeed, Alvarez (1990) finds similar patterns of double militancy and institutionalization a couple of decades before among the women's movement in Brazil.

In 2002, this process of absorption of the black movement would become accelerated with the election of Lula (PT) as president. While the PT had previously made official statements on racial inequality, in this period it became central to the party platform. Johnson (1998), for example, notes that while PT members accounted for the largest group among black members of congress between 1983-1999, "some of the PT's national leaders are still uneasy about the racial question (107). However, by 2000, that had changed substantially. The eventual receptiveness of the PT leadership to address the "race issue" came precisely through a decades-long investment by such individuals to address these issues within the party. Indeed, Lula himself was one of the authors of the proposal to create the Secretary for the Combating of Racism, and was a key supporter in and was present at the 1995 Zumbi March on Brasília. Thus, when the PT came to occupy the presidency in 2003 and win a substantial amount of seats in congress, the racial equality agenda had gone from being a party-specific policy to a state policy. Indeed, despite the important legal precedents that the FHC administration put in motion, the racial equality agenda was almost synonymous with the PT. This was apparent in an interview I conducted with Ambassador Gilberto Saboia, the head of FHC's delegation to Durban. He expressed that while Fernando Henrique was committed to the issue of racial inequality, "the Ministers thought that it was a PT thing" (Interview, Gilberto Saboia). He added that while they did not quite say this explicitly, they were resistant to moving on Durban and providing funding.

Black Organizations or Black Branches of Political Parties?

Beyond individual black activists official involvement and increasing influence in political parties, black organizations have also come to be absorbed into the political party structure. This second kind of absorption is exemplified in the creation of the National Coordinator of Black Entities created at the First Meeting of Black Entities held in São Paulo, November of 1991. While CONEN does not have its own website, much of their work is featured on the Workers' Party website, which in many ways reflects the strong ties between the organization and the political party. In an article entitled "National Coordinator for Black Entities (CONEN) and the 2010 Elections" published in September on then PT Presidential Candidate Dilma Rouseff's website, the CONEN leadership talk about the emergence of the organization. "CONEN represented the articulation of new forces within the black movement in Brazil. It guided the political struggle against racism in a more precise and planned way."

While it is far from explicit in the official discourse of CONEN, the organization was founded as an alternative to the MNU, which had been divided over the issue of representative politics and the pursuit of power within the state. As Flavio Jorge of CONEN explained: "In 1991, we had all of the national [black] organizations with us, with the exception of the MNU. They were all at this meeting and they all became part of CONEN, the Association of Black Parishes, UNEGRO"

(Interview, Flavinho Jorge, Perseu Abramo Foundation/PT/CONEN)¹¹⁹. As such, the new forces within the black movement that are referenced in this note were precisely those that were convinced that participating in political parties and representative politics was the only way to get the Brazilian state to take up the struggle for racial justice.

By forming CONEN, a sector of the black movement was able to develop a unified front of black activists on the left whose main objective was to occupy the state apparatus and bring the racial justice debate to formal politics. “All of them opted for CONEN because we had really strong political unity. The party politics issue didn’t divide us at that point. The black people on the right didn’t come in, they were excluded.” (Interview, Flavinho Jorge, Perseu Abramo Foundation/PT/CONEN). Thus, while CONEN included black organizations aligned with left and left-center political parties, there was what Flavinho called a “hegemony of black people who were militants in the PT”. In this sense, CONEN was also able to solve the eternal debate that divides social movements everywhere, and one that still continues within the MNU today, the political costs and benefits of participating in political parties. But even while this “hegemony” of the Workers’ Party within CONEN allowed for a kind of political coherence, as most of CONEN’s activists revolve around PT officials’ elections and taking stances in support of the PT administration, there closeness to the PT has lead some to question if CONEN and the PT are one in the same.

While CONEN’s objective to be involved in formal politics is explicit, the organization’s relationship with the Workers’ Party is often understated. In interviews with CONEN leaders and a perusal of official statements issued by CONEN, the organization asserts that it is politically autonomous. Similarly, UNEGRO, an organization with strong ties to the PC do B, is explicitly autonomous from that political party. Interestingly though, the two interviews I conducted with members of the national committee of UNEGRO took place in the headquarters of the Communist Party of Brazil (PCdoB), where they had their own office to conduct UNEGRO business. Thus, even the physical location of organizations like UNEGRO and CONEN place them solidly inside of political parties, making it hard to disentangle one from the other.

This is even more so the case since most of the efforts of both organizations have been in lobbying government officials, negotiating and consulting on legislation related to racial justice, and campaigning for leftist party candidates. Indeed, in 2001, while many activists from CONEN were involved in the preparatory process for Durban, none of them actually went to Durban because far too much was at stake since it took place during the height of presidential campaigns (Interview, Flavio Jorge). In 2010, in a statement posted on the PT’s website and on then candidate and now President Dilma Rouseff’s campaign page, CONEN clarifies its action around elections in Brazil since its inception:

Election periods have become one of CONEN’s constant preoccupations. While CONEN does maintain autonomy and is a non-partisan entity to ensure the political participation of black organizations, CONEN has taken a [political] position in these moments because we understand that what is in dispute are government programs and political projects that relate to the struggle of the black

¹¹⁹ Perseu Abramo Foundation

movement to achieve a Brazil without racism, sexism, prejudice and discrimination, in all its forms (CONEN).¹²⁰

Similarly, in December of 2010, in an endorsement of the PT candidate, UNEGRO stated that they “had been involved in an electoral campaign throughout the country” to elect Dilma because her victory would “make the gains conquered by the left in Latin America more stable, and contribute to the development of peoples who fight for peace, democracy and social justice.” (UNEGRO).¹²¹ This nominal autonomy, and actual political practices that seem to constantly blur the line between leftist political parties and black organization, make the question of political autonomy a tricky one, particularly around elections.

Further, much of the leadership of these organizations is also active, and sometimes influential members, of their respective political parties. In the case of CONEN some of the leaders (if not all of them) are quite influential members within the PT. Flavio Jorge, as one of CONEN’s founders, director of the Worker’s Party Foundation (Perseu Abramo) and member of the National Executive Committee in charge of Lula’s successful 2002 Presidential campaign is only one example of the entanglements between the PT and CONEN. Other notable cases of this “double militancy” are Afro-Brazilian activist Roque Peixoto, Youth Coordinator of CONEN and member of the PT’s National Collective to Combat Racism and Gilberto Leal, former member of the National Executive Committee of the PT and member of the National Coordinating Committee of CONEN. The same entanglement can be found among the ranks of UNEGRO, an organization whose leadership are also among the ranks of the Communist Party of Brazil.¹²²

Consequently, CONEN and UNEGRO leaders have become semi-official representatives of the black movement more generally, and the main interlocutors to the state under a PT administration. In this sense, such organizations have been at the center of a number of political deals of sorts including the more recent negotiations in congress around the passing of the Statute of Racial Equality. This was clear in a statement issued by CONEN: “After the victory of President Lula’s election, CONEN became the main center of engagement between the demands of the black movement and the elected government (CONEN Statement, September 2010). However, more than privileged interlocution, CONEN and black petistas also have a “monopoly” of sorts on the positions within the racial equality apparatus, something that Flavio Jorge was quite explicit about.

Flavio Jorge: For CONEN, it was our strategy. In 2002, we had an internal debate within CONEN, and for the first time, we, as a social movement organization, decided to endorse President Luis Inácio Lula da Silva. When Lula won the election, the presence of PT militants that are part of CONEN was really strong in

¹²⁰ A Coordenação Nacional de Entidades Negras (Conen) e as eleições de 2010

¹²¹ Taken from statement: “Unegro reafirma apoio a Dilma e elogia escolha de Luiza Bairros” issued December 2010.

¹²² Those critical of UNEGRO often talked about how the organization and the Communist Party of Brazil were one in the same. Various MNU activists told me that UNEGRO’s membership form included a box with an option to also become a member of the Communist Party of Brazil. This was not true of the UNEGRO membership forms that members gave me (fieldwork, São Paulo, 2010)

a very transparent way. The main positions in SEPPIR were occupied by leaders of CONEN and the PT... That was our strategy”.

Author: Why do you think there were so much critique at the beginning?

Flavio Jorge: Because CONEN controlled SEPPIR, but not because it was our decision. We didn't want to control SEPPIR, we wanted to direct it. We helped create it, so it's only fair that we are at the front of it. We are critiqued for this.

This sector of the black movement's access to high-level state officials is only possible because of the strong relationship between the leadership of CONEN and the PT. Thus, while CONEN leaders are adamant about the autonomy of the organization from political parties, black activists outside of the organization may be right in talking about the organization as the “black branch of the PT”. When one examines the political trajectories and profiles of CONEN's leaders, the nature of their activities and the positions they take, the organization seems to be heavily absorbed into party politics and the PT more specifically. The question, then becomes not if such absorption is bad, in a normative sense, to what extent are black movement organizations like CONEN effective in pressuring the state to fulfill its promises, or even go a step further and address other issues facing Brazil's impoverished black and brown populations?

Absorption into the State

By the early 2000s, and particularly in the wake of the Durban conference and Lula's election in 2003, using institutionalized strategies and being involved in political parties had become *the* legitimate way to engage in black politics in Brazil. Thus, while the personal trajectories of some black activists in Brazil had previously included stints in the government offices, the rise of the Workers' Party (PT) was a more massive presence of black activists in the state. Indeed, by this period, the promotion of racial equality was much more central to the Workers' Party political platform than it had ever been to previous administrations. The issue of affirmative action, more specifically, also reached a level of formal politics during the period leading up to the Durban conference that was unprecedented.

The centrality of anti-racism in the PT's party platform during this period was clear in a televised national debate between presidential candidates in October of 2002. The first question posed to candidates was racial quotas in higher education. In response to the first question asked of candidates about education, both Lula and Ciro responded that one of the ways they would improve education in the country was to establish quotas for black and poor people. “We have to pay our country's debt with black people. We have to increase educational credits for 186,000 students. A country that has money to finance multinational companies has to also have some money for students.”¹²³ When asked how he would determine who was black, Lula responded using language used by black movement actors, he responded: “many people, because they don't understand or because of prejudice, don't recognize that they are black, but there are scientific criteria¹²⁴ to determine who is black, who is brown, who is white. In the labor market, in education, you can see that blacks are historically marginalized”. This presidential debate at once

¹²³ Taken from the article “Lula and Ciro Defend Quotas for Blacks” published in the newspaper Folha de São Paulo, 10/03/2002.

¹²⁴ By “scientific” he likely meant that there were social scientific ways to define racial groups.

highlights the centrality of anti-racism in national political debates in this period, but also the internal arrangement and influence of black activists within the Workers' Party who had accompanied Lula patiently through two unsuccessful presidential campaigns in 1994 and 1998.

Afro-Brazilian former Senator, Benedita da Silva who introduced one of the earliest proposals for affirmative action in the Brazilian congress, talked about this important shift.

Today you have a political party discussing these questions, you have commissions and you have a federal government discussing these questions, introducing racial issues, and the occupation of space by the black intellectual class which was invisible and excluded. The role of the [Workers'] Party was fundamental (Interview, Benedita da Silva, Former Senator).

She added that the progress that had been made was undeniable. “[In recent years,] Brazil has not only advanced in its discourse/speeches or letters of intention, but in the execution of laws, the creation of the Special Ministry for the Promotion of Racial Equality with ministry-level status. She attributed this progress to the work done by black petistas as well as an executive branch that was committed to racial equality, legal norms, as well as the backing from their political party for guaranteeing that racial equality became a real priority for the Brazilian state. Indeed the adoption of legislation, creation of state institutions, and the implementation of policies related to racial inequality in Brazil, cannot be understood as the result of only disruptive and autonomous protest. Instead, the post-affirmative action period in Brazil reflects a trend toward institutionalization that was 20 years in the making and which included not only the absorption of black activists into formal political parties, but also the creation of black organizations with strong ties to political parties.

On January 3, 2011, Luiza Bairros was sworn in as Minister of Racial Equality of Brazil. In the mid-1990s, Luiza was a powerful leader in the black feminist movement and member of the National Coordinating Committee of the Movimento Negro Unificado (MNU) at a time when a considerable faction within the organization was still profoundly suspicious of the state. However, by the late 1990s, Luiza, like many others, left the MNU amidst serious internal battles around the question of political autonomy as well as key issues related to the structure of the organization and funding. After leaving the MNU and completing a doctorate degree in the United States, Luiza Bairros took up a position at the United Nations Development Program (UNDP), followed by a number of other positions in international development, and finally move on to be the Secretary for the Promotion of Racial Equality for the State of Bahia (2008-2010). While Luiza Bairros' trajectory is unique in some ways, is not unlike that of many Afro-Brazilian activists who started out their activism with radical anti-state organizations like the MNU, but who would leave these organizations to participate in party politics, form NGOs, and even take up positions in the Brazilian state (Covin 2006).

Today, some 600 government agencies to promote racial equality have been created at the municipal, state and federal levels in Brazil, and in most cases such agencies are filled with once-activists. Thus, while scholars doing fieldwork on the black movement in Brazil in the mid-1980s and even into the 1990s (Hanchard 1994, Covin 2006) likely found themselves meeting with black leaders in their homes, make-shift offices, community centers and schools in the peripheries in Brazil's major cities, the overwhelming majority of my interviews conducted

between 2008 and 2010 took place in political party and union headquarters, professionalized NGO offices, and a host of municipal, state and federal government buildings. This shift, as I have already discussed, rather than being unique to black movement politics, reflects a more general trajectory toward institutionalized politics in Brazil, or what some have called a “colonization of the Brazilian state” by social movements of a variety of sorts, under the umbrella of the PT.

In addition to a more robust structure of political participation within the state itself, black activists in Brazil have, in many ways infiltrated the political party system and taken the state up on its call for civil society participation through a plethora of councils related to gender, economic development, youth, and a series of other issues. Thus, while SEPPIR, at the national level, and other racial equality agencies at the local levels, are perhaps the most important entree point for black activists to participate in formal politics, it is not the only one. Black activists who occupy these spaces and participate in political parties tend to see this as the only form of politics.

Institutionalized Politics as the Only Form of Politics

Even while a contingent of black activists have publically critiqued the institutionalization of the black movement, the notion that institutionalized, formal politics was part of the natural evolution of the black movement was very entrenched and widespread throughout the country. These critiques were often overshadowed by the myriad of voices within the movement who talked about party politics as the only way of doing politics. While this was prevalent in most of my interviews, and particularly with CONEN and UNEGRO activists, this position was perhaps best articulated by Marta Almeida Filho, one of the most vocal leaders of institutionalization faction within the MNU. For Marta institutionalized politics were the only vehicle through which the black movement could actually impact the Brazilian state, and consequently change the lives of the Afro-Brazilian population. She asserted: “political parties are where [black] militants need to be. In political parties and through laws you can exert pressure, contest power, get funding to be a strong force, to execute [community] projects. That is our responsibility...that’s what we demand” (Marta Almeida, MNU Coordinator for the State of Pernambuco/Black Youth of the PT (JN13)). Marta’s comments are indicative of a shift in the political field, including both a change in the distribution of power and the political culture of Brazil such that social movements become absorbed thoroughly into the state.

For Jose Oliveira of the PT of Pernambuco and member of the MNU, institutionalized politics was the only way to “put our demands in practice” and to assure that black movement demands become state policy (Interview, Jose Oliveira). Edson França, President of UNEGRO, taking up positions within the state, political parties and representative politics was the site of “real political struggle” (Edson França, UNEGRO/Member of the Central Committee of the Communist Party of Brazil). He, like many others I interviewed, also contrasted this legitimate and pragmatic way of doing politics with the position of the “autonomists” who saw he saw as divisive and ineffective. When asked about the possible dangers of institutionalization, Edson Franca was visibly annoyed and responded in the following way:

Political parties are spaces of power. The black movement has to seek out power... You have to enter [formal politics] and when you do enter, you have to

understand that it's difficult. You have to fight, struggle, and create strategies in order to arrive there. Nobody is going to give you a spot. It is through political parties that we will have more city council persons, more deputies in [in the lower chamber of congress], that we'll have a president, governors, and mayors. Doing politics outside of political parties is an ideological strategy to weaken parties. In my opinion it's a conservative stance that seeks to get society out of politics. The less presence in politics, the easier to dominate. You have to be there. Staying on the outside doesn't serve any purpose, you have to be in the government, in SEPPIR, in [the Ministry of] Health. When the time comes to implement policies, you have to be one of the people that speaks, 'we have to go this route'. That is the real political struggle. (Interview, Edson França, 2010).

Other activists added that institutionalized politics (including taking up positions within congress, the state, political parties, and councils) was indicative of a particular stage or evolution of black movement politics. Gilberto Leal of CONEN explained: "we are in a situation where we can become more and more empowered and I think this is the tone of the black movement today, to continue to make things happen, denouncing, but also thinking that we need to be protagonists of power within Brazilian society, to be in positions of power. And we're going to fight for that (Interview, Gilberto Leal, CONEN). This imperative to colonize or occupy the state, then, was seen as the natural progression of the black movement, and indeed of social movements more generally in Brazil. And while Gilberto Leal had personally lived through these various phases of black movement politics as a former member of the MNU, the founder of a black NGO, and an influential person within the PT in Bahia, many of the black activists from the newer generation also talked about institutionalized politics in similar ways.

Afro-Brazilian activists who argued that black political participation and the racial justice struggle needed to happen within political parties, were also strong advocates for using the many other institutional channels to the Brazilian state, including SEPPIR and other state agencies dedicated to the "promotion of racial equality". While some of these activists recognized that there were some structural issues with these agencies including small budgets, they often felt that they were an important site in assuring the permanence of anti-racism programs, and policies within the Brazilian state. One activist talked about the many state agencies that have been recently created in the country, particularly at the national level:

SEPPIR is our own engagement, our privileged engagement [with the state]. We try to engage with the state through other means, but SEPPIR is our privileged form of engagement with the state because of the time SEPPIR has been around, because of the way that the Brazilian state functions, institutionalized politics. For us it's horrible to establish a dialogue with the government without the presence of SEPPIR because you end up stepping on their toes. If the goal of SEPPIR is to mainstream, to convince officials within the state so that racial equality policies can move forward, we cannot ignore their presence. We have to always establish a dialogue that is in harmony with SEPPIR. That is the role of UNEGRO, to work to make SEPPIR stronger. (Edson França, President, UNEGRO/Member of Central Committee of Communist Party of Brazil)

And while SEPPIR often did play the role of brokering and facilitating communication between the black movement and the Brazilian state more generally, many of the activists I spoke with, particularly those affiliated with professionalized NGOs, also spoke about having access to the Brazilian state beyond the specified formal channels associated with the promotion of racial equality apparatus. Jurema Werneck of Criola, for example has been a part of a number of civil society commissions advising the government on issues of race and gender inequality in the country. Further, Criola, one of the most established black NGOs working mainly on issues affecting black women, has had access to, and some influence over, health policy at the federal level.

When I asked her about accessing the Brazilian state in the post-Durban political context she responded in the following way: “This space has been conquered. The struggle to be recognized as an interlocutor [with the state] was an obligation. So we end up gaining access to those spaces, but when we get there, we have to hit, jump kick and scream the entire time in order to be (Interview, Jurema Werneck, Criola). Jurema had been a civil society member of the Council for Development, Economics, and Social Policy, arguably the most powerful council of the many that aim to establish dialogue between high-level government officials, experts and civil society groups. She explained that while she felt that the issue of racial inequality and her expertise in health was not always taken seriously within the Council since 80% of civil society members were representing business interests, the Brazilian state had no choice but to listen to her. “We were there because we fought to be there. The black movement fought. That world would not exist if it weren’t for our efforts (Interview, Jurema Werneck, Criola). When I asked her if each time a Council of that sort is formed at the federal level they have to fight again to be included, she explained that access wasn’t an issue.

MNU youth activist, Marta Almeida Filho has reinvigorated the debate around institutionalization within the MNU. In addition to being the coordinator of the MNU in the state of Pernambuco, Marta was also active in, and member of, a number of government-civil society councils both at the local and federal levels. When I met with her in Recife after seeing her at national black movement events throughout the country, her access to a host of municipal and state bureaucrats at the local level was also immediately apparent. Marta argued that the autonomists of the black movement needed to adapt strategies that were appropriate for the current political moment: “today we operate more within the social control perspective. We participate in the Forum for Black Youth, we are in state and municipal councils, Health, the Promotion of Racial Equality, Human Rights, LGBT. Our action is through councils, we also act through social forums” (Interview, Marta Almeida Filho). Marta’s experience participating in the many institutionalized spaces for political participation established specifically for issues of racial inequality was quite common, particularly at the local level and among youth activists involved with the PT. The people with whom these activists are likely engaging the state are themselves former black movement activists. This was the case with the Coordinator for the Promotion of Racial Equality in Olinda, Pernambuco, and the Secretary for Racial Equality for the city of Recife, both of whom were close to Marta and members of the MNU.

Inhabiting the Racial Equality Apparatus

While some black activists did hold positions within the Brazilian state prior to Lula, they were few and far between. Ivair Augusto Alves dos Santos is perhaps the most quintessential example

of the long, and difficult, history of black activism from within political parties and state institutions. Ivair, a member of the PSDB, started his career in the state in the Montoro administration as the director of first governmental agency to address racial inequality in Brazil: the Council for the Participation and Development of the Black Community of the State of São Paulo from 1983-1987. After that, Ivair would work in a series of positions within municipal and state governments, and would be called to lead the Inter-Ministerial Working Group set up by Fernando Henrique Cardoso and from this position, he would go on to be an influential member of the National Council for Combating Racial Inequality set up in preparation for Durban, and perhaps most importantly, would be one of the most influential people within Fernando Henrique Cardoso's administration on race issues.

As one of the few people working on race issues to continue on in the federal government after transition to a Lula administration, I asked him if there were differences in the political climate within the state under these different administrations. He responded:

[The difference was] huge! First, they had a lot more people. In my day in the administration of Fernando Cardoso, we had, in government positions, 5-10 people, max. They had 50-60. It's a brutal difference...in my time [in the government] we couldn't have even imagined that. They had people in different areas with lots of power, power that we didn't even dream to have during the Cardoso period. There were lots of people who had...lots of positions, and even today. People outside of the government have no idea how many more influential black people there are than in my day. And the resources they are dealing with, way more than we did. The only time we managed a lot of resources was during Durban, something like five or six million reals....you can't even compare this [to what they manage under Lula]. They had more resources and more people to do more effective work (Interview, Ivair Augusto Alves dos Santos, Secretary of Human Rights, President of the Republic).

For Ivair Santos, this increase in sheer numbers and resources contributed to a much more effective institutional climate to implement policies aimed at ameliorating racial inequality. Thus, while black activists had indeed been in previous administrations, and there had been some state agencies created to address racial inequality, there was an undeniable increase under Lula. Accordingly, this shift toward increasing numbers of black activists inhabiting the Brazilian state in many ways reflects not only a long trajectory of black activists' absorption into emergent political parties, but also the rise of the Workers' Party specifically, and the creation of a more robust racial equality apparatus within the Brazilian under PT leadership.

As it were, a large number of black activists have taken up positions within the Lula administration at the municipal, state and national levels. And even while these black activists and technicians would come into the Brazilian state in a relatively receptive political environment and to take positions within a high-level racial equality apparatus, they still had to negotiate their new role of occupying and representing the Brazilian state. While social movement theorists, and many of the more autonomist sectors of the black movement in Brazil would hardly consider many of them activists, they tend to see themselves as *militantes no estado*, or as militants or activists inhabiting the state temporarily, rather than representatives of the state. Their identity and position within the state was also made more complex because very

few of the people who occupy these positions within the state designed to address race issues are actually career bureaucrats. Instead, many of them often take up government posts and return back to their NGOs, academia or other types of organizations while not in office. Further, they would also find themselves in the predicament of acting as buffer between more critical factions of the black movement and the Brazilian state.

Carlos Medeiros, the Coordinator of Racial Equality of Rio de Janeiro and founding member of one of the most important black organizations in Rio, Institute for the Research of Black Culture (IPCN) is one example of the blurred line between “the movement” and “the state”. He served a number of times in different government positions as Chief of Staff of the Special State Secretariat for the Promotion of the Black Population, as aide to Afro-Brazilian Senator Abdias do Nascimento, and as Adjunct Sub-Secretary of Racial Integration in the Secretary for Human Rights and Citizenship under Garotinho. Even so, Medeiros often considers his time within the state as temporary, and never as compromising his identity as a black militant. When I asked Medeiros if he ever felt like there was a conflict of interest in his representing the Brazilian state, he responded: “I think that as long as you know where the limits are between social movements and the state, it can work, it really can work. You have to know, I’m a black movement militant, and am going to continue being a militant. This position, I’m going to occupy it for some time, but I am going to continue to be a black militant” (Interview, Carlos Medeiros). Indeed, despite his political and bureaucratic trajectory, people in Rio de Janeiro often reference Carlos Medeiros an important black *militante*, rather than an activist turned bureaucrat.

This blurring of the lines between the state and the black movement though, does place black activists within the state at the center of conflict. The first Minister of Racial Equality of Brazil, Matilde Ribeiro had participated in black organizations before named minister, but most of her work had been within the Workers’ Party. When I asked her about her position within the state and interaction with black movement organizations, she explained:

It’s a hard thing to have someone who’s been a long-time militant with the black movement become part of the state apparatus. Yet, I’m not the only person who lived this, and it isn’t just the racial question. A sizable chunk of bureaucrats within Lula’s administration come from social movements. You leave a position where your role was political agitation, or at least political formulation from the perspective of civil society to become part of the government structure, to represent the Brazilian State, that state that we critique so much. So it is an extremely difficult position to be in. And the dialogue is not always fruitful. Most of the time its conflict. (Interview, Matilde Ribeiro, Former Minister of Racial Equality).

This experience of eternal conflict, though, was the result of both resistance within the state itself to the PT agenda on racial equality, and the difficult task of representing the state vis-à-vis black movement actors. Though, as Matilde suggests, this dilemma, rather than being unique to black issues, was rather part of a larger question of what happens when social movements colonize the state. In the context of Brazil, this dilemma is hardly a black movement issue, but rather reflects the trajectory of a number of movements in the country (Alvarez 1990), and even more so with the rise of Lul and the PT.

Current Minister of Racial Equality and former Secretary for the Promotion of Racial Equality of the State of Bahia, Luiza Bairros also had her reservations about inhabiting the Brazilian state precisely because of the difficulty she knew she would face both within the state and outside of the state. She explained that while she was hesitant to accept an appointment in the state of Bahia, the black movement, black women activists particularly, convinced her to accept the appointment. She said “I didn’t decide, they decided for me. Because, to be honest, I never wanted to participate in this kind of thing. I thought it was complicated. I was someone who already had a critical evaluation of all of this, what these state agencies like SEPRMI [The Secretariat for the Promotion of Racial Equality of the State of Bahia] were about. I already had assessed them, and I would make this clear in all of the lectures I gave.” (Interview, Luiza Bairros, SEPRMI). Her critiques of these agencies had to do with their lack of an adequate budget and lack of power within the state apparatus to actually implement policies.

However, despite such difficulties, black activists through Brazil have decided to participate in party politics, occupy the state, and engage with the state through a plethora of different formal channels that did not exist in the 1980s or 1990s. In so doing, the black movement largely became absorbed into formal politics. While such absorption does not preclude important gains, it has arguably created a sort of dependence of black movements on the Brazilian state and on elections cycles that make it hard for them to develop autonomous agendas or organize outside of institutionalized politics. Perhaps the most central way that such dependence has been created has been through funding from the state and political parties.

Absorption into State Funding, Creating Dependence

The institutionalization of black activists into state structures and party politics is not the only way that the black movement in Brazil has been absorbed into the state. Organizations that do not explicitly endorse political parties and whom are nominally autonomous have also been absorbed into the structure of the local and federal Brazilian state through funding. Indeed, during my fieldwork in Brazil, nearly every even organized by black movement organizations included nicely printed posters typically with a host of logos of the event sponsors including “SEPPIR”, the national Lula campaign “A Brazil for Everyone”, “Petrobras” and local and state government offices. Throughout my time there black movement events and meetings were postponed, cancelled, re-organized or downsized based on the fiscal calendar of local and state governments, and at the whim of state officials and bureaucrats. And while black movement organizations as a whole in Brazil are largely under-funded, today, in some form or another, they do rely on the Brazilian state for funding. In talking to Afro-Brazilian activists about their activities, and attending a range of different events, it was clear that regional and national meetings, projects in communities, and even political marches and street protests were all funded by some agencies within the Brazilian state.

While the question of funding is a complex one, the hegemonic view among black organizations in the country is that the state has an obligation to fund black movement activities, a perspective which in itself reflects the depth of institutionalization. MNU (at the national level) is perhaps the only organization that has maintained a firm position against becoming a formalized NGO and against receiving funding from the state. While some leaders felt that a lack of financial autonomy was synonymous with a lack of political autonomy this perspective was very much a marginal one in the MNU and in the black movement at large. Indeed, many black activists

affiliated with MNU do indeed present projects to, and receive funding from, government agencies at the state and local levels to carry out community projects, hold MNU meetings and public events (informal interviews with MNU leaders). Even some of the most vocal opponents to institutionalization and government funding, for questions of necessity, have also found themselves calling on government agencies to sponsor their activities. And while the funding for the “promotion of racial equality” within the state is far from adequate given the magnitude of the issues, the organizational survival of most black organization depends, to some extent, on it.

Such dependence (financial and organizational) mirrors what Baiocchi, Heller and Silva (2008) call dependent associationalism or tutelage. Analyzing state-civil society relationships in local municipalities in Brazil, they suggest that cases where the state operates through associationalist ties with civil society, but where civil society organizations don’t have autonomy from the state creates a dynamic of tutelage. While many of the civil society-local state relationships they analyzed ranged from clientelism to associationalism and from dependent to autonomous civil society, dependent associationalism tended to be the model that developed over time in many of the Brazilian cities they studied. They argue that tutelage emerges when “the state invites participation without demanding allegiance, but is partnered with a civil society that does not have the resources to organize its claims independently” (920). They argue that while in this model civil society organizations do have greater access to the state, such access happens on the terms set by the state. Further, and certainly in the case of black movement organizations, such dependence tends to curb critiques of the state, limit the repertoires of organizational action, and take away organizations’ leverage against the state.

A former high-level official of SEPPPIR discussed some of the dangers of black organizations’ dependence on the state, and the funding related to the racial equality apparatus within it. He argued that while some of the major black NGOs that receive international funding have been able to develop more autonomist relationships with the state, the majority has developed a financial relationship, rather than a political one, with the Brazilian state:

There is another segment of black movement NGOs that have reached a level of projection that has a more direct relationship with SEPPPIR. These are the NGOs that depend on projects supported by SEPPPIR, or sometimes SEPPPIR makes connections for these NGOs. But also institutions that SEPPPIR has a political interest in. The relationship between SEPPPIR and these institutions, I would dare to say, is not very politicized. It’s a relationship of airline tickets, hotel bills, that kind of thing. That was something that shocked me when I began to work at SEPPPIR, because a lot of times the conversation wasn’t political in nature. The best conversations I had with NGOs were with the ones that I didn’t have any formal relationship to. The conversations with the one that SEPPPIR did have a formal relationship with, the discussions was very much like ‘Look, I need this many tickets’, it was very much about logistics, it wasn’t almost a physiological relationship, almost, but one that brings down the quality of dialogue with civil society. It was something that made me uncomfortable. (Interview, high-level SEPPPIR official).

For this state official, the problem with this relationship between the state and civil society was that civil society organizations did not have the capacity or desire to make serious political

demands on the state, demands that black officials within the state could use to push policies forward. However, with the exception of a few more radical members of the MNU, many of the black activists I spoke with saw no problem receiving money from the Brazilian state to sustain their activists. Indeed, rather than a situation of dependence on the state, they often saw the funding of movement activities as the state's obligation.

After having completed fieldwork in Colombia, where an organization's relationship with the state, including if they receive funding from the state, was perhaps the most contentious issue in the black movement. I was prepared to ask similar questions around political and financial autonomy in Brazil. When I asked Helio Ventura, of CONNEB, a national organization that received most of its small budget from SEPPIR, if the organization could be critical of the government, he answered:

We really should to be a little more [critical]. It's not that we will end up not holding them accountable, not critiquing them when we have to, commending them when we have to, but the situation is a bit complicated, delicate, because the resources of CONNEB come from SEPPIR. We don't think of this as a favor, especially since SEPPIR is an agency housed in the Office of the President of the Republic, and the Brazilian state is a signatory of the Durban Conference so it is obligated to do a series of things to promote racial equality in our country. So if your congress has this mandate, it is SEPPIR's obligation, the Brazilian state's obligation to support us. (Interview, Helio Ventura, CONNEB).

This notion that the state had an obligation to fund black movement activities was quite widespread. Perhaps even more prevalent, though, was the idea that the black movement had to be funded in order to mobilize at all, or engage in politics in any form. In many ways, the creation of this sort of financial dependence, much like the absorption into formal politics, had become the main way of doing (black) politics in Brazil.

Conclusion

Certain sectors within the black movements of both Colombia and Brazil have become institutionalized into the state. However, they have done so through different processes, in different political contexts, and into different parts of the state. This all suggests that not all institutionalization is created equally. These differences have as much to do with what kind of access to the state black activists in Brazil has, and the ways in which Afro-Brazilian activists have engineered their political participation over time. Whereas black activists in Colombia find themselves in a precarious middle space between the state and the movement, between strong legal protections and little power to influence their actual implementation, the black movement in Brazil has access to the state itself, and considerable power and influence within it.

And while not every black activist or organization in Brazil has decided to participate in formal politics in this new period in Brazil, institutionalization has become nearly hegemonic within the black movement in the country. Thus, while some of the activists I spoke with in Brazil did critique the absorption of the black movement into the Brazilian state, the majority of my interviewees saw them as a small group of a couple of "irrelevant", "radical" individuals who were stuck in time, rather than a serious contingent within the movement. This was in sharp

contrast with Colombia where the more radical movements who refuse to inhabit institutionalized spaces, were seen as more legitimate than those that occupied institutionalized spaces. The fact that much of the success of black movements 1995 to the present has happened, in part, through institutionalized politics raises questions about the conditions under which institutionalization can be an effective social movement strategy. Particularly, access to, and influence within formal politics as well as access to powerful parts of the state like the executive branch and more transparent processes of negotiation, simultaneously allows for some effectiveness in pushing racial equality policies from within institutionalized spaces, while also creating a certain kind of dependence on the state.

But while the Brazilian state's associational logic of incorporation is not without its downfalls, it does create the space for demand-making from within the state in ways that are much more difficult in the Colombian context. Yet, there is no doubt that black activists in Colombia and Brazil have also made decisions about if they want to develop sustained engagement with the state. These differences in state logics, paired with the different decisions made by movement actors in each case, profoundly impact not just the nature of state-movement engagement, but also internal social movement dynamics including their organizational forms, strategies, and internal contestation. I now turn to a discussion of those black movement actors in Colombia and Brazil that refuse to become institutionalized.

Chapter 6

Demanding Autonomy from the State

As the Brazilian and Colombian states created spaces for political representation for black populations, some activists and organizations quickly occupied them, while others continued to keep the state at arms length. Activists' refusal to become institutionalized often stems from deeper ideologies about the nature of the State, but also reflect a critical analysis of the nature of political participation for black populations in this new political field. Indeed, in the post-reform period more radical organizations and individuals still remained profoundly suspicious of the intentions of state actors, and pessimistic about the possibilities for improving the lives of the black population through formal political institutions. For many of these activists, the problems facing black populations had only begun to be addressed. Further, they also firmly believed that in order to pressure the state to make good on its promises, or adopt new policies to address other issues, the black movement needed to maintain its political autonomy from the state. Thus rather than see these institutionalized channels as spaces for true political participation, they often saw them as the key site of a de-politicization, demobilizing and cooptation of the black movement. In this context, these more autonomist organizations and activists in both countries have resisted institutionalization by refusing to occupy formal spaces for participation and using alternative strategies to pressure their respective states.

In this chapter, I use ethnographic and interview data to analyze the sectors of the black movement in Colombia and Brazil that resist formal participation. In this, I will show how they continue to organize, but how doing so requires them to shift their strategies to reflect this new political context. In both cases, these more autonomist sectors of the black movement have constructed alternative routes to the state, and have also turned their efforts toward the delegitimization of institutionalized black activists, something that has led to new internal conflicts within the black movement. However, while this segmented process through which some movement actors institutionalize has happened in both countries, the effectiveness of these more autonomist or radical movements are different in the two cases.

More specifically, whereas autonomist sectors of the Afro-Brazilian movement are largely alienated from formal political debates because of their refusal to engage with the state, more radical Afro-Colombian activists have found alternative routes to the Colombian state that allow them to pressure the state in ways that institutionalized sectors of the movement cannot. Thus, while black movement actors in both countries raise questions around institutionalization and cooptation, it is simply not the same thing to engage with the Brazilian and Colombian states for several reasons. First, whereas the black activists that assert a kind of radical autonomy in Colombia do so facing a repressive and clientelistic state that has attempted to undo all of the recent gains made by the movement, those in Brazil do so in the context of an associationalist and more democratic state, in the period of a leftist administration. Second, there are fundamental differences between the Brazilian and Colombian states' logics of incorporating black movements, differences in the nature of these participatory structures for black issues and where they are placed within the state (as discussed in Chapter 4). Third, the relative influence of international actors, and accessibility of funding also profoundly shape the nature of more autonomist struggles in these new contexts of institutionalization in different ways. As we will see later, international funding and external leverage both determine if these movement actors

can maintain political autonomy from the state, which is also linked to their ability to exert political pressure and influence from outside institutionalized spaces.

Understanding how more autonomist black activists in Colombia and Brazil navigate this new political field characterized by limited reforms and what seems to be an unstoppable wave of institutionalization can tell us a lot about social movement institutionalization more generally. As Della Porta and Diani (2006) suggest: “one must not forget that changes in specific organizations do not necessarily all take the same direction: the institutionalization of one organizations can go along with the radicalization of another, and the overall profile of a social movement sector may remain relatively stable over time as a result (151). Thus, even in the case of movements that have been successful in making claims on the state, we must still ask questions about social movement survival and their ability to influence the state over time. Given the segmented nature of social movement institutionalization, such an examination requires attention to both institutionalized and radicalized sectors of a given movement. This insight into internal social movement relations is particularly important given that the cleavage between those activists with close relationships with the state, and those that refuse to become institutionalized, has become the most serious division within the black movements in both countries.¹²⁵

Alternative Engagement: Autonomist Black Organizations in Colombia

While there are many regional and ideological differences between different Afro-Colombian social movement actors and organizations, the divide between those organizations close to the state, and those that assert both political and financial autonomy from it has increasingly become the most salient cleavage in the Afro-Colombian movement. In this, the Commissions on Black Communities, and particularly the High-Level Consultative Commission¹²⁶, are at the center of struggles over representation, legitimacy and authenticity in the Post-Law 70 period. In fact, the division between more institutionalized sectors of the Afro-Colombian movement and those more autonomist and radical sectors of the movement was so engrained that one activist called this the “black movement over here” and “commissions over there” phenomenon. Indeed, for many of the major black organizations in the country, the commission structure was bankrupt. They also made it clear that the Commissioners that occupied these spaces were corrupt individuals swayed by government pay-offs, and thus, were not the legitimate representatives of black communities.

Institutionalized Spaces as Corrupt and Illegitimate

The majority of Afro-Colombian activists I interviewed held that the Commission’s structure was not the best vehicle for effective negotiations with the state because of the lack of financial

¹²⁵ The cleavage between these different sectors of the black movement in both countries was perhaps the most difficult challenges I faced while conducting fieldwork in Colombia and Brazil. Much of my time in the field required me to distance myself from these two different poles as much as I could, and try to understand the perspectives of both the more institutionalized black activists and more radical ones. Doing so without alienating either of them was truly a challenge. I was constantly challenged to take a position in my interviews with activists, and my choices of friends, places I frequented, and people I interviewed in both countries were scrutinized and typically read as political decisions that placed me in one of the two camps. For a more detailed discussion, please see the Methodological Appendix.

¹²⁶ The High-Level Commission is essentially those commissioners elected from within the Departmental Commissions to represent black communities at the national level.

and political autonomy, embedded in the structure itself. However, they also blamed the rampant “*politiqueria*”, or corruption and political manipulation for personal gain, was launched at both Afro-Colombians who occupied the Commissions and the special seats in the House of Representatives, as the culprit for the state’s rolling back of Afro-Colombian rights. Throughout my interviews with those activists representing more autonomist sectors of the Afro-Colombian movement, as well as some commissioners themselves, were explicit in their charge that some representatives of black communities sold over the rights of black communities in exchange for government handouts and bribes was not only widespread during my time in Colombia, but very explicit.¹²⁷ In more concrete terms, they accused commissioners of authorizing development and private sector projects in collective territories in exchange for money, signing documents stating that local communities had been consulted on things they were not aware of, and promoting the free trade agreement with the United States in the name of black communities without actually consulting them. While nobody I interviewed denied the importance of the Commissions and two seats in the House of Representatives for Afro-Colombians on paper, the majority did raise serious questions about the effectiveness, transparency, and legitimacy of these spaces and the people that occupy them. It was this combination of the Commissioners having the power to engage almost exclusively with the state, paired with the lack of political autonomy, that many activists saw as dangerous for the movement and black communities more generally.

In fact, it is difficult to overstate the prevalence of an anti-commission sentiment among Afro-Colombian activists, even among current commissioners. One High-Level Commissioner I interviewed was much more explicit about what kinds of interests they perceived to be at play:

Today we are worried about the High-Level Commission because we believe that it hasn’t fulfilled its goals, it hasn’t served the purpose that we thought it would and we think that it has turned more into a body that is in the pocket of the government, they insist on saying that they are opening spaces, but in terms of substance, in terms of rights and the positioning of rights for us, I think that it hasn’t contributed much because the vision of the government has been to utilize the Commission for it’s project and for it’s political interests instead of advancing the recognition of rights (Dionicio Miranda, Procesos de Comunidades Negras/High-Level Commissioner).

And while the resources that the Colombian state allocates to Afro-Colombian organizations to implement policies related to Law 70 are not abundant, many activists and even the former director of the Office on Black Communities expressed that many people have created organizations to “sacar provecho”, or take advantage of the situation for their personal benefit.

The susceptibility to cooptation is a function of its structure that most Commissioners actually recognize. This has led some Afro-Colombian social movement actors to make more serious challenge to the Commission suggesting that commissioners receive give personal favors, bribes, government posts, and community projects through negotiation with the state. This type of

¹²⁷ During my fieldwork, it was also clear that Afro-Colombian activists were able to take advantage of bureaucratic holes, the demise and creation of different agencies, and personal relationships with government officials to advance their own personal interests or those of their organizations/movements. Activists in the Commissions, particularly the national ones (High-Level Commissions) are best positioned, and many think are more likely, to take advantage of these things.

exchange, for obvious reasons, calls in to question the political autonomy of institutionalized sectors of the Afro-Colombian movement.

Furthermore, the systematic undermining of the legitimacy of the Commission by Afro-Colombian activists outside it also was linked to the question of accountability to “las bases” or the grassroots. Indeed, many activists questioned the Commissions accountability to the communities and organizations they are meant to represent. An activist of OBAPO, one of the organizations at the center of the constitutional reform process and the making of Law 70 said: “A couple of comrades from the Chocó participated in the High-Level Commission, but it’s neither here nor there (*ni fu, ni fa*), because they go there when they are called, they score big, and they don’t even come here. It’s not like before when they would build consensus. Practically nothing happens with the Commission, nothing happens.” (Interview, Mariluz, OBAPO). Part of the reason that these organizations felt that the Commission was ineffective was the lack of accountability and transparency built into the structure. Many activists I interviewed felt that if the Commissions were to continue at all, there would have to be more accountability to communities and to “the movement,” which many saw as presently distinct from the Commission.

The Chocó is a region where such internal contestation between commissioners and some of the most recognized black organizations has been the most heated and public. Nicolasa Machado is a long time activist with COCOMOPOCA, an ethno-territorial organization this region, which has lost a number of leaders do to political assassinations. Further, despite 15 years of attempting to gain their collective land title and exercise their right to traditional forms of mining, their legal pleas have been systematically ignored and denied by the Ministry of the Interior and the Ministry of Mining. Nicolasa talked about her concerns with the commission today, contrasting it with previous ones: “There was a time right after Law 70 of 1993 was passed, it was in 93, the Commissions continued to function, both the department-level ones and the national ones, but around 2000, no, it was 1999, before, it started to function badly” (Interview, Nicolasa Machado, Regional Community Council of the Popular Peasant Movement of the Atrato River (COCOMOPOCA)). She added that more recently the commission has substantially “weakened the movement”. Like many, she attributed this change in effectiveness of this formal space for participation to the tendency of opportunism and corruption of commissioners. This idea of the commission was almost always contrasted with the commissioners of the earlier years, or historic leaders of the large Afro-Colombian organizations central to the passing of Law 70, both of which were seen as legitimate representatives of black communities.

In this context, the grassroots organizations that were responsible for pressuring the state to adopt Law 70 in the first place including PCN, ACIA and ACABA, since 2000, have not been adequately represented within the Consultative Commissions. Instead, newer actors with fewer ties to the grassroots have become the official representatives of black communities. This has happened for two reasons. First, larger organizations with longer histories of grassroots following being pushed out of the process because smaller organizations and even individual activists have an advantage in the election process. Second, black organizations critical of the commission have boycotted it, effectively ceding the commission to the forces of corruption that they critique. While this exodus of larger and historically recognized black organizations has lead to a crisis of legitimacy of the commission, this body continues to be the main channel for black participation in Colombia.

Given the lack of autonomy of the commissions paired with continual retrenchment and increased violence of the Colombian government, many Afro-Colombian activists have boycotted the Commissions altogether and looked to other ways of engaging with and pressuring the State which have included using other vehicles for participation such as local “mesas de concertación” constructing national parallel structures of representation, and utilizing external allies and transnational advocacy networks to pressure the State from outside¹²⁸. I will briefly discuss how each of these strategies have become increasingly important for black activists to negotiate with the Colombian state from a position of relative autonomy.

An Unsuccessful Attempt to Create an Alternative to the Consultative Commissions

One of the most concrete testaments of this crisis of legitimacy of institutionalized spaces for black communities in Colombia has been the various attempts to create alternative organizations of black representation at the national level. Given the continued questioning of the legitimacy of the Commissions, some activists have argued that it should be utilized as *one* channel to the State, not the *only* channel. In a public hearing held by the Senate to evaluate the implementation of Law 70, one activist argued:

The discussions about Afro-descendants need to be had at the level of the Commissions, but not only through the commissions. Other organizations should also be there to put real things on the table that they are interested in. We need to take back that attitude that the commissions are not the representatives of blacks in Colombia. They are a channel through which organizations can put issues up for discussion and debate, which they are interested in...in terms of being the voice of the communities, they are one channel to open debates.. We need to correct that incorrect vision that the commissions are the representatives of Afro-descendants. There is a lot of “work to be done...”

This activist saw the Commission as one mechanism for change and argued that essentially there is enough room for everyone to be involved in the movement. In this vein, and amidst the crisis of legitimacy of the Commissions, Afro-Colombian leaders of the all of the most recognized national organizations including Cimarron, PCN, some organizations affiliated with Afroamérica XXI, created the National Conference of Afro-Colombian Organizations (CNOA). It was perhaps the most important attempt to build consensus among Afro-Colombian social movement organizations, both rural and urban.

In addition to consensus building, leaders saw CNOA as an alternative, and more autonomous structure for Afro-Colombian unity and representation than the Commission structure, which was seen by many as lacking legitimacy and accountability. The current director of CNOA, Padre Emigdio of the Afro-Colombian Pastor, explained:

Look, the High-Level Commission is the formal and legal space of [black] organizations and the government, CNOA through its organizations, allows for

¹²⁸ Actually, given the power of the United States government in domestic politics in Colombia and the large amount of aid that goes to Colombia, it may be more accurate to say that going to the U.S. to shame and pressure the Colombian government is more than pressuring from “outside” and more like pressuring from “above”, or like asking to see the manager.

much more autonomy and it also is a response to the crisis of the Commission. From our perspective, the Commission is not serving as a liaison or mediator like it should be... there hasn't been a dynamic of participation, there hasn't been any consultation, no generational change or anything. The Commission has become a constrained/captured space that responds to the interests of the government, it meets when the government calls them, they sign what the government wants, they don't discuss things with the grassroots, and what is even more serious is that there are commissioners that are nominated because they belong to organizations, a lot of times they actually lose their organizations and they create other organizations just to stay in the Commission." (Interview, Padre Emigdio, Pastoral Afrocolombiano/CNOA).

He referred to this as the "myth of engagement" problem, alluding to the many empty rituals of political participation that take place between commissioners and government officials. And while CNOA was a serious effort to unite many different factions of the Afro-Colombian movement, the organization fell apart in 2005 due to charges of embezzlement of organizational funds, and the withdrawal of major organizations like Cimarron. Today the organization largely serves as a technical disseminator of information among different movement actors rather than a consolidated political force with clear strategies or points of consensus. Further, since the downturn of CNOA in 2005, the Government has taken a renewed interest in Afro-Colombian issues while at the same time continuing strategies of retrenchment, making the need for a unified Afro-Colombian front and more autonomous mechanisms for negotiation with the State all the more crucial. In the context of this failed attempt to create powerful alternatives to the Commission, activists turned to two other strategies: the public delegitimizing of the commission and transnational strategies.

Delegitimizing Institutionalized Spaces

One of the strategies some black organizations in Colombia have used to delegitimize institutionalized spaces like the Consultative Commission, is to not participate in elections. Yet while this de-facto boycotting of commission elections by recognized and larger Afro-Colombian organizations profoundly challenges the legitimacy of these spaces, it also cedes these important spaces to people not typically linked to strong grassroots organizations. When I asked one activist of one of the most effective national Afro-Colombian organizations, The Association of Displaced Afro-Colombians (AFRODES) about if they would be participating in the upcoming commission elections, she responded: "Well, AFRODES did participate from 2005-2008 in the city-level Commission. This November will be the election of the next assembly to elect the new city-level commissioners and AFRODES has decided not to participate because there are not real conditions to participate in that space, there is not much will on the part of the government ..." AFRODES, along with a number of other notable Afro-Colombian organizations have launched an effective boycott of the Commission. Rosalba Castillo of Afroamérica XXI explained how many reputable organizations had decided to "distance themselves" from the Commission including Black Communities' Movement (PCN).

Yet more than non-participation in the commission, these organizations would launch public critiques or *denuncias* at it in order to upset the rituals of political participation set up by the Colombian state. There hope was that these *denuncias* would expose some of the underlying

concerns of corruption and clientelism in such institutionalized spaces. While these battles over representation are continual, they play out in public ways particularly around commission elections and when high-stakes negotiations between the government and commissioners are taking place. An attempt to reform the commission structure and the subsequent elections held in 2008 offer a window into these internal dynamics. More specifically, these events at once shed light on the strategies used by more autonomist Afro-Colombian movements to disrupt institutionalization, and demonstrate what is at stake in these battles over political representation.

Late 2008 marked a critical time in the re-configuration of Afro-Colombian movement hierarchies and internal contestation. In the months leading up to commissioner elections that year, a number of important issues like the Free Trade Agreement with the U.S., high-level decisions related to the right to prior consultation and a number of controversial state-led meetings on where black populations fit in the development plan of Colombia led many to question the monopoly on black political representation commissioners had in these critical negotiations with the Colombian state. In this, many activists from larger and more historic organizations like OBAPO, PCN, and COCOMACIA who had preferred to use other avenues instead of the commissions to pressure the state, returned to elections in 2008.

In September of 2008 a few months before the elections for department commissioners were supposed to take place, the Ministry of the Interior issued a decree that would drastically change the structure of the commission and the process through which commissioners would be elected. The stated objective of Decree 3770 was to “standardize” the Commission’s election process and reform the criteria through which organizations and community councils register with the Ministry of the Interior. The Decree increased the bargaining power the Commission on some provisions, but also included provisions to ban the re-election of Commissioners and requiring a higher minimum number of people to constitute a registered community council or grassroots organization. These reforms were political in nature and threatened to reconfigured hierarchies within the movement such that the commissioners who had been career representatives of the black community, would no longer play that role. And while the decree was proposed by the Colombian state, many activists (including commissioners) interpreted this move by the Director of Black Communities to be heavily influenced by more autonomist sectors of the Afro-Colombian movement, namely PCN. This threat of undermining the commission caused many of the entrenched High-Level Commissioners to begin a campaign against Decree 3770.¹²⁹

While many Commissioners saw Decree 3770 as “the decree that terminated the Commissioner”, activists not represented in the Commission saw it as a mixed bag of necessary reforms to the structure of the Commission and dangerous provisions.¹³⁰ The relationship between the movement and the state is central to understanding the internal dynamics of the black movement in Colombia. The constant struggle over legitimacy and representation is one that plays out with

¹²⁹ This wouldn’t be much of a concern if Commissioners were represented organizations with solid organizational structures and might designate any number of people within the organization to sit on the Commission. However, because most commissioners operate as individual activists, it was a major concern for them.

¹³⁰ This is because, while Decree 3770 looks highly administrative at first glance, the reforms included deal directly with deeper issues of human rights and capital interests, as it gave the Commission all power to negotiate with the State around issues of previous consultation. Consequently, some saw this proposal to increase the power of the Commission as dangerous and that it would pose threats to the protection of human rights and land in rural Afro-Colombian communities.

high levels of intensity precisely in the context of meetings between the black movement and government officials.

A Failed Attempt to Reform the Commission

In December of that same year the Colombian government sponsored a meeting in Tumaco that would include nearly 300 people among them black activists from local rural community councils, national urban/rural organizations, and the High-Level Commissioners. The goal of this meeting was to give these diverse sectors of the black movement and black communities an opportunity to dialogue directly with high-level government officials including the Minister of Agriculture, the Minister of the Interior, and the Minister of Agrarian Affairs¹³¹ of the Interior, and other high-level government officials about Decree 3770 and discuss a number of other sensitive political issues. By the time of the meeting, the Decree had already come to the center of political mobilization by the commissioners who were hanging on fiercely to their power and monopoly on negotiations with the Colombian state. In addition, the government was supposed to set out a roadmap for the full implementation of Law 70, and address the serious environmental and economic problems resulting from the large-scale palm oil businesses that had been at the center of the Uribe's administrations development project during the meeting in Tumaco¹³². This direct engagement between local Afro-Colombian leaders and activists from organizations that had been pushed out of the Commission amounted to a momentary democratization of black representation in Colombia. Indeed the more radical sectors of the black movement in Colombia such as PCN saw the Tumaco meeting as opportunity to re-seize the commission and establish a different type of engagement with the state that was more politically autonomous.¹³³

Even so, after two days of strategic moves by commissioners and lobbying of government officials on the grounds that the Decree itself was a violation of the 1991 Constitution, the final Decree would not include all of the changes it had initially. Under Law 70, this Decree, like all decrees related to black communities in Colombia was subject to the obligatory process of consensus building between the government and Commissioners themselves. However, the government did not comply with the legal criteria for this consensus building.¹³⁴ Instead, the Ministry of the Interior began to draft the Decree with the High-Level Commissioners, but the final decree adopted (temporarily) by the government had not been vetted by the commissioners. In the months following the Tumaco meeting, commissioner elections would go on as usual, and many of the same High-Level Commissioners would be elected after all.

The departments of Valle and Chocó, both regions in the Pacific Coast with the largest black populations in Colombia, are also the sites of the most contentious conflicts between black

¹³¹ INCORA is a subdivision within the Ministry of the Agriculture and Rural Development. It was replaced by INCODER on December 31, 2007.

¹³² I participated in the actual meeting as well as the three-day pre-meeting with PCN activists.

¹³³ Ironically this happened in the height of a controversial period in which President Uribe was hoping to change the constitution of the country to allow for (his) re-election.

¹³⁴ To exacerbate the situation, the actual Decree that did get the approval of the speakers for the community, was a Decree proposed to define the mechanisms for such approval. Some activists argued that the Decree also created a system of previous consultation which favors the state and companies and set the terms of the Commissioners in such a way as to leave the community "without protection" while the government approved a series of bills that would require having speakers.

commissioners and those outside of the commission. In the Department of Valle, where there are nearly 600 organizations representing both rural and urban black interests, PCN only won only one of the six seats in the Department Commission. In the Chocó, the results of the election were even more imbalanced, with none of the major ethno-territorial organizations being represented in the Department Commission elected that year. And while the Valle election was quite contentious, and even ended in a physical altercation during the election process, the election of Chocó commissioners was charged with even harsher “irregularities”. In both cases those shut out the commission were from organizations representing the overwhelming majority of rural black communities in the department.

Immediately following elections in both places a series of public statements were issued protesting the election results, charging political manipulation, unfair procedures, and uneven representation of commissioners from different regions within these departments. In these *denuncias* (denunciations), rather than justify their legitimate right to represent black communities in the language of representation set up by the Colombian state (commissions, elections, etc.), these *denuncias* were explicit about their representing the grassroots. For example, in one of the *denuncias*, representatives of nearly all of the larger ethno-territorial organization of the Chocó state that they represent a territory of “more than two million hectares” and a “population of nearly 200,000 people.”¹³⁵ This notion of representation and legitimacy was in stark contrast with the commissioners who they argued were not the real representatives the black communities in that region.

The debates over Decree 3770 and the subsequent denunciations of the Commissions illuminate fundamental issues of representation, the crisis of legitimacy within the Afro-Colombian movement, and fundamental problems with the official spaces for participation set up by Law 70. Even so, the story of Decree 3770, much like the rise and fall of CNOA, represent failed attempts to usurp the commission structure. In this context, then, more radical black activists have turned to other avenues to pressure the Colombian state, the most important one being the consolidation of transnational advocacy networks as a way of pressuring the Colombian state from a position of relative autonomy.

Constructing a Transnational Route to the State

In the late 1990s, national Afro-Colombian organizations like Afroamérica XXI, The Association of Afro-Colombian Displaced Peoples (AFRODES) and Procesos de Comunidades Negras (PCN), began to develop direct relationships with international actors by leveraging transnational ties to pressure the Colombian state to comply with Law 70 and to deal with emerging issues facing black communities in Colombia. While utilizing a transnational strategy does not mean that organizations do not simultaneously engage with the state through the Commission structure, many of the organizations that have oscillated between inhabiting and boycotting such institutionalized spaces at different times. This oscillation reflects a fundamental contradiction in the position of ethno-territorial black organizations like PCN who at once fight for political autonomy and *espacios propios*, but who also depend on the state to act as the guarantor of such autonomy (Asher 2009). The leveraging transnational networks and alliances provided a way to negotiate with the state from a position of relative autonomy.

¹³⁵ Taken from denuncia titled “, dated September 18, 2009.

For Keck & Sikkink (1998), the boomerang effect occurs when non-state domestic actors face blockages in would-be negotiations with the state, which forces them to rally the support of both state and non-state actors in the international arena. This boomerang pattern, they add, can be seen throughout diverse transnational networks with the ultimate objective of bringing “pressure on their states from outside” (12). This model is extremely useful for understanding transnational activism and the internationalization of the Afro-Colombian movement. Keck and Sikkink argue that when faced with such blockages at home, actors are able to leverage the fact that their claims do resonate elsewhere. This resonance in the international arena can then “echo back” and open up new spaces for issues that had formerly been marginalized from domestic politics.

In this process of internationalization, Afro-Colombian leaders and organizations have built solid transnational coalitions with organizations like the Washington Office on Latin America (WOLA), Transafrica Forum, as well as religious organizations and members of the U.S. Congress, the Congressional Black Caucus in particular. The main objective of these efforts have been to go around formal structures of political participation and raise visibility about human rights violations of Afro-Colombian communities, some of which can directly linked to paramilitary activity and counterinsurgency efforts by the Colombian state.¹³⁶ Given the salient role the U.S. government plays within the Colombian politics, this leveraging of transnational alliances with state and non-state actors has been crucial in shaping internal movement dynamics.

Hernán Cortes of PCN said that his organization began to look to international alliances in the mid-1990s after land titling began which coincided with the intensification of internal conflict precisely in these areas including increased displacement and political violence. In this context, he asserted: “we need allies, we knew that this government was really scared of the international commissioners at that moment so we began to think first and seek political alliances/backup support (respaldo) and to present our issues in those international spaces, to put the issue on the international agenda, and second, to try to get funding to expand the movement” (Luz Marina Becerra, AFRODES). For Hernán, the Colombian government was not just susceptible to influence by international actors, but as he put it scared of these people.

Similarly, in the late 1990s, AFRODES began to seek out international alliances to address the intensification of internal displacement among Afro-Colombians, which is directly linked to paramilitary activity and counterinsurgency efforts by the Colombian state. Luz Marina Becerra talked to me about AFRODES’s international strategy “AFRODES starts doing international work through an organization called Witness for Peace...they did a vigil in a church here and that’s where they found out about the work AFRODES is doing... we made contact and begun to talk one year later they invited our comrade Marino to travel to the United States so that he could travel to various states and raise visibility about the issue of displacement especially in black communities”. I asked her why this visibility was important. She responded:

Because we knew that at the level of domestic politics, the rights of Afro-Colombians have historically been violated and they are violated daily, on a permanent basis, and if this doesn’t go to the international, there will be no solution. And the idea behind internationalizing our work and raising visibility

¹³⁶ Keck and Sikkink (1998) call this the boomerang effect.

about the issues is to seek alliances with international organizations, with churches, with civil society leaders to see how Colombia... knowing that these alliances exist, there are other institutions on the other side of the country, who know about the problematic that we live here, that curb, that check their actions involving the violation of human rights in black communities, so we believe that this has been important. Also, the support and alliances that we have had with the Black Caucus (Luz Marina Becerra, AFRODES)

Another telling anecdote demonstrates how transnational advocacy can be a vehicle through which certain movement actors critical of the state are able to negotiate outside of the formal mechanisms of interlocution. In a private meeting in Bogotá between leaders of an Afro-Colombian organization met with high-level government officials to discuss human rights issues, namely the targeting of leaders and the need for protections. Earlier that year, the Inter-American Court mandated the Colombian state take “precautionary measures” to protect PCN leaders. The Colombian state’s compliance with these recommendations from the Court is one of the many symbolic gesture toward the protection of human rights by the state.

When Afro-Colombian activists arrived at the meeting, they found very low level government officials. To make things worse, they were hostile and were not prepared to give leaders any of the protections they were demanding. When it was clear that they would not reach any sort of agreement, one government official said, “why don’t we just meet again to try to resolve this”. One of the Afro-Colombian activists responded, “sure, let’s meet again. But why don’t we just meet in Washington.” This remark must be situated in the context of Colombia’s embeddedness in a global political field in which the U.S. has influence over everyday politics in the country. This activist knew that threatening to go around the state, and to Washington specifically, could open up the possibility of different kinds of negotiations. And while many Afro-Colombian organizations have not been able access the international because of lack of resources, financial and otherwise, those that have, have been able to take advantage of an already established repertoire of contention and network of transnational advocacy organizations such as Witness for Peace and the Washington Office on Latin America, which were set up in response to calls by earlier activists in other parts of Latin America.

The case of Colombia, being the largest recipient of U.S. foreign aid outside of the Middle East, and being of particular geopolitical interest as the center of the “war on drugs”, makes these transnational networks all the more powerful. Indeed, efforts at leveraging transnational ties to bring about reforms and a response by the Colombian state have been successful. More specifically, strategic action by Afro-Colombian social movement actors and their allies including Witness for Peace, the Washington Office on Latin America, Global Rights, and Lutheran World Relief, has led to an increase in the visibility of issues facing Afro-Colombians among important international actors and in U.S. Congress.

Just four months after being sworn into office as Senator, now president Barack Obama gave one of his first speeches on congressional record which recognized the situation of Afro-Colombians.

In the case of Colombia, the violence and disruption of the country's 40-year civil conflict have disproportionately affected Afro-Colombians. Many are now refugees in their own country after being forced to leave their homes, and they

face widespread racial discrimination as they try to rebuild their lives. Although Colombia's 1991 Constitution granted Afro-Colombians territorial rights to the land they historically held, these rights are now being increasingly violated, as this land is taken from them. With little or no economic and educational opportunities available, many Afro-Colombian youths have turned to coca cultivation or joined guerrilla forces. (Speech by Barack Obama, Congressional Record, April 24, 2005)

In addition to highlighting the links between Colombia's ongoing internal conflict and racial inequalities, the Senator also called for the fostering of meaningful partnerships between "Afro-Colombian advocacy groups and NGOs in Colombia" and actors in the U.S. Other examples of the effectiveness of transnational advocacy or the internationalization of Afro-Colombian movements go beyond raising visibility.

Some examples of this effectiveness is the curbing of political violence and assassinations of Afro-Colombian leaders, and even the halting of the imminent displacement of black rural communities. Indeed, in some cases these efforts have deterred the Ministry of the Interior from cutting corners on assuring adequate previous consultation, a right guaranteed to black communities by the 1991 Constitution. The indefinite postponing of the displacement of the black mining community of Suarez, Cauca is one notable example of how coordinated transnational efforts have been effective in pressuring the Colombian state to comply with the constitution and guarantee the rights of black communities. Other important examples can be found in the high profile, shutting down of a number of illegal and mining expeditions (funded by international capital) in the Chocó. In these cases, the Colombian government had approved mining licenses for these companies in violation of the 1991 Constitution and Law 70. It was only after international pressure that the Colombian military issued orders for these expeditions to be halted. Further, a more concrete result of this strategy is the recent passing of Sentences in the Constitutional Court that mandate state agencies to implement targeted programs to address the specific situation of Afrodesplazados (Afro-Colombian internally displaced peoples).

While these efforts have not guaranteed the full implementation of Law 70 or the end of violence in Afro-Colombian communities, they are effective in what one Afro-Colombian activist of PCN called "calming the dogs". He explained that by engaging in these networks, the organization might be able to buy time in serious and delicate situations that may be the difference between someone living and dying. He said: "we know that if we are able to make a political statement, that we calm the dogs, they bark, but they probably won't bite at that moment, you postpone the bite." Thus, despite the risks of going international, transnational alliances and international travel are still considered an important strategy for Afro-Colombian social movement actors, and particularly those more autonomist sectors of the movement.

Even as this internationalization gave these organizations a kind of external leverage and legitimacy, the more institutionalized sectors of the Afro-Colombian movement like the High-Level Commissioners, did see this as directly undermining the power of the Commission. In interviews, commissioners would often talk about PCN, overstepping their boundaries, having a "monopoly on truth", and believing they were the only legitimate voices in the struggle for black communities. In this, PCN's strategy to go international was seen as a way of "sneaking around" what they saw as a legitimate and representative space for engagement with the government. As

one Commissioner put it: “it seems like other movements like PCN, like CNOA go over the head of the Commission. The basically replace the commission.... they do international relations and one person ends up in charge of policies for blacks in this country” (Interview, Manuel Emilio Palacios, Commissioner, Antioquia). Indeed, activists from PCN and AFRODES, and other engaged in these strategies did see their transnational activities as strategic action aimed precisely at that: “going around” both the state and Commissioners in order to hold both of them accountable to black communities on the ground. Thus, while organizations like AFRODES and PCN have recently been underrepresented in official institutionalized spaces for black representation, they continued to be key actors in national debates. This has been possible, in part, because of their continual link with the grassroots, but perhaps more importantly due to these international strategies. Indeed, such transnational ties are important for providing these organizations with external legitimacy and leverage, which allows them to effectively pressure the Colombian state from a more autonomous position.

Between Synergy and Alienation: The Mixed Bag of Black Autonomy in Brazil

While the overwhelming majority of the Afro-Brazilian activists I interviewed were heavily absorbed into the state and political parties, there was a small group that refused to become institutionalized into formal politics. While some of these more autonomist sectors of the Afro-Brazilian movement did have personal trajectories that included bouts with party politics, many of them had become disillusioned with the possibilities of change from within political parties and the state. In contrast to Colombia where more radical black organizations critiqued institutionalized spaces on the grounds that they were illegitimate and writ with corruption, the more autonomist sector of the Afro-Brazilian movement largely saw institutionalization as ineffective. More specifically, those critical of the state and political parties in Brazil often focused their critique on the dangers of the black movement’s agenda being absorbed into the agenda of political parties for the long-term effectiveness of the movement.¹³⁷ In this, more institutionalized sectors of the black movement were seen as being more loyal to their political parties than to the black movement or the black population more generally.

Also in contrast to Colombia where the most recognized black organizations make up the more radical sector of the movement, similar organizations in Brazil have largely been absorbed into formal politics. This strong wave of institutionalization has left a small and varied sector within the Afro-Brazilian movement to raise questions about political autonomy. To be sure there are two distinct sectors of the black movement that converge in their politics of autonomy and critique of institutionalized spaces in the period after the adoption of affirmative action: established and professionalized black NGOs, and radical autonomists within the National Unified Movement (MNU) and the Collective of Black Entities (CEN). Yet, these two groups could not be more distinct in terms of their organizational structures, funding, the trajectories of their activists, and their strategies. Additionally, they would develop their own styles of critique, and strategies to continue to pressure the Brazilian state outside of the dominant patterns of

¹³⁷ While a few interviewees did charge black-activists turned bureaucrats were swayed by the idea of getting hefty paychecks within the government, this critique was far from prevalent in my interviews. Instead of corrupt individuals, these institutionalized actors were seen more as ineffective, misguided, and co-opted leaders with stronger loyalties to political parties than to black communities.

institutionalization.¹³⁸ Whereas the autonomist sectors of the black movement in Brazil converges in their critique of Lula's administration and the Brazilian state, they by no means constitute a cohesive or homogenous sector within the Afro-Brazilian movement today. Perhaps most importantly, these different groups also have distinct relationships with the Brazilian state.

However, as we will see later, the radical sectors of the movement have been the most vocal in their critique of the state and institutionalized politics, and have also been alienated from political debates. In contrast, black NGOs, with financial backing from international donors, technical expertise and legitimacy have been able to develop a unique relationship with the Brazilian state where they bypass the racial equality apparatus, utilize other institutionalized channels to the state, collaborate with the state at specific moments, but also remain critical of it. I refer to these different autonomist relationships with the Brazilian state as *alienation* in the former case, and *synergy* in the latter. Even so, these two sectors of the black movement have become politically aligned in their critique of institutionalized politics in key moments. I end this chapter by discussing two such moments.

Alienation, Black Radicals and the Costs of Autonomy

The most vocal critics of black movement institutionalization have been a small sector within the United Black Movement (MNU), and members of the Collective of Black Entities, a national organizations founded in 2005. While these *militantes* have recently become more central to national debates around anti-racism in Brazil, they have largely been alienated from formal politics. This is in part because their radical calls for political autonomy bumps up against a political context in which there is a strong tendency toward the absorption of respected black activists into formal politics, as well as one where there has been undeniable gains under the PT-run government. Thus, the overwhelming majority of Afro-Brazilian activists I spoke with, and particularly those that began their militancy in the 1970s and 1980s, talked about this sector as extremely radical, divisive, and representing a marginal group of individuals. Thus, while it is certainly the case that the greater part of Brazil's black movement has become institutionalized into the state and formal party politics, this more radical sector is not insignificant. In fact, while they have remained largely alienated from national politics, and lacking of financial resources and needed infrastructure, they have adapted their strategies to this new political field of absorption. In this, they have utilized the internet to denounce institutionalized sectors of the movement, and created (unstable) alliances with professionalized black NGOs at key moments, raising some important questions about political autonomy and movement sustainability.

The MNU was the first national black organization founded under military rule and still exists today, albeit in weakened form. The historic Movimento Negro Unificado, embodying the visions and aspirations of a broad set of black activists from throughout the country, was had historically been divided over the issue of political autonomy from the state (Covin 2005). This became increasingly the case in the 1980s with the emergence of leftist political parties and the creation of the Unified Workers Central (CUT), both organizations that many black activists

¹³⁸ It is important to note that the institutionalization of the black movement, and of civil society more generally, is much more pervasive in the Brazilian context. Thus, even these autonomist sectors of the black movement, particularly the black NGOs, still engage with the state in routinized ways, though the nature of their engagement is distinct from those organizations and individual activists that either inhabit positions within the state, or are absorbed into specific political parties.

concerned with racial inequality and racism would help to create. And while the race agenda took a back seat to class and workers issues in these organizations, many black activists would take the double militancy approach, organizing in these leftist organizations while also in the MNU (Johnson 2006). However, in the mid-1980s the institutionalization perspective within the MNU began to gain traction as members of the MNU throughout the country focused their efforts on getting a number of members elected to the Chamber of Deputies on the Workers' Party tickets (Johnson 1998, Covin 2006). Indeed, when Luiz Alberto won a seat in the Chamber of Deputies he would continue to be an influential member of the MNU, causing those skeptical of political parties and the colonization of the MNU by the PT, to leave the organization.

Like in the case of Colombia, more autonomist activists saw the shift toward institutionalization as a shift away from the grassroots. Having been recruited by then MNU activist and now Congressman Luiz Alberto, Hamilton Borges recalls his return to his city after some time away: "So from there, I returned to Salvador in 2004, and I saw an intellectual black movement, one that was co-opted by political parties, without grassroots organizing, without any action in the place that, for me, is the most important place to be" (Interview, Hamilton Borges FEPAPs/MNU/Campanha Reaja). Hamilton, who recently began organizing prisoners in Bahia and using boxing as a vehicle to organize black youth, felt that the issues with racial profiling, police brutality, and racism in the criminal justice system were all things that neither the Brazilian state nor the institutionalized sectors of the black movement wanted to touch. In this regard he said "We have a long road ahead of us. We have great leaders that were captured, that got lost, that sold out" (Interview, Hamilton Borges, MNU).¹³⁹

These internal struggles over political autonomy would result in an extremely weakened MNU with serious internal fragmentation. Subsequently, the MNU would decline dramatically, evident in the decrease in membership over time, the lack of visibility on the national political scene during the Durban conference and thereafter, and increasing gaps between their national meetings (Covin 2006). In this, some MNU activists would go on to establish black NGOs including the Irohín, the Steve Biko Institute, Niger Okan, and other NGOs, while other members of the organizations who had previously demanded a kind of radical autonomy from the state and emergent political parties would simply leave the organization, as some had did in earlier periods.

More recently, however, the MNU has experienced a revival of sorts due to the efforts of two distinct groups that are both vying for power within the organization: 1) an institutionalized sector dominated by petistas and strong in the Northeast of the country, and 2) a more radical sector which includes some of the more radical leaders who left the organization in the 1990s. This recent "oxygenation" of the MNU by these two groups would mean a rehashing of the unresolved issues around political autonomy from the state and political parties which the organization debated in the 1990s. One of the most central figures in the discussions over political autonomy is Reginaldo Bispo, who after a 20-year hiatus from the national committee of the MNU is now National Coordinator of the organization. When he returned to the

¹³⁹ Hamilton's disillusion with institutionalized spaces and representative politics was also very much shaded by his experiences working on the campaign of Luiz Alberto in the 1990s, working for him once he was elected, and quick coming to the conclusion that Luiz Alberto had quickly shifted from being a militante of the MNU to being a career congressman with little if no accountability to the organization (fieldwork).

organization, he did so with the hope of rebuilding an MNU that emphasized a radical autonomy from the state, he was met with opposition from MNU activists who were very much dedicated to participating in the PT, and concerned with taking over the state. Today, he is in many ways the face of the more radical sector of the MNU and the black movement more generally. His explicit critique of this sector of *negros partidarios* or “political party blacks” both within the MNU and outside of it, paired with his dissemination of these critiques over the numerous national anti-racist and black movement list serves make him the most visible critic of black movement institutionalization in Brazil. Alternatively, given the widespread trend toward institutionalization, and the prominent view that institutionalized politics are the only kind of black politics in this period also make him a despised and polarizing figure.

While his critiques of these institutionalized sectors have largely been marginal to the national debates around anti-racism policies, they became increasingly central during the debates over the Statute of Racial Equality. In an interview, Bispo talked about his reasons for returning to the organization, he said “I came back with the goal of combating these practices and to construct another model of organizing” (Interview, Reginaldo Bispo, MNU). The practices he returned to combat including the acritical loyalty to political parties within the MNU itself. After Lula’s election and the initial efforts to construct a racial equality apparatus, Bispo began to launch an anti-cooptation campaign of sorts. And while there were certainly other activists within he MNU sympathetic to this agenda, at the beginning, it was largely his solo plight. He discusses how his perspective did alienate him from the black movement at large, including within the MNU itself. However, over time, things changed:

From 2003 to 2006, the public statements made by MNU were practically restricted to my own manifestations over the Internet. We constructed another kind of [political] culture. Because when you would hear people talk about MNU, they would joke, literally. Today, not one little joke happens without a response and so now those guys respect us. So that’s the space we occupied, though the use of Internet, mainly, because the bourgeois media has no space for our position. (Interview, Reginaldo Bispo, MNU)

While institutionalized politics has become the only legitimate form of black politics for most of the Afro-Brazilian movement, debates around institutionalization and political autonomy continue to define debates within the MNU. Immediately following Lula’s election, the MNU adopted a resolution to refuse to “occupy any position in the federal government” (Interview, Onir Araújo). However, in practice, the question of occupying institutionalized spaces within the state has been much more complicated, especially given the proximity between many MNU activists and the PT. Onir Araújo, for example, also pointed out that many MNU activists try to hide this resolution as many MNU activists today occupy a host of positions within the national, state and municipal governments due to their “party connections” (Interview, Onir Araújo, MNU). Reginaldo Bispo confirmed this: “we have verified that the majority of militants [in the MNU] today are much more political party than they are MNU... all of the former leaders of the MNU, at the state and national level are now all in high-level positions [within the state], all of them with really good salaries, and they don’t pay one cent of their MNU membership dues” (Interview, Reginaldo Bispo, MNU).

In an open letter to the black movement published and widely distributed in 2006, Reginaldo Bispo discussed how the “love affair” with the Workers’ Party and the black movement having ended, and called for a more critical view of the PT administration. In this open letter to the movement, he argued that Brazil had reached a critical juncture and could no longer remain enchanted by the promise of hope that the PT administration had promised: “We elected the PT and Lula to govern the country hoping for change, above all in the economy, so that they would democratize opportunities for the great masses of excluded people, poor people and black people in the country” (Interview, Reginaldo Bispo, MNU). He added that despite some limited advances, what he saw was a “great deception”. This perspective was vastly different from that of other activists within the PT and the state who felt that the government had met all of the demands of the movement (Interview, Carlos Medeiros, CEPPIR). Instead, Bispo saw the victories of the black movement as important but limited, and called for “critical support” of Lula in which the movement demands explicit answers from the administration and hold them accountable.

That same year, a successful 15th National Congress held in Lauro de Freitas, which was a key moment for the more radical/autonomist activists within the MNU (Interviews with autonomists within the MNU). Bispo recounted this as an important event in which “the position became more radical with time, until we had a more concrete position” (Interview, Reginaldo Bispo, MNU). Indeed, the MNU would revise their foundational documents and adopt new principles which would include “assuring that the movement evolves to become the effective political organization it endeavors to be.”¹⁴⁰ In the months and years following, Reginaldo Bispo would author dozens of articles reflecting this faction within the MNU including one titled “Acritical Party Militancy: Political Alienation or the Eminence of the Phenomenon of the New Black/White Elite?”.

Yet, the internal conflict between more institutionalized and more autonomist sectors of the MNU continue today, calling some activists within the organization to call it the “Disunified Black Movement” as opposed to the Unified Black Movement. This was clear in the recent election in 2010. In response to a publically issued document titled “Leaders and Militants of the United Black Movement (MNU) Support Dilma for President” in the months leading up to the presidential elections in 2010, Bispo issued the following statement:

They do not represent our organization, they don’t even represent the majority of the MNU. They are a sector that, like any other, have the right to get together and make decisions, even though we are sure that the majority has been critical of the government and understands the that autonomy of the organization should not be tarnished by electoral alignments, without a commitment to an agenda for black women and men (Public Statement, October 21, 2010).¹⁴¹

While this struggle between institutionalization and autonomy and between support and critique of Lula’s administration is a continual one within the MNU, it is also an issue at the center of debate within the Afro-Brazilian movement more generally. In contrast to Colombia where the debate around institutionalization vs. autonomy happens between radically different

¹⁴⁰ <http://mnu.blogspot.com/> accessed in April of 2011.

¹⁴¹ <http://br.dir.groups.yahoo.com/group/discriminacaoracial/message/62618>

organizations, in Brazil it happens within organizations like the MNU itself. This is, in part, because engaging with the Brazilian state, and participating in party politics, has become hegemonic within the black movement and civil society more generally in the country.

In 2005, around the same time that the MNU started to become more active on the national political scene another national black organization was being founded, the Collective of Black Entities (CEN). In contrast to MNU, an organization that has lived through the military dictatorship the rise of leftist political parties and the current political field of significant (even if limited) reforms by the Brazilian state to address racism, and ever-present internal divisions over the question of political autonomy from the state, the CEN was born precisely during the height of institutionalized politics and with the hope to bring a more grassroots and politically autonomous perspective to the Afro-Brazilian movement. Thus, from its onset, the leaders in CEN were united in their radical critique of the Brazilian state and model of absorption of the black movement. Also embedded in their very existence was a desire to engage directly in public policy debates, and revive the connection between black movement organizations and the grassroots, two mantras of the MNU which had largely been defunct during the decline of the organization. Thus, unlike the internally fragmented MNU, CEN was founded to systematically taken a position against party activism, and call for the radical autonomy of the black movement from the political party agenda and the state. Another banner of the organization is to integrate neighborhood associations in the peripheries of cities, youth organizers, cultural organizations and Afro-Brazilian religious temples into the debate around racial equality in the country.

CEN is a national organization created with the goal of defending “the rights of the black population, identifying mechanisms for the combating of racism, racial discrimination, sexism, homophobia and other forms of violence”. And while in most of their materials it also states that the organization act in partnership with social movements more generally and “engages with the state”, they have come to represent a particularly critical sector within the contemporary Afro-Brazilian movement. When interviewing one of CEN’s founding members, he talked about the necessary division between political parties and the movement:

I am not affiliated with any political party. I know where I vote. I’m a leftist guy, but I don’t have an affiliation with a political party because I am civil society, and in my head, civil society is having a critical conscious. You cannot be linked [to political parties] because you lose the capacity to be critical...I’m tired of seeing... I’m ashamed of the shitload of men or women that fight, yell, talk and make things happen in black movement meetings, yet when they go to their political party meetings they are practically serving coffee. They are over there, completely submissive. That kind of political party doesn’t serve me. I don’t want a political party like that!” (Interview, Marcio Alexandre, CEN).

According to Marcio Alexandre, this has lead to a problematic kind of complicity with state inaction. In this, black organizations close to the Workers’ Party have enjoyed privileged access to state funding, and in exchange they must pretend that the government is sufficiently addressing the issue of racial equality.

For this CEN activist, it was actually important for the black movement to be involved in political parties, but he also felt that the biggest challenge facing the black movement was to

assure that such involvement was “sovereign and in which the “race agenda has priority over the political party agenda” (Interview, Marcio Alexandre, CEN). He added that the lack of political autonomy tends to lend itself to a sort of submissiveness within the party: I’m tired of seeing... I’m ashamed of the shitload of men or women that in black movement meetings, they fight, talk, yell, make things happen, and then when they go to their political party meetings, they are practically serving coffee, they are there completely submissive. That kind of political party doesn’t serve me. I don’t want a political party like that”. (Interview, Marcio Alexandre, CEN).

And even while some activists did suspect that there was some corruption, this perspective was very marginal within the black movement activists with whom I spoke.¹⁴² Indeed, even of the more autonomist activists I spoke with, rather than corruption or clientelism, the more prevalent critique of the institutionalized black activists was that they were duped by the system and were not strategic. More often than not, they would discuss how these leaders’ commitment to their political party blinded them from the many constraints and limits to that approach. Onir Araújo, for example suggested that these activists “really believe that inclusion can be achieved from within the system. Yet they end up justifying the maintenance of the system itself (Onir Araújo, MNU).

While some of the activists who were critical of the government did acknowledge some important gains, they all felt that there was still a long way to go in terms of addressing the many issues facing the Afro-Brazilian population. Thus, the cost of an ineffective and completely absorbed black movement was not only the lack of implementation of some important pieces of legislation, the failure of the state to address some of the historic demands of the black movement including the issue of land titling for quilombo communities, religious intolerance, the criminalization of black youth, and a host of other issues. Speaking about a political context in which the Brazilian state has titled only 800 of the registered 5,200 quilombos in the last 30 years, Onir talked about what kind of black movement was needed to guarantee this constitutionally mandated right to land for these black communities”: “you have to organize for that, you have to have tools for that, and here’s where we have a problem, because a large part of black movement organizations are completely institutionalized, the majority of leaders are co-opted” (Interview, Onir Araújo, MNU). He added that because 2010 was an election year, whatever independent black movement activities would have to be put on hold. He explained, “everyone will pull the meat toward their own barbeque, for their own political party boss.”

Though critiquing a leftist government, and questioning a movement that has been absorbed heavily into formal politics, is not an easy task. Thus, this sector within the black movement also has to live with some serious consequences of their resistance to institutionalization including their inability to access state funding. One CEN activist said that while they have submitted many proposals for community projects to SEPPIR, they have never gotten more than a few plane tickets. This, he argued, was in contrast to organizations that receive large amounts of money for infrastructure as well as programming. In addition to a lack of funding, the MNU and

¹⁴² Some autonomist activists did suggest that there was a sort of informal exchange between funding and support that Marcio Alexandre alluded to is actually quite formal. Other activists charged the Brazilian state with literally paying leaders off in support of specific government initiatives. Another activist charged that “some people took \$30,000 - \$40,000 to say that they support the Statute of Racial Equality”.

CEN have also faced alienation from the black movement and formal politics more generally.¹⁴³ Indeed, in many of my interviews with government officials and those activists involved in political parties, they often dismissed this more autonomist sector as radical, antiquated and divisive individuals focused purely on denouncing or provoking, rather than moving forward. Though these actors are not the only ones within the black movement that have been critical of the state and the racial equality apparatus set up by Lula's administration.

While the overwhelming majority of black NGOs have developed a dependent relationship with the Brazilian state¹⁴⁴, a select number of internationally funded black and anti-racism NGOs have been critical of formal politics and institutionalization into the state. These NGOs tended to be the most prominent ones in the country whose international funding likely contributes to the degree of autonomy from the state they are able to assert. While this sector's critique of institutionalization certainly mirrors that of radical sectors of the MNU and CEN, there are some important distinctions. This sector within the black movement has developed a particular model of state-movement engagement in the context of social movement absorption whereby they have been able to engage with the state while at the same time being critical of it.

Making Sense of Black NGOs: Synergy, Critique, and the Role of International Funding

The process leading up to the Third World Conference against Racism marked an important shift in the pattern of engagement between the Brazilian state and black NGOs. The conference itself gave black organizations like Geledés, Criola, Maria Mulher, and CEAP a unprecedented level of legitimacy and access to high levels of the Brazilian state (Telles 2004). This access to the state would continue after Durban, especially given the state's new mandate to actually implement affirmative action and a host of other types of policies aimed at combating racial inequality. While many of these organizations were directly consulted in the period leading up to the creation of SEPPPIR and asked to lend their expertise to the set of state structures and policies Lula's administration would implement (Interview, Matilde Ribeiro, SEPPPIR), they would take a hands-off approach to the new racial equality apparatus. These organizations would often critique SEPPPIR on technical grounds and seek out ways of engaging with the state in ways that are not mediated by SEPPPIR. Thus, organizations like GELEDÉS, CRIOLA, and others have cultivated a particular kind of relationship with the Brazilian state. In this, these organizations have developed relationships with different ministries within the Brazilian government including the ministry of Education and Health, pressure them to adopt policies, consult them on policies, and even be sub-contracted on the implementation of particular programs as was the case with the Ministry of Health's Black Health Campaign launched in 2004.

I asked one high-level official in SEPPPIR about the relationship between black NGOs and the state agency during his time there. He explained that while many of the black NGOs in Brazil have developed dependent relationships with the Brazilian state based that are apolitical and primarily about accessing state funding, some of the more recognized black NGOs have developed different kinds of relationships with the responded:

¹⁴³ MNU mobilizations around the right to land for quilombos and affirmative action in the south of Brazil have been successful.

¹⁴⁴ I should note that this is a small contingent within the NGO world. Indeed, most black NGOs have become increasingly dependent on the Brazilian state for daily survival.

The relationship between SEPPIR and NGOs is differentiated. I would say that the main black movement NGOs don't actually need SEPPIR in order to engage with the government. CEAP, Geledés, CEERT, Criola, OLODUM, o Ilê Aiyê, Afroreggae, CUFA, they don't need SEPPIR. So if we understand that the main organizations within the black movement have already reached a level where they don't need... they are talking about a political vision, in a broad sense. There was a distancing of these organizations from SEPPIR because of SEPPIR's weaknesses (Interview, High-Level Official, SEPPIR)

Though what allows these organizations to have such autonomy is their institutional strength and legitimacy, which is directly related to their ability to access external funding. Indeed, many of the black NGOs that Giovanni mentions are funded by international foundations, and the black women's NGOs in particular had decades of experience developing international networks and cultivating relationships with funders and other women and black women's organizations within Latin America and more broadly.

However, these NGOs' legitimacy and access to the different parts of the Brazilian state, caused some tension between SEPPIR and these organizations. In my interviews with Matilde Ribeiro, former Minister of Racial Equality, and others within the agency, they felt that SEPPIR would actually be even more effective if it had the blessing, support and expertise of this sector within the movement. In contrast to the critiques that MNU/CEN leaders expressed about the Brazilian state's racial equality apparatus, the black NGO leaders I spoke with critiqued it on technical grounds. This meant that while these NGOs were critical of the state, they also tended to lend their expertise to, and engage with, the Brazilian state, albeit on their terms.

Many of the black activists from these NGOs I spoke with felt strongly that most of the people chosen to occupy SEPPIR did not have similar experience, but rather were hired for political reasons. These highly educated professionals in the areas of education, health, violence against women, and other areas often saw SEPPIR and its many local counterparts as lacking the adequate expertise or infrastructure to adequately address the multifaceted problem of racial stratification in the country. They felt that this lack of expertise paired with an institutionalized sectors that was not willing to pressure their political parties to go beyond symbolic steps at addressing racial inequality, made autonomous engagement with the state all the more necessary. This group of select black NGOs tend to bypass SEPPIR altogether and engage directly with other arms of the Brazilian state as well as state agencies for the promotion of racial equality at the local level.

Vilma Reis is a prominent Afro-Brazilian academic, director of CEAFFRO, and also the head of the Council for the Development of the Black Community (CDCN) of Salvador da Bahia which includes local state officials and black organizations, and which acts as an "institutional space that proposes the monitoring of government policies though the defense of affirmative action". As such, Vilma works closely with the Brazilian state, and particularly the Secretary for the Promotion of Racial Equality (SEPROMI) of the state of Bahia, organizing a host of things like awareness events related to November 20th, the National Day of Black Consciousness, among other things. Even so, she often felt that civil society organizations were much better equipped to implement public policies and address the "race problem" than the Brazilian state itself, particularly at the federal government. She said in an interview that "at SEPPIR, most of the time

you're going to find people who don't even know which way the racial struggle in politics needs to go in the country" (Interview, Vilma Reis, CEAFFRO). Cidinha Silva, formerly of GELEDÉS, arguably the most influential black NGO in Brazil, also critiqued SEPPIR on the grounds that many of the people there were political appointments and not the most "competent" in terms of race policy (Interview, Cidinha da Silva, GELEDÉS).

Jurema Werneck of Criola, one of the black NGOs at the center of regional mobilization around the Durban conference, also echoed this technical critique. While she did recognize some of the symbolic advances made by Lula's administration, she also felt that the government still had many technical and structural problems that were serious impediments to the pursuit of racial equality:

The Brazilian state, the federal government more specifically, has recognized that anti-racism is so important that it created a Secretariat with ministerial status. Now there is a minister who is on the same level as the other ministers in the hierarchy, but it is also linked to the president's cabinet. Theoretically its in the president's cabinet, however, in practice, it doesn't have structure, it doesn't have qualified personnel, it doesn't have results, it doesn't have anything. Everything they have in terms of results is because civil society pressured for anti-racism (Interview Jurema Werneck, Criola).

Though despite these critiques, black NGO leaders emphasized that it was ultimately the responsibility of the state, not black organizations, to address the race problem in Brazil. However, in the context of what they saw as structurally weak and ill-equipped racial equality apparatus, these activists found other ways to engage with the Brazilian state.

The day I interviewed Jurema was coincidentally the day that Criola was sending out a massive mailing with information on activities throughout the country related to the Ministry of Health's "Black Health Campaign". When I asked her about what seemed to be a partnership between the organization and the Ministry, she said emphatically: "No! The definition of that is public policy, it isn't a partnership with the state. It's the state that has to do it. What civil society does is pressure, and in some cases consult...one thing is the state, the government, the other is civil society. The State has the obligation [to do this], not us" (Interview, Jurema Werneck). Thus, while these leaders were more willing than MNU/CEN leaders to consult the government and engage with it in a formal sense, they also felt that the role of black organizations was to pressure the state from outside.

In order to exert such pressure, these NGO leaders shared with MNU/CEN leaders the belief that the movement needed to be autonomous from political parties. However, in contrast to the more autonomist sector of the MNU which is apprehensive about any engagement with the Brazilian state at all, these NGO activists do occupy a number of official spaces for interlocution between the movement and the state not mediated by SEPPIR at both the national and local levels. While access to the state does not always guarantee a strong response to these organizations' demands, these NGOs have been able to get the state to move beyond symbolic promises to actual

commitments. She saw that the conquering of spaces like that Council was important for “forcing the government to respond”.¹⁴⁵

Yet Jurema Werneck, like many of the black NGO leaders I spoke with, was still very critical of what she called “negros governistas” or those black activists within the state. For her, the question was not if Lula’s administration had taken up the cause of racial equality, but the fundamental difference in the interests of the left and the black movement. She said: “the discussion about autonomy is always present, and it always gets run over. As the PT and the Central Workers Union (CUT) grow, our autonomy and independence is systematically undermined by currents within the left, the PT and the CUT” (Interview, Jurema Werneck). Edson Cardoso of the black NGO Irohín, which runs a nationally circulating black newspaper, also talked about the fundamental problem with activism from within political parties. He explained how there had been a systematic capturing of the black movement, and linked this to a broader tendency of political parties to co-opt social movements:

“Black folks in leftist parties...well, this is something I really need you to understand, it is a very important distinction. A party like the Communist Party of Brazil, what does it do, it doesn’t have any interest in racial issues, but it does have an interest in the black social movement, just like it has an interest in the women’s movement and the movement for housing, all of them, so what does it do, what is its mode of action? For each movement he creates an organization. So the institution created for blacks... UNEGRO, for women, it wasn’t to combat racism, to combat sexism, it was to organize within these movements that combat sexism, to take the Communist Party of Brazil agenda to them. Imagine if it was the opposite, if black people who are members of the Communist Party of Brazil left the black movement and took the black movement agenda to the political party, that would be interesting, but that’s not the case, it’s the reverse” (Interview, Edson Cardoso, Irohín).

This critique of institutionalization was also rooted in the belief that while there had been some advances, the Brazilian state still had a far way to go in addressing the many demands of the black movement. Vilma Reis, for example, talked about the gains made by the black movement, but was also explicit about the many areas that the Brazilian state had not addressed. She explained: “So do you think we’ve advanced? I don’t know... The result of this political struggle will tell us. Did we progress in some sectors? Yes we did advance because having 340,000 black people in the university, to go from being less than 3% of the university to 8% in higher

¹⁴⁵ Black NGOs were often critiqued by radical sectors of the black movement, and by more institutionalized sectors. While there were moments of alliances between MNU/CEN and black NGOs, the former often talked about black NGO leaders as self-interested, institutionalized black professionals in bed with the state, party affiliated/government activists tended to talk about powerful black NGOs as undermining the racial equality agenda. One UNEGRO/PCdB leader told me in an interview that it is in the interest of black NGOs to always show that the state is not doing anything related to race relations in order to prove to international donors that their work is still necessary. I should also note that the subtext of these debates is a gendered division of politics among the black movement in which party-affiliated organizations like CONEN and UNEGRO tend to be dominated by men, and the successful black NGOs are overwhelmingly led by feminist black leaders. Edson Cardoso of Irohín, one of the only men among the prominent black NGO leaders, talks about these more institutionalized sectors and organizations like CONEN as a “closed circle of men”.

education is the result of a lot of struggle.” (Interview, Vilma Reis, CEAFFRO). Implicit in her statement, however, was the idea that the demands of the black movement had been only partially met. Among the many black movement demands that the Brazilian state had yet to address the lack of access to justice, the right to life, to dignified housing, the guarantee of land rights for quilombos, and the persecution of Afro-Brazilian religions by the state.

While there are some notable ideological and organizational differences between black leaders affiliated with MNU/CEN on the one hand, and black NGOs on the other, they have politically aligned political at a number of critical moments. Most recently these two distinct sectors of the black movement have taken shared positions in order to demand a particular kind of autonomy from the Brazilian state and distance from political parties at two critical moments in the trajectory of black movement politics in the country: the Zumbí Marches of 2005 and passing of the Racial Equality Statute in 2010. I now turn to a brief analysis of these key moments in order to highlight the nature of the debate between these different sectors within the Afro-Brazilian movement.

Two Zumbí Marches, The Statute of Racial Equality and the Question of Political Autonomy

While the predominant pattern of black activists in Brazil is still overwhelmingly one of institutionalization, I have shown in this chapter that some sectors of the Afro-Brazilian movement have also sought to challenge and disrupt this process. Even so, the critiques made by radical leaders that I highlight have seldom reached the level of national debates. During most of the period after the creation of SEPPPIR, the more autonomist sectors of the Black movement were largely seen as divisive, irrelevant, and far removed from practical discussions of racial equality policies. However, the Zumbí March and Statute of Racial Equality represent two key political junctures in which the autonomist sector of the black movement came to the forefront of struggles within the movement itself, and between the movement and the Brazilian state. And while neither of these interventions was particularly successful in pressuring the state, they did provoke some important debates with more institutionalized sectors of the black movement to which they did respond.

In 2004, a year after President Lula took office, one of the key organizers behind the 1995 Zumbí March that brought over 20,000 people to Brasilia and prompted then president Fernando Henrique Cardoso to make an explicit statement on racism in the country and form the GTI, began organizing a “Zumbí + 10 March”. That year, Edson Cardoso formerly of the MNU and now the coordinator of Irohín, met with Matilde Ribeiro, the Minister of Racial Equality to advise her that the next year the black movement would be marching on Brasilia again. Understanding that Lula’s administration was already showing some signs that it would be more amenable to combating racial inequality and racism than the previous administration, Edson explained to the Minister: “we would do it [the march] under whatever president. It is our obligation to do it. If you have this kind of inequality, you have to pressure the state (Interview, Edson Cardoso, IROHÍN). However, what was not clear at the time was that instead of one march on Brasilia, there would be two marches representing the fissure between more institutionalized sectors of the black movement and more autonomists.

While the historic Zumbí march of 1995 was also plagued by many internal debates over the same question of political autonomy from parties, unions and the state, black activists from a

wide range of organizations and political persuasions were able to reconcile these differences, and organize a successful march resulting in important political gains. In contrast, the 2005 march could not overcome such internal fragmentation. As a result, the would-be 2005 Zumbi March became two marches representing different sectors within the Afro-Brazilian movement. The first march would happen on November 16, and would be organized mainly by black NGOs and CEN, and the second march would take place on November 22 and would be organized by black organizations close to political parties, namely CONEN and UNEGRO. In this second march, SEPPIR would be much more of a protagonist, the government and national unions like the CUT would not only be present, but would provide much of the funding and institutional support for the march. The MNU, being internally divided between more institutionalized sectors and more autonomists, officially participated in the November 22nd, or “pro-government” march.

The organizers of the November 16th march had at least two major problems with the November 22nd, both of which were related to the question of political autonomy. First, leaders expressed a serious concern about the role of SEPPIR in organizing a march. The central role that SEPPIR would come to play in organizing certain aspects of the march blurred the line between state and civil society in ways that raised many concerns for activists who demanded autonomy from the state. When Marcio Alexandre Martins Gualberto, then editor of the Afro-Brazilian magazine *Afirma* and now head of the Collective of Black Entities (CEN) was asked in an online interview what he thought the role of SEPPIR should be in the march, he said “None!!” echoing some Black leaders’ critique SEPPIR, but also stressing the need to maintain the autonomy of Black movement organizations. When asked about what many referred to later as the “government march” held on November 22nd, he argued that it would be an act of “support by the government” in contrast to the march on the 16th which would be independent and the fruit of two years of planning by Black movement organizations.

The second issue that arose in the preparation for the Zumbi March was a concern that a march that wasn’t independent from political parties would undermine the long-term goals of the black movement. More specifically, this second concern was expressed in my interviews with the organizers behind this march as a question of deciphering politically between “government policies” and “state policies”. The idea behind the march was to hold the Brazilian state (rather than the current administration) responsible for meeting all of the demands of the black movement and for continuing to address racial equality in a significant way. Thus, the organizers of the November 16th march, many of them representing black NGOs, did not want SEPPIR involved in the planning of the march and refused to have any political party or union flags present at the event. For them, the November 22nd march represented the co-opted sectors of the black movement. In a host of public statements and interviews, the November 16th organizers issued public statements charging the November 22nd march as a blind celebration of the Brazilian government’s largely symbolic efforts to address racism in the country. In the context of the increasing absorption of black leaders into mainstream political parties and into Lula’s administration, they wanted to send the message that they could mobilize a large contingent of people. These more autonomist sectors also wanted to send a message to future governments that racial equality was not a PT-specific political platform, but rather the obligation of the Brazilian state. Thus, having PT flags plastered over the march, they argued, would not only compromise the autonomy of the movement, but also the long-term goals of the movement. An important calculation involved in this was the likelihood that future administrations could reverse affirmative action and other policies designed to promote racial equality.

Once preparations for both marches were both underway, many black organizations had to make decisions about which march they would attend. In interviews with the proponent leaders behind the more autonomist march largely talked about the other march as a government, rather than a civil society march. When I asked Jurema Werneck, one of the many NGO leaders involved in the November 22nd march, she explained that Lula's administration was threatened by the idea of an autonomist black movement march. When I asked her about the differences between the two marches, she said that the pro-government march hardly constituted a march at all: "The other march wasn't a march, it was an initiative financed by, black organizations that are in SEPPIR, that are within the leadership of the Workers' Party... The Zumbi March, the one march, was seen as a threat, so they did another one, completely organized by the (Interview, Jurema Werneck, Criola). Other activists I spoke with from black NGOs echoed this notion that while the second march may have had a greater turn out because of funding from SEPPIR, it was an apolitical endorsement of the state.

However, the organizers of the November 22nd march argued that the main objective of the march was to support the work of SEPPIR, demand that more resources be allocated the ministry, and move the Statute of Racial Equality forward. In the end, both marches occurred and SEPPIR ultimately played the role of mediator, setting up an official meeting between President Lula and the organizers of both marches. Minister Matilde Ribeiro talks about the difficult position SEPPIR found itself in during the two marches. She explained that what made her job even more difficult were the convergences between the actual political positions of the two marches, rather than their differences:

The march became divided into two marches, the march on the 16th and the march on the 22nd, one, which was supposedly more linked, to the PT and the CUT... and another that was supposedly more autonomist. When I say 'supposedly'...well, if you look closely at each of them, you are going to see the same thing, a critique of an incomplete abolition of slavery, the lack of inclusion of the black population, the lack of continued policies. The only difference is that they presented it differently. One march presented analysis coming more from the idea that the budget was insufficient and that it would need I don't know how many more zeros in order to be a real policy for racial equality. The other presented a proposal which was apparently more pro-government, but it also had a whole set of critiques and recommendations for what the government should do. So, in the end, neither of the marches was against the government. They had distinct strategies, different leadership, but in the concrete, in the pragmatic, what was really behind these marches was a lot of big egos (Interview, Matilde Ribeiro, SEPPIR).

While, as the Minister suggests, personal conflicts between leaders likely did play some role in the way the two marches unfolded, organizers from each of them were adamant about these being two distinct political decisions. In this context, the Minister saw her role as facilitating communication between representatives of both marches and President Lula. She talked about the difficulty in convincing him to receive the two marches: "that cost me so much energy because when I was doing the agenda the questions they would ask me were 'isn't there just one black movement? Why two marches? You guys are divided....between six of you, there are always seven political positions!'" (Interview, Matilde Ribeiro, SEPPIR).

In the end, the demographics of the two marches and the demands made by organizers of both largely mirrored each other. Silva et al (2006) conducted a survey of participants in both the November 16th and November 22 marches. Overwhelmingly, they found that the people that attended the two marches were very similar in terms of demographics, level of activism, opinions about racism and racial policy and knowledge of the issues.¹⁴⁶ They found that “the motivations and the positions related to the causes and possible solutions to racism of participants in the two marches were considerably similar” (Heringer 2006). In fact, Jurema Werneck of the black NGO Criola confirmed this. In an interview, she admitted that while the organizers of the November 16th march were clear on why there needed to be a more autonomist march: “there was a contingent that went to the two marches, and there was a contingent of ill-informed people that didn’t understand the difference, people who were really confused, they respect us, but they didn’t understand why we were denouncing the Statute of Racial Equality, for example” (Interview, Jurema Werneck, Criola).

However, while she does suggest that the more autonomist march denounced the Statute of Racial Equality, that was not the official position of the autonomous march in the end. In the end, both of the marches made very similar claims including demanding that congress pass the Statute of Racial Equality, even while there were some differences in the tone of the documents. For example, while the official document from the November 22nd march demanded that “The Brazilian state commit to the immediate approval and implementation of the Statute of Racial Equality”, the autonomist march on the 16th march talked specifically about the need to set aside funds for the implementation of the Statute. In a document issued by the some 168 organizations participating formally in the November 16th march, they reaffirmed:

The approval of the Statute of Racial Equality is extremely important, but it is also important that the funding source related to the host of policies for racial equality to be assured. If not, the Statute will become yet another innocuous document. For that reason we demand the immediate reintroduction of the legislative proposal to create a Statute of Racial Equality with a provision to create a Fund for Racial Equality which was removed from the version recently approved by the Senate and which is under expedited consideration in the Chamber of Deputies. If the Statute of Racial Equality is approved by the President without the Fund, it runs the risk of being yet another set of good intentions which has been a pattern in the actions related to the racial question by our government officials in the last few years¹⁴⁷.

The Zumbí Marches of 2005 raise many questions about debates within the movement about political autonomy, especially in the period after the adoption of affirmative action policies and the creation of SEPPIR. While more autonomist activists may have been right in their call for a critical analysis of the limits of Lula’s approach to the race question, it is also not clear what

¹⁴⁶ However, there were some interesting differences between those surveyed in the two marches. For example, they did find that whereas 9.3% of the participants surveyed at the more autonomous march did not agree that there should be quotas in university, more than double of those at the government-sponsored march felt the same way (19.4%).

¹⁴⁷ “Manifestação da Nação” issued November 16, 2005.

exactly one gained from having an autonomist march. This is especially the case considering that demands contained in the documents from the two marches were very similar with both groups demanding the approval of the Statute of Racial Equality, more resources be allocated to SEPPIR and demanding that the state address some of the historic demands of the black movement that had yet to be addressed. The Statute of Racial Equality – approved by congress and sanctioned by President Lula in 2010 – offers yet another window into the question of political autonomy and the different strategies used by black activists outside of the PT and the Brazilian state.

The Statute of Racial Equality and the Internet Wars

Originally proposed by Afro-Brazilian PT Senator, Paulo Paim in 2001, the Statute was a comprehensive piece of legislation that encompassed many of the historic demands of black movement organizations. It would have mandated affirmative action in education¹⁴⁸ and in government jobs, land titling for quilombolas (escaped slave societies) and would have set aside state funds in health and other areas to specifically address racial inequality. By the end of 2009, and in negotiation with conservative parties like the DEM, most of the important provisions in the Statute were excluded from the Statute. This was mainly negotiated by black PT congressmen Paulo Paim, officials within SEPPIR, and with close council of black activists in CONEN (PT) and UNEGRO (PCdoB).

Before the House actually voted on the bill, activists from the MNU, who were later joined by some black NGOs, refused to support what they called an “empty Statute” in a national public meeting held by SEPPIR. Though similar to the Zumbi March of 2005, the MNU was divided over the issue.

When we left Congress, I circulated a report from the meeting over the internet and through the National Council for the Promotion of Racial Equality (CONAPIR) and there was a real revolution, they stopped short of cursing my mother”. Because [they said] the position of the MNU was favorable to the Statute and that I had expressed a position that wasn’t the official position of the organization, but I was true to the deliberation that we took at the Congress.” (Interview, Reginaldo Bispo, MNU)

This would provoke a number of black NGOs at CONAPPPIR to sit down and analyze closely the provisions that were included, and what had been taken out of the Statute at different stages of negotiations between the Workers’ Party and other political parties. They would ultimately join the MNU in launching a public critique of the. Jurema Werneck explained that the negotiations around the final Statute that was being proposed amounted to a selling out of the black movement “The Statute of Racial Equality, to approve it, they had to renounce the entire platform that we had...unfortunately other activists didn’t really know what they were negotiating. The truth is it wasn’t public. They were selling us out to electoral interests. That generated a division within the black movement (Interview, Jurema Werneck, Criola).

¹⁴⁸ jobs (most of the affirmative action policies in universities have been adopted until now universities have adopted affirmative action policies spontaneously and there is no national legislation mandating affirmative action),

Rather than thinking of these negotiations as selling the movement out, black activists closer to the negotiation process, and closer to political parties defended a “Possible Statute”, or the idea that any statute was better than none. After a series of public accusations against these activists made mainly by Reginaldo Bispo of the MNU, CONEN did take a position (somewhat) critical of the PT and the State. They had been silent on the issue, but on June 17, 2010 issued the following statement as an explicit response to these critiques and clarified their position on the Statute:

In response to recent accusations and the questioning of CONEN’s position in the “virtual debate” related to the immediate voting on the Statute of Racial Equality, and especially given our commitment to seek out ways to address the concerns of the black population, to eliminate racial inequality and the social disparities that exist in Brazil, we are making our position related to the Statute of Racial Equality public. CONEN has supported the approval of the Statute of Racial Equality from the beginning. Considering that CONEN has followed the transmitting of the Statute from the beginning until Senator Paulo Paim presented it to the National Congress. Considering that CONEN understands that the black Brazilian community needs a political and legal instrument assures the basic conditions for the development of public policies to promote racial equality. We want to re-affirm our unequivocal need to approve the Statute of Racial Equality in the version originally presented to the Senate and in the Chamber of Deputies.

In this statement, CONEN reiterated its position as the main interlocutor between the Brazilian state and the black movement and supporter of the PT, while at the same time calling on the party to halt negotiations with conservative politicians like Demóstenes Torres of the DEM party. Up until this point, and despite provocation, the organization had been silent on this issue. Thus, as a result of the further chipping away from the Statute in the Senate, and provoked by public critiques of their lack of political autonomy, CONEN did finally join the more autonomist black organizations demanding that it be rescinded from debate in the Senate. Despite this, the Statute of Racial Equality was approved by Congress and sanctioned by President Lula on July 20 of 2010 with no specific provisions related to affirmative action in education or employment, or media and no land titling for quilombolas. In the public ceremony where President Lula officially sanctioned the Statute, he spoke a lot about the divisions in the black movement over the Statute. He was saddened that people that had accompanied him for over 30 years were not there to celebrate this historic day. And while he also recognized the limitation of the statute, he was also emphatic that addressing racial equality in the country would take some time, and it would require a more united black movement.¹⁴⁹

Even while more autonomist sectors of the black movement were not successful in changing the content of the Statute of Racial Equality, the debate over this piece of legislation raised questions about possible limitations of institutionalized politics in the country. What happens if the Workers’ Party doesn’t win the election? To what extent are the policies for black and brown populations sufficiently institutionalized into the state? All of these questions circulated in these debates, in ways that might be seen as productive. In this, it was the more radical and autonomist

¹⁴⁹ Accessed on:

http://www.youtube.com/results?search_query=san%C3%A7%C3%A3o+do+estatuto+de+igualdade+racial&q=f

sectors of the black movement that were able to shift the debate in such a way that more institutionalized sectors of the black movement actually took positions critical of the state, arguably for the first time ever. Indeed, it is not clear that without the accusatory statements made by MNU, and the petition to withdraw the leaner Statute from the Senate debate, organizations close to the PT would have critiqued the party at all. Perhaps they would have done as many of the MNU statements suggested, quietly taken pictures during the signing of a weakened Statute legitimating what could be considered a largely symbolic act on the part of the Brazilian state. So while there is no doubt that the Brazilian state has made substantial advances to address racial inequality and racism in the country, the Statute of Racial Equality was less progressive than existing policies around affirmative action and the 1988 constitution which guarantees land titling for *quilombolas* (rural black communities).

Conclusion

In this chapter, I have tried to show the incompleteness of black movement institutionalization. In so doing I have shown that as black movement actors gain access to the state in both Colombia and Brazil, it inevitably leads to the fragmentation of the movement, and struggles over representation and legitimacy. In both cases the more autonomist sectors of these movements must still readjust to the new political field in which they are now embedded, changing their organizational forms and adapting their strategies with varying levels of effectiveness. Yet, while the goal of this sector of the movement is the same in both cases – namely, to pressure the state to make good on its promises and further address the issues facing black populations – they have had different success in the two cases. Indeed, I have argued that the structural context of black participation and nature of the state with which these movement are engaged, as well as different movement actors' decision to either inhabit or resist such institutionalized spaces, present the conditions of possibility for holding the government accountable in the post-reform period. Whereas clientelism and corruption has prevented Afro-Colombian movements that inhabit state structures to be effective, institutionalized sectors of the Afro-Brazilian movement have had some success pressuring the state from within.

15 years after the passing of Law 70 the most important provisions of the legislation have yet to be implemented and the situation facing many Afro-Colombians is far worse than it was before the legislation. Making matters even more complicating is the fact that this state retrenchment is happening precisely in a political context in which Afro-Colombian activists have unprecedented access to the state and participatory structures. In this context of ritualized participation and repression, it is the radical autonomist sectors of the black movement in Colombia who have been effective at pressuring it to fulfill the many legal commitments it has made to black communities.

In contrast, in Brazil where black movement actors have been almost completely absorbed into formal party politics, challenging institutionalization has had mixed results. While a limited number of internationally funded black NGOs have been able to constitute themselves in such a way that allows them some level of autonomy from the state, yet some degree of engagement,¹⁵⁰

¹⁵⁰ Though, this may be changing as there has been a bottoming out of international funding in Brazil has made it such that black NGOs, which have been among the most vocal advocates of political autonomy, are becoming increasingly institutionalized into the Brazilian state as they have come to depend on its funding. Therefore, the

more radical black movement actors in Brazil have largely been shunned from formal politics. The adoption of affirmative action policies, the passing of the Statute of Racial Equality, even if a limited version, and the strong statement high-level officials have made in support of such policies in the face of a reactionary anti-affirmative action movement both within the state, academia and the media, all suggest that the model of absorption in Brazil has some advantages. Thus while Brazilian state's associational logic of incorporation of civil society is not without its downfalls, it has created the space for demand-making from within the state and political parties in ways that are much more difficult in the Colombian context. Moving forward, these complex patterns of institutionalization will likely be increasingly central to any evaluation of the depth of multicultural and anti-racism policies in these countries, and Latin America more generally.

many black activists that continue to work on racial justice issues have largely been absorbed into the Brazilian state in a model or logic of incorporation that simultaneously allows for some effectiveness in pushing racial equality policies from within institutionalized spaces, and a certain kind of dependence on the states.

Chapter 7

The New Politics of Blackness in Colombia and Brazil

The 1990s marked a rupture in state discourses of *mestizaje* and colorblindness throughout Latin America as multicultural legislation and anti-racism policies swept the region. In Colombia and Brazil, this shift has meant more than the symbolic recognition of black and indigenous populations. The adoption of multicultural policies in Colombia led to the largest agrarian reform in the country as well as a deep questioning of the capital-intensive large-scale development model that was in place in that country. In Brazil, it meant the mainstreaming of the goal of racial equality across many national government policies, and a dramatic redistribution of coveted spaces in Brazil's prestigious public university system. Perhaps a more long-lasting consequence of the adoption of these reforms is that ethno-racial issues are now out of the closet. Indeed, discussions of racial inequality that were historically silenced, are now consecrated in state institutions, and recognized as a legitimate category of political contestation. In this, such reforms have also incited intense, and perhaps necessary, national debates around the nature of society and citizenship in each country.

This study has sought to understand why the Brazilian and Colombian states adopt legislation for black populations in the 1990s despite this long history of colorblindness, and how such reforms have shaped black movement trajectories in the two countries. By offering an integrated comparative approach rooted in ethnographic methods, I have also aimed to do what Baiocchi and Conner (2008) suggest political ethnographies are best equipped to do, to offer a "close-up and real-time observation of actors involved in political processes" in ways that can extend the definition of these processes "beyond categories of state, civil society, and social movements" (139). In this sense, the complex array of actors, layered processes of institutionalization, and interplay between national and global political processes that I uncover here raise more general questions for the study of race in Latin America as well as the study of social movements.

The New Politics of Blackness in Colombia and Brazil

I further develop the framework of national and global political fields to make three substantive arguments about the nature of the shift to ethno-racial policies in Colombia and Brazil. First, that it was the interplay between global factors and national political developments, paired with the specific strategies black movements deployed, that best explains the adoption of these historic reforms in Colombia and Brazil. Second, that the different discourses of blackness that have become concretized in state policy in each country reflect differences in nationalist discourses and the discursive strategies used by black activists in these key moments of political opening. Third, the creation of spaces for black participation within the state has prompted a new institutionalized politics of blackness that has not only changed the relationship between black social movement organizations and the state, but also altered the movements' organizational structures, strategies and internal contestation. In this, it is more institutionalized strategies that have proven much more effective in Brazil than they have in Colombia.

Explaining the Shift to Policies for Black Populations

Black movement actors in Colombia and Brazil faced many obstacles in the period leading up to recent reforms including a political culture that silenced ethnic and racial issues. Ultimately, they

were able to overcome these obstacles by taking advantage of a convergence of national and global political openings. Thus, in both cases, rather than responding to mass mobilization, the state responded to strategic action by black activists in the context of these openings by granting specific rights and adopting targeted policies for black populations.

More specifically, in Colombia widespread discontent over election fraud paired with the intensification of political violence by the M-19 urban guerilla movement and drug cartels produced a situation of unparalleled political instability in the country. This prompted a serious crisis of legitimacy of the Colombian state to which they responded with a democratic constitutional reform process. I argue that this converged with the solidification and diffusion of global policy norms around multiculturalism that represented a key discursive opening for indigenous and Afro-Colombian activists alike.

Yet even in this context of openings, black communities were not automatically included in the 1991. Instead, their inclusion in Colombia's shift to multicultural policies was the result of lobbying, the Black Telegram Campaign, small-scale protests, and the forming of regional alliances. Perhaps the most important piece of their strategy was to frame the issue in terms of the right to difference, which contrasted with earlier movement organizations like Cimarron that emphasized racism and the need for integration. I argue that this particular discourse of black rights, which was rooted in the concerns of more rural Afro-Colombian movements, resonated more with the multicultural framework that was being solidified in Colombia and throughout the world at the time. Indeed, urban black movements were largely marginalized from the Law 70 process, and had to subsequently adapt to a new political field with a law and new political structures rooted in the language of multiculturalism and the need to protect the identities and culture of black communities.

Like Colombia, the shift to affirmative action policies in Brazil was also the result of the strategic action of black activists and their allies in the context of the interplay between national and global political openings. In the Brazilian case it was the convergence of the ending of the second term of a president sympathetic to anti-racism struggles and the Third World Conference against Racism in Durban. In this context, black activists, situated in a number of places, were able to effectively leverage this international event, in part, because the Brazilian government had invested at least three decades in being the model for race relations in the world. Black activists were ultimately successful because they were able to expose the contradictions between the Brazilian government's discourse abroad as a "racial democracy" and its stalled reforms at home. Also the centrality of Afro-Brazilians in the consolidation of transnational networks of black organizations was important for sending a message sign to the Brazilian government that it had to reconcile its image as the leader in anti-racism and the reality of stalled reforms. Ultimately, their efforts led to the Brazilian government's adoption of a number of historic policies and legislation aimed to promote racial equality in a country long regarded as a racial paradise.

Defining the Black Political Subject

While there are some similarities in these cases, there are also some key differences. While the Colombian and Brazilian states both adopted legislation for black populations, the actual discourse of blackness embedded in them would be different. Indeed, the dominant discourse

around black rights in Brazil centers on notions of “the right to equality” and inclusion, whereas black issues in Colombia are largely framed in terms of the “right to difference”, culture, territory and autonomy. I argue that this has as much to do with how black populations were historically imagined by the state, as it does with the different discursive tactics used by black movements when making demands on the state. I have tried to show that the specific ways that black movement organizations have defined blackness and the way the Colombian and Brazilian states have institutionalized the black political subject, very much reflect the unique histories and nationalist discourses of these countries.

Whereas black populations were not central to the Colombian state’s conception of the nation, political elites constructed nationalist narratives that put Brazil’s African heritage and black people at the center. In Colombia, this absence paired with a reality of a black population that regionally concentrated outside of the centers of political and economic power allowed for a specific sub-group of Afro-Colombians’ claims to ethnic difference resonate with policy makers and academics in the constitutional reform process. For Afro-Brazilians, the backdrop of racial democracy, which had symbolically and discursively included them, but excluded them from political and economic power, claims to racial integration and equality resonated the most.

By emphasizing cultural difference, Afro-Colombian activists were able to challenge a notion of mestizaje in which blacks were either invisible or simply absorbed culturally into the Colombian population. Additionally, by advancing a cultural pluralist model rooted in ethnic autonomy and land, they also challenged the notion that cultural assimilation should be the end goal of ethno-racial state policies. Yet mobilization by Afro-Colombians also resulted in a rural, geographically bound and ethnically distinct black subject being codified in law. This notion of blackness largely ignores the experiences of urban Afro-Colombian people who are the majority. The limitations of the Law of Black Communities have been further brought to light due to the increasing urbanization of the black population as a result of its massive displacement by armed actors from newly granted collective territories.

And even while the boundaries around the black political subject are much broader in Brazil, more radical sectors of the Afro-Brazilian movement have still raised questions about the prominence of state policies targeting the middle class and urban black population. Indeed the Brazilian state’s focus on affirmative action in universities, while important, has been cited by some as a policy that does not impact the lives of the majority of black people in Brazil who do not have access to the university even under affirmative action. Indeed, the other issues facing urban poor black populations – including crime, violence, criminalization of youth, racial profiling and police brutality, lack of access to justice, and deteriorating housing conditions – have not been at the center of state policies to promote racial equality in the country. Further, while the situation facing rural black populations in Brazil, especially former enslaved communities (*quilombos*), has figured into some state policies, this was not a central part of the platforms of prominent black organizations in the country. In this sense, whereas the conception of black rights in Colombia is overly rural, the black political subject in Brazil is largely an urban one.

Given that both countries have considerable urban and rural black people, there is still much to explore around the consequences of these different narratives around black rights on the material conditions of the black populations. Indeed, both cases raise questions about the consequences of

different multicultural and anti-racism models, and who is included or excluded from institutionalized definitions of blackness in these countries. Interrogating this further would also mean interrogating how the institutionalizing of particular notions of blackness, be it “black communities” as ethnically distinct cultural-based groups, or “the black population” defined through a lens of racial inequality, might affect movements’ ability to make different kinds of demands on the state thereafter.

Weighing Institutionalized Black Politics

Black social movements in both Colombia and Brazil are now confronting an objectively different political field than they faced before the adoption of the Law of Black Communities and affirmative action in Brazil. In both countries the state created a plethora of official state agencies as well as state-civil society councils, commissions and committees to address the issues facing the countries’ black populations and to guarantee their political participation. Yet assuring black populations’ political participation meant that black activists would be called on to inhabit these spaces and “represent” black people and the movement in these newly constituted bodies. While some black social movement actors and individual activists have decided to take full advantage of their new access to certain parts of the state apparatus, others have challenged and resisted such institutionalization. Though while there are some similarities between the two cases, there are also some key differences in the patterns and consequences of institutionalization in these two cases.

In terms of similarities, institutionalization has had two main effects on black movements in both countries. First, it has required all activists and organizations within the movement to adapt their discourse, strategies and organizational structures to the new political context in which they find themselves. In Colombia, this has meant that urban organizations like Cimarrón that were not central to the passing of the Law of Black Communities have had to obtain legal recognition by the Ministry of the Interior. Similarly, rural black communities have had to conduct local censuses, provide territorial maps of local areas, constitute community councils, and gain official recognition in order to apply for land titles. This legal recognition is the basis upon which these organizations and individuals have been able to engage with the Colombian state, and has been responsible for creating an economy of black representation of sorts. However, precisely because of issues of corruption and clientelism, other Afro-Colombian organizations have used transnational alliances to go around the state and institutionalized spaces for black participation. Indeed organizations like PCN and AFRODES have utilized such international spaces as a way of shaming and pressuring the state to protect the rights of black communities that are guaranteed in the country’s new constitution.

Similarly, institutionalization in Brazil has meant a reconfiguration of organizational forms and strategies within the movement. Indeed, a wide range of former black activists have taken up official positions within the state, and within mainstream political parties and have tried to use such access to the state to push for the full implementation of policies and to push for further reforms. And while more radical autonomist sectors always existed within the Afro-Brazilian movement, the widespread participation of the black movement in political party politics in the 2000s meant that they had to readjust their strategies, often times becoming much more vocal than before about the pitfalls of institutionalization. The unspoken code within the Afro-Brazilian movement to present a united front crumbled as more radical sectors of the MNU

realized just how hegemonic institutionalized strategies had become within the black movement, especially with the rise of the PT.

The second consequence of institutionalization is heightened internal contestation between activists that “want in” into the system and those that don’t. Among black movements in Colombia and Brazil, the division between those seen as the institutionalized ones and those more radical or autonomist sectors has become the main cleavage. Thus, as black activists attempt to challenge institutionalization, it has also meant turning their efforts toward delegitimizing such spaces and publically challenging the activists that choose to engage with or inhabit the state. The struggles over the question of autonomy within the Unified Black Movement (MNU) in Brazil are perhaps the clearest example of how this plays out on the ground. In this, more autonomist sectors of the black movement have lodged public denunciations, harsh critiques and serious charges of corruption and cooptation, at more institutionalized actors.

However, while there were some general patterns of institutionalization, there are also some key differences in the two cases that I argue result from differences in the political fields in each country. This aspect of institutionalization is what makes Baiocchi, Heller and Silva (2008) framework so central to the one I develop here. Indeed, a simple dichotomy between institutionalized and autonomist sectors – devoid of an analysis of the political field in which movements are embedded – is not particularly useful for understanding these divergent cases. The context of a clientelist Colombia and associationalist Brazil, paired with differences in the structures for black political participation, has meant that more institutionalized sectors of the black movement in Brazil have been more effective than autonomist ones in pressuring the state in this new political context.

Institutionalized strategies have been at the center of the Afro-Brazilian movement’s strategies for decades. In this, black activists within political parties and the state have been key players not only in pressuring the state from inside to make reforms in the first place, but to make good on commitments. So while all is not perfect in Brazil, the question of racial inequality has been mainstreamed in state policies, at the center of presidential debates, and the platform of the Workers’ Party. This has facilitated the adoption of affirmative action policies by universities and government agencies throughout the country without a legal mandate to do so. In addition, the slow but significant implementation of Law 10.639 that mandates schools to teach African and Afro-Brazilian history, the declaring of affirmative action as constitutional by the Supreme Court in 2010, and the adoption of the Racial Equality Statute are all testaments to the importance of institutionalized strategies. Thus while there are a number of black movement demands that have not yet been addressed by the state including the criminalization of black youth, the slow titling of land to *quilombolas* among other things, some progress has been made.

In this context where Afro-Brazilian activists and organizations have been virtually eclipsed by the state and political parties, acting from outside of the state has had mixed results. Indeed, as radical activists themselves admit, for most of the 2000s more radical black movement actors in Brazil had been shunned from mainstream politics, and more general debates around racism and racial inequality in the country. However, I also show how the debate around the Statute for Racial Equality, radical sectors within the United Black Movement (MNU) as well as the emergent Collective of Black Entities (CEN) have become more visible in their critique of the

dominant strategy among many former black activists to engage in formal politics. Professionalized black NGOs like Geledés and Criola have also been critical of the state, however, unlike more radical organizations they do still engage with it. Often times operating from a position of relative autonomy, these organizations have been important in the implementation of a number of state policies designed to promote racial and gender equality. In the end though, the recent gains made by black leaders, as limited as they may be, have not been the result of disruptive action by more autonomist sectors, but rather more institutionalized strategies.

While the Afro-Colombian movement as a whole has not been particularly effective at pressuring the Colombian state to make good on its promises, more autonomist actors have had more success than institutionalized black actors. To be sure, even though the consultative commissions on black communities have been convening black leaders and high-level government officials for nearly 20 years including various subcommittee meetings, regional meetings, national conferences and events to write countless development plans, it has yielded very few results. With the exception of the chapters related to land titling and ethnic education, the provisions of the Law of Black Communities have yet to be implemented. Indeed, the issue of who has the rights to mine for precious metals, the rights to other natural resources as well as the question of what kind of development should and can legally happen on Colombia's Pacific coast remain unanswered. Even further, increased violence, land dispossession, and large-scale extractive mining and development projects continue despite the legal protections that were designed to ward against them. As a result, many Afro-Colombians have yet to actually enjoy their newly recognized rights. In this context, the international strategies used by PCN and AFRODES have been crucial; In some cases their efforts have halted large-scale extractive mining by transnational corporations, assured the protection of Afro-Colombian leaders, and prompted the implementation of state policies to serve the increasing displaced Afro-Colombian populations.

Race/ethnicity has gone from being illegitimate issues in the political arena to becoming institutionalized political subjectivities in Colombia, Brazil, and throughout Latin America. Yet these different patterns of institutionalization in these two countries raise questions about what it actually means for black populations to become officially recognized political subjects. This recognition of specific rights for black populations and their limitations, the creation of state structures designed for black political participation, and the complex array of national and global actors involved in this process, all make up what I call the new politics of blackness in Colombia and Brazil. In analyzing this phenomenon, I hope to have made a contribution to two literatures. First, I want to suggest that this study offers a window into the changing meanings of race, ethnicity, and politics in Latin America more generally. Second, in analyzing how black social movements actors in these two countries simultaneously navigate national and global political fields, and wrestle with questions around what kind of relationship they want to have with the state, this study also reveals new ways of understanding social movement-state contestation.

Rethinking Race and the State in Latin America

While this study is a political ethnography of the changing landscape of race and politics in Colombia and Brazil, it also unsettles a number of unquestioned assumptions in the literature on race in Latin America. First, it highlights the fact that the meanings of race/ethnicity in this

region are far from static, but rather contested categories subject to constant contestation between different actor among them state officials, ethno-racial organizations, intellectuals and even international actors. Second, in comparing two countries within Latin America, this work also challenges the prominent idea that there is a single variant of “race-relations” in Latin America. Finally, by examining the ways in which international actors and discourses flow in and outside of debates between black movements and the state in both countries. I argue that global factors play a much more complicated role than the literature currently suggests.

Remaking Race, Nation and Politics

States throughout Latin America have rewritten their constitutions to recognize black and indigenous peoples and they have adopted redistributive policies based on race/ethnicity. Consequently, this shift challenges us to rethink the relationship between race, politics and the state in this region. Perhaps most importantly, this shift in state discourse and policies has incited national debates around equity, democracy, and what it means to be included in the social, economic and political life of the nation. In Brazil, race-based affirmative action has spurred a national debate about race and the nature of Brazilian society on major media outlets, elicited attention in televised presidential debates, prompted the writing of manifestos for and against affirmative action by prominent public figures, and has provoked debate in classrooms and street corners throughout the country. If nothing else, the shift has meant that the taken for granted notion that Latin American societies were culturally homogenous and divided exclusively along class, not ethno-racial lines, have been upset.

The trajectories of contemporary black movements in Colombia and Brazil also reflect the changing dynamics of race, ethnicity and politics in Latin America more generally. Colorblind state discourse, and a status quo that silenced and sometimes even sanctioned discussions of race, has characterized many Latin American countries. It is against this powerful backdrop of colorblindness that black organizations throughout the region have organized throughout the post-independence period. However, until recently, these organizations have had very little resonance with the grassroots, and even less success in making successful claims on the state. Thus, much of their efforts up until the 1990s had focused almost exclusively on raising visibility around the presence of black populations, proving that racism existed, or even more fundamentally that ethno-racial distinctions continued to structure social relations and inequality in their countries. Also given a reality of identities rooted in notions of *mestizaje*, colorblind nationalism, these activists also often found themselves involved in “conscientização” or consciousness-building to encourage people to identify as black and organize politically as such.

So even while scholars have shown deep-seated racial inequality in Colombia and Brazil, collective racial identity or mobilization cannot be taken for granted in either case. To be sure, identity in these countries has been rooted firmly in notions of colorblindness, race mixture and egalitarianism. Ironically, it is precisely through these new laws and policies that some Latin Americans have come to understand themselves as black. This trajectory of racial inequality prompting black movement, which, in turn, re-shape racial identities on the ground seems counterintuitive when compared to the U.S. where black identity is often thought to be

entrenched and which is always assumed to be static.¹⁵¹ In this way, understanding the particularities of *mestizaje* or racial democracy, which was often seen as the polar opposite of the paradigmatic case of race relations in the U.S., can expand our understanding of the relationship between race and politics more generally. At the very least, these cases suggest that while both racist state policy and colorblind ones can give rise to dangerous ethno-racial inequalities, they engender a different kind of racial politics.

Questioning the Idea of Latin American Exceptionalism

The two premises of Latin American Exceptionalism are that race/ethnicity are not salient in Latin American countries, and that Latin America is homogenous in its model of race relations. This study has questioned both. In taking a comparative approach, I hope to have shown that there is no single model of race relations in Latin America historically or today. Further, while the general shift toward ethno-racial legislation for black and indigenous populations in Latin America is indisputable, the variation in the extent, nature, and timing of such legislation signals the need for in-depth analyses of the cases that focus as much on regional and global diffusion as they do on politics at the national and local levels. So while Colombia and Brazil do offer some insight into the unprecedented shift from state discourses rooted in *mestizaje* and racial democracy to the adoption of specific policies in Latin America more generally, key differences in these two cases also raise questions about the extent to which we can talk about Latin American race relations as such. Certainly the region shares a history of nationalist narratives rooted in ideas of race mixture, cultural homogeneity and formal egalitarianism. However, I have also argued that there are some key historical differences that have likely shaped the kinds of claims black movements have made on the state, and the kind of ethno-racial reforms adopted in these cases.

In this sense, this study upsets the unquestioned assumption that Latin America is homogenous in its form of racial formation and model of nationalism. These two cases highlight that the nature of colorblindness and the extent to which different groups were included in national myths actually vary quite a bit throughout the region. More specifically, they show us that while there are similarities in the way race and ethnicity structure society and politics in Latin American countries, there are some key difference in the historical construction of race and nationalism, as well as differences in the new politics of blackness that have unfolded more recently. I argue that these historical differences lay the foundations upon which more recent contestation between black movements and the state has taken place. Further, I show how the politics that ensue after the state makes concessions to black movements deeply reflect the political field of Colombia and Brazil specifically.

¹⁵¹ This may be changing with the increasing literature on race mixture and fluidity in the U.S. Analyzing in-depth interviews with black/white multiracials, Rokeymore and Brunson (2001) found that in addition to phenotype and contextual factors, socio-economic status was an important factor shaping racial identification. More specifically, they found that those black/white multiracials identified as “biracial” or as “white”, were largely middle class, educated in private schools and raised in predominately white social settings. Frank, Redstone Akresh and Lu (2010) examine how skin color and social status effect Latinos racial identification in the U.S and identity

The Role of the Global in the New Politics of Blackness in Latin America

As countries throughout Latin America adopt new constitutions that recognize indigenous and black populations it raises important questions about the extent to which these dramatic changes are the result of endogenous political struggles, or international influence of some kind. Thus, rather than assume that global factors are automatically relevant to the shift to legislation and policies for black populations in Latin America, this study is a call to treat this as an empirical question. There are many reasons to believe that international factors also shape black politics and the broader shift toward multiculturalism throughout Latin America. While global factors have certainly figured into the politicization of race and ethnicity in Colombia and Brazil, it was the convergence of these international factors with ongoing political struggles in these countries that best explain this shift. Yet what these cases teach us is that such international actors and influences converge with national political processes in different ways at different moments ways that reflect the different ways that countries are embedded in global politics. In this way, these cases likely hold lessons for understanding the complex role of international factors in shaping the shift toward race-based policies in Latin America more generally. Most importantly, rather than conclude that the racial equality and multicultural policies that are sweeping Latin America have been imported from elsewhere, we examine the relationship between international factors and national political processes empirically.

In Colombia global policy norms around multiculturalism were translated into the political and social context of Colombia in that period. Similar to other Latin American countries, the translation of multicultural policies into Colombia took place through a constitutional reform process. Changes in international norms were not sufficient to bring about the adoption of multicultural policies; rather, such changes were important in aiding local political struggles for recognition. Yet while the rise of multicultural policies throughout the world certainly provided a discursive opening for both indigenous to make certain kinds of claims on the Colombian state, in order to ultimately gain recognition, collective land rights, and a host of other rights, these groups had reconcile these discourses with national understandings race, ethnicity and nationalism. The contentious debates between black activists and anthropologists associated with the Institute for Culture and Anthropology in Colombia in the early 1990s highlight that rather than a simple case of cultural imperialism, or global diffusion, black rights have been constructed through a national political contestation and the translation, rather than importation, of global policy norms around multiculturalism into ongoing local struggles.

In the adoption of Law 70 that international actors began to play a more direct role for Afro-Colombian movements. This period marked the internationalization of Afro-Colombian organizations as they began to develop transnational alliances in order to pressure the Colombian State to comply with Law 70 and to deal with emerging issues facing black communities in Colombia. In this process of internationalization, Afro-Colombian leaders and organizations have built solid transnational coalitions with non-state actors including religious and black organizations throughout the hemisphere, and effectively leveraged the influence of state actors primarily in the U.S. and other Latin American countries, namely through the use of a global human rights frame. It is the geo-political importance of the country, the centrality of it in the U.S. war on drugs, and the internationally recognized human rights crisis in the country that have made black activists efforts to build transnational alliances and garner external legitimacy a meaningful and effective strategy for pressuring the Colombian state.

Because Brazil occupies a substantively different position than Colombia in the global political field, the role of international factors have been different. Even so, discussions around affirmative action in the country were certainly shaped, constrained and aided by international funders and events. However, the Brazilian state's ambition to be a cultural leader in the world was perhaps the most important international factor that shaped the debate around race and affirmative action in Brazil. So while international factors did certainly play an important role in shaping the adoption of affirmative action policies and the politics of racial inequality, they did so for very different reasons than U.S. imperialism.

In the post-reform period in Brazil, the influence of international factors has been less direct. Unlike Colombia, where the nature of the issues affecting black communities involves the loss of human life and other things that resonate with international actors, the issues facing Afro-Brazilians, as the country becomes a middle-income country are less relevant to international actors. Rather than providing external leverage to local actors, international ties in Brazil today are most important in terms of funding black movement organization, namely professionalized black NGOs such as Geledés and Irohín. Because these organizations are not dependent on the Brazilian state for funding, they are able to maintain a certain level of autonomy from the state that other organizations cannot. In this sense, international foundations have become the “guarantors of autonomy” for these organizations in similar ways as transnational advocacy networks have for more radical Afro-Colombian organizations.

An Integrated Approach to Understanding Social Movement-State Dynamics

Beyond the contribution this makes to the study of race, ethnicity and politics in Latin America, it also offers insight into the study of social movements. I contend that these two cases, and the theory developed to understand them, provide a useful way of understanding the relationship between social movement actors and the state over time, internal movement dynamics and the role of international factors in shaping these relationships. The framework of global and national political fields, I have attempted to move beyond a set of dichotomies that are often reproduced in the literature including that between structure and agency, the national and global, disruptive and bureaucratized strategies, and even between social movement actors and the state. Deploying the notion of political fields, I also try to grapple with the complex interplay between national and global political processes. In this I suggest that movements are embedded in a national and global political field that respond to, but which they also reconfigure. Such reconfigurations of the field can lead to a reconfiguration of movements' organizational structures, discourses, hierarchies, and change the relationship between movement actors and the state. This integrated framework seeks to make three specific contributions to the social movement literature.

First, I hope to have shown that while much work on social movements continues to reproduce the dichotomy between frame analysis and political opportunity approaches, these perspectives are not incompatible. To be sure, political structures are not easily separated out from the political culture and popular understandings that legitimate them. Alternatively, it is difficult to analyze how movements draw on certain ideas and language that resonates with broader cultural understandings without paying attention to the role of power in the process. Indeed, as we see especially in the case of Colombia, political elites and even intellectuals have the power to set the agenda and the discursive limits of debates such that black movement efforts were as much about framing issues as they are struggles to be able to use particular frames in the first place.

Second, in examining black movement actors outside of the state alongside those that engage with, and occupy, the state, reveals the importance of taking more integrated approaches to the study of social movement-state contestation over time. Rather than assuming that black movements' engagement the state means they would be less effective, we should ask how access to the state changes movements and their ability to exert further pressure on the state. I have argued here that access to institutional spaces within the state is not the end of social movements, but it is a new phase in their trajectories. I have shown how looking at this later stage can even help us to fully understand movements' strengths and weakness during earlier struggles. In this way, this study is a call to integrate our analyses of movements working primarily outside and against the state, with movements/people/constituencies using access to the state in order to get a real picture of how political and social change take place. In order to do so, we must draw both on the literature on social movements and on theories developed to understand state-civil society relationships. Indeed, the utility of both of these approaches in conceptualizing black movement outcomes and divergent patterns of incorporation in these two countries strongly suggests that there is much value in taking such an integrated approach to the study of social movements.

Moreover, black movements in Colombia and Brazil are not unlike other movements around the world that have been successful in pressuring the state to make limited concessions. Very few social movements, if any, are homogenous, but instead are likely to be fragmented along a number of lines including ideological ones. Consequently, in contexts in which movement efforts have resulted in them gaining some access to the state, this inevitably leads to discussions among movement actors about the costs and benefits of becoming institutionalized. So while there are particularities in these two cases, one might imagine similar bifurcation in social movements around the world. In this way, social movement institutionalization is often a messy, uneven and partial process that is shaped profoundly by the political context in which it takes place.

Further, understanding what happens as some movement actors institutionalize, and others become more radicalized, can give us insight into broader questions of state-movement dynamics in different political contexts. One lesson from these cases is that there is not a single outcome or consequence of movements' incorporation into the state and formal politics. Instead, the consequences of incorporation are as different as the different movement strategies that led to incorporation, and the two distinct political fields in which contestation between movement actors and the state unfolded. These different outcomes are important for understanding the conditions under which states make good on their commitments as well as the relative effectiveness of working from within and outside formal political processes.

The third and final intervention I have aimed to make to the literature on social movements is related to the role of international factors and actors in shaping social movement dynamics over time. I develop the concept of global and national political fields and two stages of state-movement contestation that builds on the literature on transnationalism and social movements. Thus rather than thinking of social movements being as embedded in a bounded national political field, I have proposed we think about national political fields being embedded in global fields. Indeed, global factors can shape every stage of social movement dynamics including their emergence, strategies, discourses, and even the nature of their outcomes. Further, as community-based and social movement organizations in the Global South become increasingly dependent on funding to mobilize people and engage in strategic action, international donor agencies have

become even more central to guaranteeing movements' survival. This simultaneous importance of international factors – and the distinct ways in which it converges with national politics at different moments – calls us to do more systematic analyses of this interplay between the two.

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Appendix I Methodological Discussion

This study is based on 18 months of fieldwork, which included eleven months in Colombia in the summer of 2006 and between August 2008 and May 2009, as well as seven months in Brazil, between September 2009 and June 2010. My approach was very much an inductive one. Once I was done with fieldwork in Colombia, I had a much better sense of what kinds of people I needed to interview in Brazil, what themes were most salient, and what kinds of questions I needed to ask. My fieldwork in Brazil also required less time because I was much more familiar with the country having lived there in 2002 and travelled extensively to the country before starting graduate school. In the end, my findings are based on one hundred and nine (109) in-depth interviews with black activists, academics and government officials, as well as my analysis of archival documents and participation in a wide range of government and black movement events. In this sense, my approach was very much in the vein of what Baiocchi and Connor (2008) call a “political ethnography”, which they define as “a research method that is based on close-up and real-time observation of actors involved in political processes, at times even extending the definition of these processes to move beyond categories of state, civil society, and social movements” (139).

In both Colombia and Brazil, I spent much of my first month getting acquainted with the general political landscape of contemporary black social movement. I did this by working as a volunteer for black organizations in each country, analyzing black movement documents, talking with scholars, and examining newspaper articles from the periods leading up to affirmative action policies in Brazil, and the Law of Black Communities in Colombia. In doing this, I gained a better understanding of the political context in which contemporary black social movements emerged in the two countries as well as a sense of the key actors in these reforms. In this time, I also developed a more extensive list of names of activists and government officials to interview and began to participate in a wide range of events, conducted interviews, collected archival documents and wrote extensive field notes. Before I discuss some more specific aspects of my fieldwork and data analysis, I would like to talk briefly about where I am situated in this project, as an African American woman and Ph.D. student from an elite U.S. university.

African American Sister, Foreign Researcher: Navigating Insider-Outsider Status

When I decided to undergo a project on black social movements in Colombia and Brazil, I was acutely aware of the critiques of both U.S. and Latin American academics of the exportation of U.S. racial norms, categories and policies to Latin America. Consequently, I set out to study the social movements that considered themselves part of the “black movement” in each country, approaching the question of U.S. influence as an empirical one. In so doing, and as I suggest in this dissertation, the black social movement organizations I analyzed had complex relationships with different international actors that defy simple accounts of north to south imperialism. I was also careful to use the language my interviewees used, be they activists, academics or state officials. The term “black” or “negro” – broadly defined to include mixed-race people – was used by almost all of my informants in both countries. However, in the case of Colombia, the term “negro” was rarely used by itself, but rather, was often used in conjunction with community, as in “comunidad negra”. The terms “afro”, “afrocolombiano”, and “afrobrasileiro” were also used, albeit rarely, and typically in a way that was interchangeable with “negro”.

My fluency in Portuguese and Spanish, my taking many precautions, and spending extended amounts of time in each country afforded me the ability to understand many of the nuances of the context that I was analyzing. Even so, like all researchers, I do have a particular background that informs the way I ask questions and the kind of information I have access to in the field. In my case, this meant having to negotiate my insider status as black, and my outsider status as a foreign researcher, throughout my time in the field. Often times, I had to oscillate between these two as my being black meant that people treated me as part of an imagined African Diaspora, and my status as a young researcher from a foreign elite institution firmly marked me as an outsider. Both identities gave me access to and allowed me to connect with different groups of people. However, they also presented many challenges.

Whether visiting a mostly black village in Northern Cauca in Colombia, or going dancing in a majority-black hip hop club in São Paulo, people assumed I was either Colombian or Brazilian. Upon learning that I was from the U.S., they often wanted to talk about the connections between African Americans and black people in their own country. Formally educated black activists would often talk about how Malcolm X, Martin Luther King, Angela Davis and Stokely Carmichael had been really central sources of inspiration in their own trajectories as activists. Perhaps because I lived in Oakland, CA, some of them would even ask me what was going on with the Black Panther Party and if I was active in it. I often had to deliver to them the news about the repression of radical black movements throughout the U.S., and the lack of a contemporary black movement on the scale of the 1960s-1970s. From organizational names like the Soweto Study Group, the Malcolm X Institute, Angela Davis Foundation, and Barrio Nelson Mandela, to the many symbols of African American and African unity including red, black and green flags, the connections between the struggles of black people everywhere were often explicit. Consequently, black solidarity and my membership in a larger African Diaspora was also assumed.

In this sense, being black and from the United States gave me a particular insider-outsider status, which allowed me to become very much entrenched in the movements I was studying. I was called on to give presentations on black culture in the U.S. and the Black Power Movement in the U.S. throughout Colombia and Brazil from events like the National Meeting of Black Students in Colombia, to presentations for grassroots projects in the peripheries of São Paulo. In this, many people including those I formally interviewed, treated me as a sister, often times using the term “hermana” or “irmã”. On one occasion, I interviewed a group of rural black leaders who had recently been forcibly displaced from their collective territory on the Southern Pacific Coast, and who were seeking protection from the Minister of the Interior and Justice in Bogotá. I met them through an Afro-Colombian activist who was from their same region. Before I could ask the first question, the older man in the group told me: “I just wanted to let you know that I would not have let you interview me had you been white”. He proceeded to tell me his story of organizing around land rights and alternative development, and how white and mestizo people, representing leftist armed groups, murdered community leaders and threatened his life. It probably was not safe for this leader to be talking with me, which is why I was particularly careful in keeping his identity confidential. He did, in part, because my being black made us part of the same community, in a sense.

In reality though, my experiences being black in medium-sized cities in the U.S. were very different from that of rural Afro-Colombian leaders in almost every way. However, because I

spent time with black activists outside of their offices, at their homes, conferences, social events, meetings, and protests, they knew that I was often treated as they were as a black native (rather than a foreigner). I was denied entrance to nightclubs along with them, was randomly searched in along with them, and received much of the racialized street harassment that black women in both countries experience, particularly in the wealthier and whiter parts of the city. In these many encounters I was often black before I was “American”. Within the black movements in these two countries, I would (somewhat jokingly) refer to myself as a *gringa*, however, my friends and interviewees often felt uncomfortable with such a designation. “You’re not a *gringa!*”, they would say. There were many reasons it was hard for people to see me as *gringa* including my ability to speak Spanish/Portuguese. But perhaps most importantly is the fact that *gringa* is at once a national and racial category often used to refer to white foreigners. As a compromise, and careful to not be marked as a fraud pretending to be Afro-Colombian or Afro-Brazilian, I would sometimes refer to myself as *afro-gringa*. While black activists in neither country loved this term, they did find it amusing.

However, my identity as black did not always trump my identity as a privileged American Ph.D. student from an elite institution in the U.S. My affiliation with Berkeley was understood by most of the college-educated activists and all of the state officials I spoke with. While this gave me access to state officials, it did pose some barriers within the black movement. For some black activists, especially those from organizations that I did not have long-established relationships with, being an academic made me an outsider. In both countries black movement organizations had had previous negative experiences with academics, and were very skeptical of my intentions. This meant that some activists brushed me off and did not allow me to interview them, while others required me to tell them who else I interviewed, what my analysis was so far, and in some cases, provide them with copies of their interview manuscripts and drafts of any publications, before they agreed to be interviewed. Both positions were understandable given the tenuous relationship the black movement has had with academics, from their own country, and foreigners alike.

In addition to managing my insider status as black, and outsider status as a researcher from the U.S., I also had to navigate the complex divisions within the black movements in each country. I often felt like I was walking a tight rope or walking through a minefield. Previous research on black social movements in these countries have not dealt with this directly since they have focused mainly on one organization (i.e. Covin (MNU), Escobar and Asher (PCN)). Instead, I set out to map out the many different kinds of organizations within the black movement in each country, including those who were largely considered co-opted. This meant that activists always questioned my loyalty, allegiances and intentions. At one meeting in Tumaco, a Consultative Commissioner I didn’t know asked “are you here with PCN?”, another activist from another organizations whom I had already interviewed responded “No, she’s African American, she’s a Ph.D. student”. The Consultative Commissioner pressed on: “that doesn’t mean she isn’t with PCN”. This question was a legitimate one. PCN had been my official affiliation with the Fulbright Fellowship, and had provided me with much of my support system and social networks in Colombia. Even so, my goal was never to write a study of PCN, but of the trajectories of the black movements of Colombia and Brazil, and their relationship with the state and international actors more generally.

This was much harder said than done. In both countries there were many fault lines within the movement, as one should expect with any movement. Competition over resources, a reality of activists leaving organizations to form new ones, and entangled personal lives all made it hard to navigate the political field. What was perhaps the most difficult thing to navigate, though, was the sharp line drawn between activists who had close relationships with the state, and those who preferred to keep the state at arms length. If I was seen around the city/town with either of these groups, it would raise many questions about whose side I would ultimately take when I write up the study. I was even asked to become an official member of a number of black organizations. I politely declined. As I travelled from city/town to city/town, people would often ask me who I was staying with before agreeing to let me interview them. I remember walking down the street with people who I had just interviewed, and then being asked to explain why I was with that person. In the end, where I decided to stay, with whom I decided to eat or go out dancing with were first and foremost political. In a few rare occasions, being an outsider did allow me to refrain from taking a position on the institutionalization/autonomy debate. Now that I have situated myself in this research project, I will discuss some of the specifics of my ethnographic work, and approach to analyzing my data.

In-depth Interviews

Over the course of my 18 months in the field, I conducted fifty six (56) semi-structured, in depth interviews in Colombia and fifty five (53) in Brazil with black activists, scholars and government officials from many different regions throughout the two countries. Among them was a small number of academic experts and government officials were directly involved in the elaboration or implementation on policies related to black populations: eight (8) in Brazil and six (6) in Colombia. These interviews focused on academic and policymakers' interactions with black movement organizations and their ideas about the role that such organizations play in political processes. They were also helpful in suggesting activists to interview that transcended the recommendations by black activists themselves who tended to think that interviewing people from black organizations that were ideologically different from their own, would not be useful.

Interviews typically lasted between one to two hours, though a few were much longer, and my interviews with government officials tended to be 30-45 minutes. While I did have a more general interview schedule for each country, I rarely used it. Instead, each interview was tailored to the person being interviewed based on a number of factors. For black activists, I asked different questions based on the length and nature of their trajectory within the movement, my knowledge of their participation in specific organizations and historical events, and especially in the case of Brazil, if they had ever occupied a position within the state. Even so, there were some common threads in my interviews with activists that are worthy of mention. All of my interviews with black activists started with questions about where they grew up, followed by questions about how they came to be interested in political/social issues and activism. After these questions, my interviews roughly covered the following topics:

- History in the movement
- Organizational history
- Strategies and agenda in the period leading up to reforms
- Strategies in the period following reforms
- Evaluation of legislation and their implementation

- Relationships with the state over time
- Relationships with international actors

Interviewing activists, who consistently evaluate the political context in which they are acting and who often have complex analyses of society, made things easier for me in some ways, and harder in other ways. The idea of me as the researcher, and black activists as “research subjects” never quite held true. Everyone I interviewed had their own analysis of what political factors lead to recent changes in state policies, as well as the political dynamics at play during my time in the field. The arguments I made in this dissertation were heavily informed by these activists’ analyses, though not entirely. My ethnographic data was crucial for contextualizing these interviews.

Participant Observation

In addition to conducting interviews, my life in the field consisted of attending events organized by black organizations including conferences, internal meetings, protests, marches and meetings with government officials. I also attended a number of key events organized by the state including the Public Hearing on Law 70 in the Colombian Senate and a Public Hearing on Affirmative Action in the Supreme Court of Brazil, and an important event organized by the Ministry of the Interior in Tumaco. In participating in these events, and conducting informal interviews, I gained a better understanding of the relationships among black movement actors and between them, the state, and international actors on the ground. I remember running into Pastor Murillo, then head of the Sub-Division on Black Communities at a meeting in Tumaco after having interviewed him the day before in Bogota, where he told me “You are everywhere!”

Originally setting out to understand why the Brazilian and Colombian states adopted specific legislation and policies for black populations meant that the scope of my project was national. Over time, my goal became to give a birds-eye view of the dynamics between black movements and the state over time in the two countries. This meant, however, that I had to make many difficult choices about where I should spend my time, and what events I should participate in. In Brazil, I spent roughly three months in Rio, two months in São Paulo, one in Salvador, and a week in each of the following cities: Brasília (Goiás), Recife (Pernambuco), Porto Alegre (Rio Grande do Sul), and Sao Luiz (Maranhão). In Colombia, I spent most of my time between Bogotá, Cali. I also made several trips to towns in Northern Cauca as well as two weeks in Quibdó, Buenaventura, Medellín, and between Cartagena and Santa Marta. I also traveled quite frequently to participate in regional and national meetings. Also, because those activists hoping to engage with the state at the national level did travel to Bogotá and Brasília, I also was able to interview people from other regions at different points. As such, my research is much better suited to understand the dynamics of black organizing at the national level rather than the local level. I wrote extensive field notes almost every day I was in the field, which included both descriptive accounts and preliminary analysis. In this, I often wrote notes on my first impressions of the formal interviews I conducted.

Archival Documents and Newspapers

Finally, I collected many government and black movement organization documents over the course of my research too numerous to actually be included in this study. Even so, I do rely on

these archival documents to make some of the arguments I make in Part I of this study. In Colombia, I collected and analyzed over 600 pages of primary government and organizational documents from 1991-1994. The most central of these documents were the minutes of the National Constitutional Assembly sessions related to ethno-racial legislation, the text of Transitory Article 55, the minutes of the Special Commission on Black Communities, and a limited number of black organizations' documents. Law 70 was drafted by the Special Commission on Black Communities, which included policymakers, black activists, and academics. Thus, much of my analysis centers on the minutes from these sessions, as they highlight the debate between different key actors. Because of a lack of documentation paired with a shortage of time and resources necessary to locate dispersed documents, I did not analyze many civil society sources from this period. I was able, however, to find some correspondence with Afro-Colombian organizations through the National Library and the Institute for Culture and Anthropology. Among the documents that I did collect, those that showed dialogue or correspondence between different actors were of particular interest, as they not only revealed the discourses and justifications used in contentious debates, they also highlighted the key actors involved and the agency and power relations between actors.

For Brazil, I analyzed a combination of newspaper and government documents in order to explain the shift from racial democracy to affirmative action. This meant analyzing national and international newspaper articles on anti-racism and affirmative action policies in Brazil beginning in 2000 and up until the adoption of the first affirmative action policies in government posts in 2001, and in public universities in 2002. Because this analysis, as well as my interviews with activists and government officials, often highlighted the centrality of the Durban conference in this shift, I turned my attention there. In order to make the arguments I make in Chapter 3, I draw heavily on both newspaper articles and official UN statements made by Brazilian diplomats related to anti-racism and discrimination from 1978-2002. I paid special attention to the period leading up to the Third World Conference Against Racism in 2001 and the regional preparatory meeting held in Santiago de Chile a year earlier. In order to piece together my narrative on the contemporary period, and supplement my ethnographic data, I analyzed legislative decrees related to affirmative action and policies promoting racial equality in Brazil, and a small number of documents produced by the Ministry for the Promotion of Racial Equality (SEPPPIR). These government documents were crucial for understanding exactly how black movement demands, and activists themselves, have been formally incorporated into the state apparatus.

Analyzing the Data

I used an interpretive approach to analyzing these many different kinds of data including my interview transcripts, field notes and archival documents. I used Tams Analyzer and later NVivo qualitative software to organize my data, draw out themes and see patterns in the data. This approach is in contrast to other ways of using such software to quantify qualitative data. Instead, I developed an initial coding scheme, which acted as the point of departure for my analysis. My original interpretive coding scheme focused on three themes: (1) ethno-racial terminology used in these debates and legislation, (2) how different sides of the debate justified their positions around adopting specific policies for black populations, and (3) the different actors involved in these debates. The coding scheme was designed to answer the following sub-questions: What was the political context under which ethno-racial legislation was passed in Colombia and Brazil? What was at stake in these debates? Who were the major actors involved in this debate?

What were the justifications for and against this legislation? What role did black activists play? The codes included “race”, “ethnicity”, “culture”, “identity”, “international actors”, “academics”, “environmentalists”, “leftist groups”, “individual vs. collective rights”, “lobbying”, “transnational alliances”, “funding/lack of resources”, “movement divisions”, “external leverage” and “political instability”. For the period following these changes, I developed a coding scheme through a much more inductive process. The most important broad categories of codes that emerged from the data “movement fragmentation”, “relationships with the state”, “authenticity and political representation”, “the grassroots” “cooptation”, “funding”, “political autonomy”, and “transnational alliances”. I analyzed all data in Spanish/Portuguese and only translated text into English when I used direct quotes.